

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF  
MERLIN H. ALLEN, M.D.  
ADMINISTRATIVE PROCEEDINGS

A Hearing was held by the Louisiana State Board of Medical Examiners on the 7th day of March, 1974, on charges brought against Dr. Merlin H. Allen, M.D. to determine if just cause existed for suspension of his license to practice medicine in accordance with La. R. Statutes 37:1285(5).

The Hearing was held subject to notice to Dr. Allen of the charges as well as the proposed time and place of the hearing. The entire Board was present for the Hearing. Dr. Allen was present and was represented by counsel.

After hearing the witnesses and observing their demeanor, reviewing the evidence, and reviewing depositions of absent witnesses, the Louisiana State Board of Medical Examiners issues the following finding of fact, conclusions of law, and decision.

FINDING OF FACT

I.

Dr. Merlin H. Allen maintained six (6) narcotic addicts by repeated prescriptions of Dolophine, Dilaudid and Preludin without complaine with and in violation of Federal law as set forth in 21 C.F.R. 306.04, 306.07 and 21 C.F.R. 130.3 and 130.44, as amended.

II.

The dosages prescribed, intervals of repetition of the prescriptions, and combination of drugs prescribed to the same individuals establishes that such prescriptions were written by Dr. Allen without reasonable medical justification.

## CONCLUSION OF LAW

The foregoing activities by Dr. Allen constitute the prescription of habit forming drugs in other than a legal and legitimate manner and therefore just cause exists for the suspension of his license to practice medicine in the State of Louisiana as provided for in La. R.S. 37:1285 (5).

## DECISION

Considering the foregoing, and after giving due consideration to the evidence submitted in mitigation and the character testimony provided, the Louisiana State Board of Medical Examiners hereby suspend Dr. Merlin H. Allen's license to practice medicine in the State of Louisiana for a period of three (3) years commencing June 13, 1974. The Board of Medical Examiners further order that said order of suspension be itself suspended for a like period subject to probation, with the probationary requirement that Dr. Merlin H. Allen voluntarily surrender his Federal and State numbers and permits to prescribe controlled substances as defined by the Federal and State Narcotic Laws for a similar period.

Any violation of Federal or State Narcotic laws by Dr. Allen during the terms of this probationary period will constitute violation of this probationary status and will result in immediate suspension of his license to practice medicine in the State of Louisiana for a period of three (3) years commencing from the date of said violation.



CHARLES B. ODOM  
President, Louisiana State Board of  
Medical Examiners