

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

JANE WILLIAMS-MOORE,)
)
 Appellant,)
)
 v.)
)
 DELAWARE BOARD OF)
 MEDICAL LICENSURE)
 AND DISCIPLINE,)
)
 Appellee.)

C.A. No. K25A-09-002 NEP

Submitted: December 24, 2025
Decided: March 20, 2026

MEMORANDUM OPINION AND ORDER

*Upon Appeal from the Decision of the Delaware Board of Medical Licensure
and Discipline*

AFFIRMED IN PART, REVERSED IN PART, AND REMANDED

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Primos, J.

Before this Court is the limited appeal of Jane Williams-Moore (“Dr. Moore”) from the Final Board Order (the “FBO”) issued September 9, 2025, by the Delaware Board of Medical Licensure and Discipline (the “Board”). Dr. Moore does not challenge the Board’s findings of fact, its conclusions that she engaged in unprofessional conduct under 24 *Del. C.* § 1731(b), or the suspension and probationary framework imposed. Rather, her appeal is confined to two discrete provisions: Order No. 7 and Order No. 8 of the FBO.

Order No. 7 of the FBO requires that Dr. Moore must provide any employer with a copy of the FBO at the time of hire. Dr. Moore argues that this requirement is arbitrary and capricious because it applies without limitation to employment in non-medical or non-patient-facing roles, while the State contends that the disclosure requirement is reasonably related to the Board’s mandate to protect the public.

Order No. 8 of the FBO requires that, if Dr. Moore violates any term of the FBO, her license will be revoked with no further notice or hearing. Dr. Moore argues that this provision deprives her of due process by authorizing automatic revocation without notice or an opportunity to be heard, while the State maintains that the disciplinary process afforded Dr. Moore all required procedural protections.

For the reasons that follow, the Court finds that Order No. 7 is not supported by substantial evidence to the extent it applies to employment unrelated to the practice of medicine, and that Order No. 8 constitutes legal error insofar as it permits revocation without further notice or hearing. The Board’s decision is therefore **AFFIRMED IN PART, REVERSED IN PART, and REMANDED.**

FACTUAL AND PROCEDURAL BACKGROUND¹

At all times relevant to this matter, Appellant Jane Williams-Moore, M.D., was licensed to practice medicine in the State of Delaware.² In 2021, Dr. Moore was employed as a medical doctor by ChristianaCare.³ On April 29, 2021, Dr. Moore self-reported concerns regarding alcohol use to ChristianaCare.⁴ As a result, she was removed from patient-care duties and entered a rehabilitation program, which she successfully completed before being medically cleared to return to work.⁵ Dr. Moore returned to employment on July 26, 2021, subject to a three-year return-to-work agreement requiring, *inter alia*, random alcohol testing.⁶

Despite these safeguards, Dr. Moore tested positive for alcohol during random urine screenings on January 6, 2022, and January 10, 2022, while working in her capacity as a physician.⁷ Following these positive tests, she was again removed from treating patients.⁸ On May 22, 2022, Dr. Moore resigned from ChristianaCare effective September 2022.⁹ Thereafter, she obtained employment with Family Practice Associates before leaving that position to accept employment with St. Francis Hospital on May 1, 2023.¹⁰

In 2024, Dr. Moore was involved in multiple alcohol-related incidents. On May 8, 2024, she was involved in a motor vehicle crash with an empty parked car and admitted to consuming alcohol prior to driving.¹¹ Subsequent testing revealed

¹ Citations in the form of “Tab ____” refer to items in the paper record and citations in the form of “D.I. ____” refer to docket items.

² Tr. of Bd. Hr’g at 38:1–4 (Tab H).

³ *Id.* at 38:14–15.

⁴ *Id.* at 38:16–17.

⁵ *Id.* at 38:18–23.

⁶ *Id.* at 38:24–39:2.

⁷ *Id.* at 39:3–8.

⁸ Tr. of Bd. Hr’g at 39:9–12 (Tab H).

⁹ *Id.* at 39:13–15.

¹⁰ *Id.* at 24:5–8; 40:12–17.

¹¹ *Id.* at 39:18–22.

a blood alcohol content of 0.19.¹² On June 10, 2024, Dr. Moore was involved in another motor vehicle collision after grazing a vehicle stopped at a red light.¹³ She again exhibited signs of intoxication and was charged with Driving Under the Influence (“DUI”) and Careless Driving following a breathalyzer test revealing a blood alcohol content of 0.21.¹⁴

On June 25, 2024, Dr. Moore was observed consuming alcohol in her vehicle in the parking lot of St. Francis Hospital prior to reporting to work.¹⁵ Upon entering the workplace, she exhibited slurred speech and tested positive on two breathalyzer tests administered by hospital personnel.¹⁶ Her employment with St. Francis Hospital was subsequently terminated on July 1, 2024.¹⁷

On June 27, 2024, Dr. Moore was involved in an additional motor vehicle accident in which she sideswiped a parked vehicle.¹⁸ In connection with the June 27 incident, Dr. Moore was charged with Leaving the Scene of a Property Collision Accident, Failure to Provide Information at Collision Scene Resulting in Property Damage, and Inattentive Driving.¹⁹ On December 18, 2024, Dr. Moore pled guilty to DUI in connection with the June 10, 2024, incident and was sentenced to eighteen months incarceration suspended after sixty days, followed by twelve months of unsupervised probation and completion of a rehabilitation program.²⁰

On April 14, 2025, the State of Delaware (the “State”) filed a Complaint and a Motion for Temporary Suspension against Dr. Moore with the Delaware Board of

¹² *Id.* at 39:23–40:1.

¹³ *Id.* at 40:2–4.

¹⁴ Tr. of Bd. Hr’g at 40:4–11 (Tab H).

¹⁵ *Id.* at 40:18–20.

¹⁶ *Id.* at 40:20–23.

¹⁷ *Id.* at 41:14–16.

¹⁸ *Id.* at 41:1–4.

¹⁹ *Id.* at 41:8–13.

²⁰ Tr. of Bd. Hr’g at 41:17–23 (Tab H).

Medical Licensure and Discipline alleging violations of 24 *Del. C.* § 1731(b).²¹ On April 23, 2025, the Board temporarily suspended Dr. Moore’s license and appointed a three-member Hearing Panel (“the Panel”) to consider the allegations.²²

The Panel convened on June 10, 2025 and issued its written recommendations on June 26, 2025.²³ The Panel made detailed findings of fact concerning Dr. Moore’s alcohol-related conduct, including her positive alcohol tests while working as a physician, her involvement in multiple alcohol-related motor vehicle collisions, and her guilty plea to DUI in December 2024.²⁴ The Panel also noted Dr. Moore’s 2016 DUI conviction and her denial of prior alcohol abuse.²⁵

Based upon those findings, the Panel recommended that the Board conclude, as a matter of law, that Dr. Moore had engaged in unprofessional conduct in violation of three subsections of 24 *Del. C.* § 1731(b).²⁶ First, the Panel concluded that Dr. Moore’s DUI conviction constituted “[c]onduct that would constitute a crime substantially related to the practice of medicine,” in violation of § 1731(b)(2), because DUI is expressly enumerated in the Board’s regulations as substantially related to the practice of medicine.²⁷ Second, the Panel determined that Dr. Moore’s repeated appearances at work after consuming alcohol, together with her alcohol-related driving incidents, constituted dishonorable or unethical conduct likely to harm the public in violation of § 1731(b)(3).²⁸ Third, the Panel concluded that Dr.

²¹ Recomm. of the Hr’g Panel 1 (Tab I). The Court notes an error in the caption of the case as it appears on File&ServeXpress. The case name, as e-filed, is incorrectly titled “Delaware Board of Medical License [sic] and Discipline.” The correct caption name is “Delaware Board of Medical Licensure and Discipline.”

²² Recomm. of Hr’g Panel 1–2 (Tab I).

²³ *Id.* at 2, 19.

²⁴ *Id.* at 9–11.

²⁵ *Id.* at 11; Final Bd. Order 3 (Tab M).

²⁶ See Recomm. of Hr’g Panel 12–14 (Tab I); Final Bd. Order 4–6 (Tab M).

²⁷ Recomm. of Hr’g Panel 12–13 (Tab I).

²⁸ *Id.* at 13.

Moore violated § 1731(b)(17) by breaching Board Regulations 8.1.15 and 8.1.16, including engaging in conduct tending to bring discredit upon the profession and violating Regulation 8.1.15 by failing to maintain her own health and wellness in accordance with the American Medical Association Code of Medical Ethics.²⁹

With respect to discipline, the Panel recommended a three-year suspension of Dr. Moore's license effective April 23, 2025, with the opportunity to petition for lifting of the suspension no sooner than six months after its commencement, contingent upon proof of rehabilitation and fitness to practice.³⁰ The Panel further recommended that, upon reinstatement, Dr. Moore's license be placed on probation for five years, subject to enrollment in the Delaware Professionals' Health Monitoring Program and compliance with specified monitoring conditions.³¹

The Board held a hearing regarding the recommendations of the Hearing Panel on July 8, 2025, and issued its Final Board Order on September 9, 2025.³² The Board adopted the Hearing Panel's findings of fact and conclusions of law in full, determining that Dr. Moore had violated 24 *Del. C.* §§ 1731(b)(2), (b)(3), and (b)(17), and that the imposed discipline was warranted to protect the public.³³

In the form of ten provisions, the FBO imposed a three-year suspension of Dr. Moore's license effective April 23, 2025, together with a structured pathway for

²⁹ *Id.* at 14.

³⁰ *Id.* at 17–18.

³¹ *Id.* at 18–19. The Panel's Recommendation did not include any requirement that Dr. Moore provide prospective employers with a copy of the FBO. *See* Recomm. of Hr'g Panel 17–19 (Tab I). That disclosure requirement appeared for the first time in the FBO. *See id.*; *see also* Final Bd. Order 9–12 (Tab M).

³² Final Bd. Order 9, 12 (Tab M).

³³ *Id.* at 9.

reinstatement conditioned upon proof of rehabilitation and compliance with monitoring requirements.³⁴

Dr. Moore timely filed a Notice of Appeal with this Court on September 19, 2025.³⁵ On appeal, Dr. Moore acquiesces to all but two of the ten provisions of the FBO—Orders No. 7 and 8.³⁶

As to Order No. 7, which requires Dr. Moore to provide any employer with a copy of the FBO at the time of hire, Dr. Moore contends, *inter alia*, that the provision is arbitrary and capricious because it is not limited to employment involving the practice of medicine or patient care.³⁷ She argues that, as written, the requirement would apply equally to non-clinical or non-medical employment.³⁸ In Dr. Moore’s view, because the requirement applies without limitation to medical or non-medical employment, it is manifestly unreasonable and arbitrary rather than a sanction reasonably tied to the Board’s disciplinary guidelines or protective purpose.³⁹ Dr. Moore also argues that the requirement she provide a copy of the full thirty-two (32) page FBO to any employer is unduly burdensome because a legal document of that size would overwhelm most prospective employers and necessarily hinder her ability to obtain employment.⁴⁰

With respect to Order No. 8, which provides that a violation of the FBO will result in revocation of Dr. Moore’s license without further notice or hearing, Dr.

³⁴ *Id.* at 11–12.

³⁵ Tab O.

³⁶ In the Notice of Appeal, Dr. Moore’s counsel states that the appeal challenges Orders No. 7 and 10. Notice of Appeal 1–2 (Tab O). Order No. 10, however, is plainly not among the provisions Dr. Moore seeks to challenge. *See, e.g.*, Appellant’s Opening Br. 5 (D.I. 9).

³⁷ *Id.* at 6–10 (D.I. 9).

³⁸ *Id.* at 9 (“The notice requirement applies equally if Dr. Moore were to obtain employment at Christiana Hospital as it would if she obtained an entry level position at Walmart.”).

³⁹ *See id.* at 7–9.

⁴⁰ *See id.* at 9.

Moore asserts that the provision violates procedural due process.⁴¹ She maintains that automatic revocation without an opportunity to contest an alleged breach of the FBO deprives her of notice and a meaningful opportunity to be heard.⁴²

The State opposes Dr. Moore's appeal on both grounds, arguing that the Board's enabling statute charges it with protecting the public health, safety, and welfare, and that discipline imposed pursuant to 24 *Del. C.* § 1731 is designed to safeguard the public rather than preserve a licensee's employability.⁴³ The State maintains that disclosure requirements like Order No. 7 are reasonably related to the protective mandate of the Board and reduce the risk that a physician with a history of alcohol-related misconduct will practice without appropriate oversight.⁴⁴

With respect to Order No. 8, the State argues that Dr. Moore was afforded all procedural protections required by law and that the Board acted within its statutory authority in conditioning Dr. Moore's continued practice on strict compliance with the FBO.⁴⁵ The State emphasizes that, at the time of the hearing, the Board possessed statutory authority under 24 *Del. C.* §1731(a) to revoke Dr. Moore's license outright.⁴⁶ As such, the State contends that the automatic revocation provision does not deprive Dr. Moore of due process, particularly if the conditions

⁴¹ *Id.* at 11.

⁴² Appellant's Opening Br. 11–14 (D.I. 9).

⁴³ *See* Appellee's Answering Br. 14–16 (D.I. 10).

⁴⁴ *Id.* at 12–15.

⁴⁵ *Id.* at 16–18.

⁴⁶ *Id.* at 16–17.

imposed are narrow.⁴⁷ In the State’s view, the FBO is supported by substantial evidence and free from legal error, and therefore should be affirmed in its entirety.⁴⁸

STANDARD OF REVIEW

On appeal from an administrative board’s final order, this Court must determine whether the board’s findings are supported by substantial evidence and are “free from legal error.”⁴⁹ Substantial evidence is “such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”⁵⁰

The Court does not weigh evidence or make its own factual findings—rather, it determines if the evidence was adequate to support the administrative board’s factual findings.⁵¹ Upon review of the factual determinations of an administrative board, the Court shall “take due account of the experience and specialized competence of the agency and of the purposes of the basic law under which the agency has acted.”⁵² Questions of law are reviewed *de novo*.⁵³ Hence, if the administrative board’s decision is free from legal error and supported by substantial evidence, it must be affirmed.⁵⁴

DISCUSSION

Dr. Moore’s appeal presents two issues: (1) whether Order No. 7 of the FBO—requiring Dr. Moore to provide any employer with a copy of the FBO at the time of hire—is supported by substantial evidence and within the Board’s statutory

⁴⁷ See *id.* at 17–18.

⁴⁸ *Id.* at 19.

⁴⁹ *Optima Cleaning Sys. v. Unemployment Ins. Appeal Bd.*, 2010 WL 5307981, at *2 (Del. Super. Dec. 7, 2010).

⁵⁰ *Id.* (citing *Histed v. E.I. DuPont de Nemours & Co.*, 621 A.2d 340, 342 (Del. 1993) (internal quotations omitted)).

⁵¹ *Id.* at *2 (citing *Johnson v. Chrysler Corp.*, 213 A.2d 64, 66 (Del. 1965)).

⁵² 29 Del. C. § 10142(d).

⁵³ *Person-Gaines v. Pepco Holdings*, 981 A.2d 1159, 1161 (Del. 2009).

⁵⁴ *Motiva Enter v. Sec’y of Dept. of Nat. Res. & Envtl. Control*, 745 A.2d 234, 242 (Del. Super. 1999).

authority; and (2) whether Order No. 8—providing for revocation of Dr. Moore’s license upon any violation of the FBO without further notice or hearing—constitutes legal error. The Court addresses each in turn.

I. Order No. 7

Order No. 7 requires that Dr. Moore “provide any employer with a copy of [the FBO] at the time of hire.”⁵⁵ The Order contains no limitation as to duration, scope, or type of employment.⁵⁶ Instead, it applies broadly to “any employer,” without regard to whether such employment involves the practice of medicine, access to patients, or even work within the healthcare field.⁵⁷

The State suggests that it would be “silly” to interpret the Order as extending to non-medical employment and contends that the Board’s purpose is limited to protecting recipients of Dr. Moore’s medical services,⁵⁸ but the plain language of the FBO contains no such qualification. As written, Order No. 7 is not confined to medical or patient-facing roles, and the Court must review the Order as entered.

The General Assembly has vested the Board with authority to regulate the practice of medicine and to impose discipline in furtherance of its statutory mandate.⁵⁹ 24 *Del. C.* § 1701 makes clear that the Board exists to promote the public health, safety, and welfare and to protect the public from the “unprofessional, improper, unauthorized, or unqualified practice of medicine.” The Board’s disciplinary authority is thus broad, but not boundless. As a creature of statute, the

⁵⁵ Final Bd. Order 12 (Tab M).

⁵⁶ *See id.*

⁵⁷ *Id.*

⁵⁸ *See Appellee’s Answering Br.* 13 n.4 (D.I. 10).

⁵⁹ *See 24 Del. C.* §§ 1701, 1713, 1731.

Board may act only within the scope of authority delegated to it by the General Assembly.

The record before the Court reflects substantial evidence supporting the Board's findings that Dr. Moore engaged in unprofessional conduct within the meaning of 24 *Del. C.* § 1731(b). Those findings are not challenged on appeal. The question presented here is narrower: whether the requirement that Dr. Moore disclose the FBO to *any* employer, regardless of the nature of employment, bears a reasonable relationship to the Board's statutory purpose.

In addressing that question, the Court also considers Dr. Moore's alternative argument that, even if a disclosure requirement is permissible, the Board acted arbitrarily and capriciously in requiring production of the full 32-page FBO, suggesting instead that Dr. Moore should only be required to provide a limited two-page excerpt containing only the operative disciplinary provisions.⁶⁰ The Court disagrees. In the context of the medical profession, prospective employers have a legitimate interest in understanding not only the discipline imposed, but also the factual findings and circumstances that gave rise to that discipline. A two-page excerpt containing only the sanctions imposed on Dr. Moore would fail to provide the context necessary for prospective medical employers to evaluate the nature, severity, and underlying basis of Dr. Moore's misconduct. Supplying only a partial excerpt of the FBO would therefore frustrate, rather than advance, the Board's statutory objective of protecting the public in medical contexts. Accordingly, the Court rejects Dr. Moore's proposed limitation and finds that, where disclosure is otherwise properly required, the Board does not act arbitrarily in requiring

⁶⁰ See Appellant's Opening Br. 6, 10 (D.I. 9).

production of the entire FBO. That conclusion, however, does not resolve the distinct question of the scope of the disclosure requirement.

The Court concludes that, to the extent Order No. 7 applies to employment wholly unrelated to the practice of medicine or to patient care, it is not supported by substantial evidence and exceeds the reasonable scope of the Board's regulatory authority. The Board's statement of purpose focuses on the protection of patients and the public from unprofessional, improper, unauthorized, or unqualified medical practice.⁶¹ Nothing in the record demonstrates that requiring disclosure of the FBO to employers in fields unrelated to medicine—such as retail, transportation, or other non-clinical occupations—advances that statutory purpose. While the Board may reasonably require disclosure to medical employers, healthcare institutions, or positions involving patient interaction or clinical responsibilities, a blanket requirement applicable to *any* employer sweeps more broadly than the Board's mandate.

This Court does not substitute its judgment for that of the Board regarding appropriate discipline. Nor does the Court hold that disclosure conditions are categorically improper. Rather, the deficiency lies in the absence of a limiting principle tethering the requirement to the practice of medicine or patient protection.

Accordingly, the Court affirms the imposition of a disclosure requirement in principle that would require disclosure of the full 32-page FBO to potential employers, but remands Order No. 7 with instructions that the Board clarify and limit its scope to employment involving the practice of medicine, clinical

⁶¹ See 24 Del. C. § 1701.

responsibilities, or positions in which Dr. Moore would interact with patients or otherwise hold herself out as a medical professional.

II. Order No. 8

Order No. 8 provides that, should Dr. Moore violate any term of the FBO, her license will be revoked without further notice or hearing.⁶² Order No. 8 presents a question of law: whether a provision authorizing automatic revocation without further notice or hearing comports with procedural due process.

A professional license constitutes a protected property interest afforded due process under the Fourteenth Amendment.⁶³ Once granted, a professional license may not be revoked without constitutionally adequate safeguards.⁶⁴ At a minimum, due process requires notice and an opportunity to be heard at a meaningful time and in a meaningful manner.⁶⁵ As the Delaware Supreme Court has explained, “[t]he right to a fair trial before an impartial tribunal is a fundamental principle of due process that applies to courts and administrative agency proceedings alike.”⁶⁶

The Board afforded Dr. Moore due process in connection with the proceedings that resulted in the FBO. Dr. Moore received notice of the charges, a hearing before the Panel, and review by the Board. Those procedural protections are not in dispute.

However, Order No. 8 authorizes automatic revocation of Dr. Moore’s license upon a future violation of the FBO without additional notice or hearing.⁶⁷ Such a provision effectively predetermines the consequence of a future alleged violation and eliminates any opportunity to contest whether a violation occurred, whether an

⁶² Final Bd. Order 12 (Tab M).

⁶³ *Barry v. Barchi*, 443 U.S. 55, 64 (1979); *Gala v. Bullock*, 250 A.3d 52, 65 (Del. 2021).

⁶⁴ See *Bell v. Burson*, 402 U.S. 535, 539 (1971).

⁶⁵ See *Matthews v. Eldridge*, 424 U.S. 319, 333 (1976); *Tsipouras v. Tsipouras*, 677 A.2d 493, 496 (Del. 1996).

⁶⁶ *Gala*, 250 A.3d at 65.

⁶⁷ See Final Bd. Order 12 (Tab M).

alleged violation was material, or whether revocation is an appropriate sanction under the circumstances.

While the Board retains authority to revoke a license, that authority must be exercised in accordance with the procedural safeguards mandated by statute and constitutional due process. An automatic revocation mechanism that dispenses with further notice or hearing constitutes legal error because “the State may not finally destroy a property interest without first giving the putative owner an opportunity to present [his or her] claim of entitlement,”⁶⁸ and “[t]he essential requirements of due process are notice and an opportunity to respond.”⁶⁹

The Court does not hold that revocation is unavailable as a remedy for future violations. Nor does the Court foreclose the Board from crafting expedited procedures consistent with due process. The Court holds only that revocation may not occur absent additional procedural protections.

Accordingly, Order No. 8 is reversed and remanded with instructions that the Board revise the provision to ensure that any future alleged violation of the FBO be addressed through procedures affording notice and an opportunity to be heard consistent with 24 *Del. C.* Chapter 17 and the Fourteenth Amendment.

III. Remaining Provisions

Dr. Moore does not challenge the Board’s factual findings, its conclusions that she violated 24 *Del. C.* § 1731(b), or the suspension and probationary framework imposed. The Court has independently reviewed the record and finds that those findings are supported by substantial evidence and are free from legal error. The remaining provisions of the FBO are therefore affirmed.

⁶⁸ *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 434 (1982).

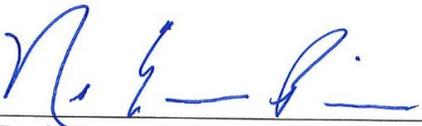
⁶⁹ *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 546 (1985); *see also Burson*, 402 U.S. at 539; *Gala*, 250 A.3d at 65.

CONCLUSION

For the foregoing reasons, the Board's conclusion that Dr. Moore engaged in conduct in violation of 24 *Del. C.* § 1731(b) is supported by substantial evidence and free from legal error is **AFFIRMED** in all respects except as to Orders No. 7 and 8, which are **REVERSED AND REMANDED** with instructions to clarify Order No. 7 to require disclosure of the Final Board Order only to employers involved in the practice of medicine, clinical responsibilities, or positions in which Dr. Moore would interact with patients or otherwise hold herself out as a medical professional, and to revise Order No. 8 to provide for notice and an opportunity to be heard prior to any revocation based upon an alleged violation of the Final Board Order.

Jurisdiction is not retained.

IT IS SO ORDERED.



Noel Eason Primos, Judge

NEP:tls

Via File & ServeXpress

oc: Prothonotary

cc: Counsel of Record