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	:	No. 92-I-032-X
In The Matter Of	:	
CHARLES C. SCHOBBER, III, M.D.	:	
(Certificate No. 006165)	:	
	:	CONSENT
	:	ORDER
	:	
	:	

Charles C. Schober, III, M.D. ("Dr. Schober"), a physician licensed to practice medicine in the state of Louisiana, has a history of alcohol and chemical dependency for which he has received inpatient treatment on at least two occasions, the first of which occurred in May, 1974, when Dr. Schober was admitted for inpatient alcohol treatment at the Chemical Dependency Unit at Mayo Clinic, Rochester, Minnesota ("Mayo Clinic"). At that time Dr. Schober was treated for alcohol dependency and discharged without aftercare treatment or counseling. Subsequent thereto, Dr. Schober abused barbiturates abuse for approximately one year, which was self-prescribed, after which the physician was able to withdraw himself from such medications. From all of the information gathered it appears that from 1974 until 1990, he remained abstinent from alcohol and drugs. In 1990 Dr. Schober sustained a head injury as a result of a fall and thereafter relapsed on alcohol. As a result Dr. Schober voluntarily sought readmission to Mayo Clinic on July 27, 1991 where he remained until August 23, 1991, when he was discharged pursuant to an aftercare treatment plan. Since discharge, the physician has been abstinent from alcohol and has been under the care and evaluation of physicians for alcoholism and a number of physical conditions as well, including seizures, possible sleep apnea and hypertension. All physicians involved in the treatment of Dr. Schober have opined that the physician continues to do well.

The Board, finally, has developed apparently reliable information evidencing that Dr. Schober voluntarily agreed to the voluntary restriction of staff privileges, secondary health status, at CPC Brentwood Hospital and Charter Forest Hospital, Shreveport, Louisiana, each of which required that his hospital base practice be supervised. Dr.

Schober has, however, recently become associated with the Louisiana State University School of Medicine, Shreveport, Louisiana, where he is working in the Department of Psychiatry.

As evidenced by his subscription hereto, Dr. Schober acknowledges the substantial accuracy of the forgoing information and that such acknowledgment and the reported information would provide the Investigating Officer of the Louisiana State Board of Medical Examiners with probable cause to initiate formal administrative proceedings against Dr. Schober, charging him with violations of the Louisiana Medical Practice Act, to-wit: "[H]abitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and are capable of inducing physiological or psychological dependence" and, potentially, "[I]nability to practice medicine . . . with reasonable skill or safety to patients because of . . . excessive use or abuse of . . . alcohol," constituting cause for the suspension or revocation of the physician's license to practice medicine in the state of Louisiana.¹

The Board is persuaded, however, that notwithstanding his history of alcohol and chemical dependency, the Board has reason to believe that Dr. Schober is capable of practicing medicine with reasonable skill and safety to patients, provided, however, that he strictly observes and complies with appropriate restrictions on and conditions to maintenance of his medical licensure. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer respecting the pending investigation, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing his right to have notice of the allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Schober, nonetheless, hereby waives his right to notice of charges and formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Schober also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or legal counsel assisting him in that capacity to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and waives any objection to such disclosure under La. Rev. Stat. §49:960. Dr. Schober expressly acknowledges that the disclosure of information to the Board by the Investigating Officer, or his legal counsel, shall be without prejudice to the Investigating Officer's authority to file a formal administrative complaint against Dr. Schober, or to the Board's capacity to adjudicate such complaint, should the Board decline to approve this Consent Order.

¹La. Rev. Stat. §§37:1285A(5) and (25) (West 1988).

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Charles C. Schober, III, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 006165, shall be placed ON PROBATION, for a period of two (2) years from the date of the Board's acceptance of this Consent Order; *provided, however*, that Dr. Schober's continuing exercise of the rights and privileges of his medical licensure shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

(a) Participation in Impaired Physician's Program.

Within 15 days of the date hereof, Dr. Schober shall enter into and execute a Treatment Contract with the Impaired Physicians Committee of the Shreveport Medical Society (the "Shreveport IPC"), providing for, among other items, his regular attendance at Alcoholics Anonymous and/or Caduceus Club meetings. Within five (5) days of the execution or amendment of any such treatment contract, Dr. Schober shall furnish a true copy of such contract to the Board, along with the name and address of his treating and monitoring physicians, respectively.

(b) Maintenance of Complete Abstinence. Dr. Schober shall, for the duration of his life, maintain complete and total abstinence from the use of alcohol or any other mood-altering substance, except as may be prescribed by a treating physician, other than himself, for a *bona fide* medical condition. In the event that any physical or mental condition of Dr. Schober does require prescription, administration or dispensation of any controlled or mood-altering substance to Dr. Schober for treatment of a *bona fide* medical condition, Dr. Schober shall cause his then-current primary treating physician to know of each such incident within thirty (30) days of its occurrence throughout the probationary period identified hereunder.

(c) Prescription, Dispensation, Administration of Controlled Substances Prohibited. Dr. Schober shall not, for the duration of his medical career, or until such time as otherwise authorized by the Board in writing, prescribe, dispense or administer any controlled substance, irregardless of the schedule in which it is contained, as defined, enumerated or included in 21 C.F.R. §1308 et seq. and/or La. Rev. Stat. §40:964, and any substance which may hereinafter be included in any such schedule by amendment or revision of the cited regulation or statute. This prohibition shall not extend to medications ordered or prescriptions written by Dr. Schober for institutional or hospital in-patients seen, under the permit or license of the Louisiana State University Medical Center, Shreveport, Louisiana, or under the permit or license of any other hospital or institution.

(d) **Board Access to Treatment Records and Reports.** Dr. Schober hereby authorizes any physician, hospital, institution or clinic under whose care he has or may come during the course of his treatment to provide the Board with copies of all medical records relating to his history, examination, evaluation, diagnosis, treatment and prognosis and to provide the Board with written and verbal reports relative thereto.

(e) **Cooperation with the Board's Probation Officer.** Dr. Schober shall immediately notify the Board's Probation Officer of any change in his current home and professional addresses and telephone numbers. Dr. Schober may expect and does hereby authorize scheduled and/or unscheduled visits by the Probationary Officer at any time during the period of his probation and he shall cooperate with him on all matters and/or inquiries pertinent to the conditions of his probation.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Schober, shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Schober's license to practice medicine in the state of Louisiana, as if such violation were enumerated among the causes provided in La. Rev. Stat. §37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, this 4 day of December, 1992.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

By: 
BERNARD L. KAPLAN, M.D.
President