

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



830 Union Street, Suite 100
Telephone: (504) 524-6763
New Orleans, LA 70112-1499

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In The Matter of

:

NO. 90-A-001

ROBERT ALLISON HOAGLAND, M.D. :
(Certificate No. 008313)

:

Respondent

:

**CONSENT
ORDER**

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The Louisiana State Board of Medical Examiners ("Board") has alleged that Robert Allison Hoagland, M.D. ("Dr. Hoagland"), a physician licensed to practice medicine in the state of Louisiana, has failed to provide the Board with true and correct information in connection with his renewal application for medical License/Certificate for the year 1989.

Predicated upon such information, the above-entitled and numbered proceeding was noticed and docketed for hearing before the Board upon Administrative Complaint lodged by the Investigating Officer, Bernard L. Kaplan, M.D., specifying alleged violations of the Louisiana Medical Malpractice Act, to wit: [f]raud, deceit, or perjury in obtaining any diploma, license or permit pertaining to this Part," LSA-R.S. §37:1285(A)(3); and [p]roviding false testimony before the Board or providing false sworn information to the Board," LSA-R.S. §37:1285(A)(4)¹

As evidenced by his subscription hereto, Dr. Hoagland hereby *acknowledges and admits* that the information provided to the Board in his renewal application for License/Certificate for 1989 was incorrect. More particularly, Dr. Hoagland *acknowledges and admits* that he failed to provide the Board with information relative to charges that had been lodged against him by the Arkansas Board of Medical Examiners ("Arkansas Board") during the calendar year 1988, as well as the disposition of such charges. Specifically, on April 21, 1988 Dr. Hoagland appeared before the Arkansas Board relative to a Complaint and Notice of Hearing, which alleged that he had been guilty of unprofessional conduct in violation of Ark. Stat. Ann. #72-613(g) and Regulation 2 of the

¹ The Administrative Complaint was predicated upon responses to questions 10, 13, and 15 of the 1989 License/Certificate for renewal of his medical license in the state of Louisiana. With regard to each question respondent was asked about events which had transpired during the proceeding year (1988). Question 10 asked respondent the following question: "Did you voluntarily surrender, or did you have suspended, revoked, or restricted your narcotics substances permit (state or federal)?" Respondent failed to respond affirmatively to question 10. In question 13 respondent was asked, "Was any action taken against you by any licensing authority?" In response, respondent answered "No."; and in question 15 respondent was asked, "Were you the subject of any type of disciplinary action or inquiry by any licensing authority, institution, society, etc.?" Once again respondent answered, "No."

Regulations of the Arkansas Board, in that he had prescribed excessive amounts of controlled substances to patients and written an excessive number of prescriptions for addicting or potentially harmful drugs to patients. After a thorough discussion, the Arkansas Board requested that Dr. Hoagland voluntarily surrender his Federal Drug Enforcement Agency ("DEA") permit for Scheduled II controlled substances for one year and, further, that he submit to a continued audit of his prescribing habits.

In connection with the instant investigation, Dr. Hoagland has submitted to the Board an affidavit from his wife and business manager, Judy Hoagland, setting forth the reasons for the omission of the information referred to hereinabove. More particularly, because of Dr. Hoagland's work load as a sole practitioner in a rural area in Arkansas, Judy Hoagland assumed the responsibility of filling out the information on the renewal application for Dr. Hoagland. Mrs. Hoagland mistakenly completed the renewal application without providing the Board with the particulars which had occurred in Arkansas, and presented it to Dr. Hoagland for his signature. Dr. Hoagland admits that he signed the application without insuring that it had been completed in proper form and that it was accurate. Dr. Hoagland denies, however, any deliberate intent on his part, or the part of his wife and manager, Judy Hoagland, to misrepresent or mislead the Board in regard to the information requested.

Recognizing his right to have the allegations and charges asserted in the aforesaid Administrative Complaint adjudicated, pursuant to LSA-R.S. §49:955-58, and to a Final Decision rendered upon written findings of fact and conclusion of law, Dr. Hoagland, nevertheless, waives his right to formal adjudication and, pursuant to LSA-R.S. §49:955(D) consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Hoagland also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Consent Order to the Board for its consideration and to full disclose and discuss with the Board the nature and results of the investigation.

Based upon the information provided, accordingly, and upon the recommendation of the Investigating Officer, the Board has concluded that it responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to LSA-R.S. §37:1261 will be effectively served by entry of the Order set forth hereinafter, by consent.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by LSA-R.S. §37:1285 and LSA-R.S. §49:955(D);

IT IS ORDERED that the acknowledgments and admissions contained in this consent order be and the same are hereby incorporated and made a part of Dr. Hoagland's renewal application for his medical License/Certificate for the year 1989, in order to reflect the true and correct responses to questions numbers 10, 13, and 15.

IT IS FURTHER ORDERED that Dr. Hoagland pay a fine in the amount of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS, on or before August 1, 1990.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with the terms of this Order by Dr. Hoagland shall, upon proof of such violation or failure be deemed just cause for the suspension or revocation of the medical license of Robert Allison Hoagland, M.D. or, for such disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-R.S. §37:1285.

IT IS FURTHER ORDERED that the Administrative Complaint filed herein on April 18, 1990, be and the same is hereby, dismissed, without prejudice.

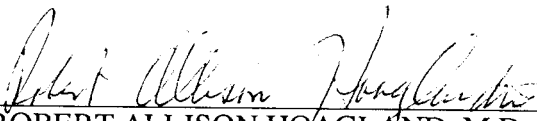
New Orleans, Louisiana, this 20th day of July, 1990.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: Ike Muslow
IKE MUSLOW, M.D.,
President

ACKNOWLEDGMENT AND CONSENT

I, Robert Allison Hoagland, M.D., hereby ACKNOWLEDGE, APPROVE, ACCEPT, AND CONSENT to entry of the above and foregoing Order of the Louisiana State Board of Medical Examiners, and the terms imposed therein, and do so of my own free will and accord this 18th day of July, 1990.



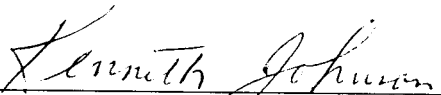
ROBERT ALLISON HOAGLAND, M.D.

WITNESSES:



Barbara E. Austin

APPROVED AS TO FORM



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