

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
www.lsbme.la.gov



Telephone: (504) 568-6820
FAX: (504) 568-8893
Writer's Direct Dial:

(504) _____

In the Matter of:

No. 16-I-007

SCOTT G. CONKLIN, M.D.
(Certificate No. 022229),
Respondent

REPRIMAND
CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of information indicating that Scott G. Conklin, M.D., ("Dr. Conklin"), prescribed controlled substances without appropriate documentation and/or in a manner not consistent with the Board's pain/obesity rules. Specifically, the investigation revealed that, after the destruction of his medical office building, Dr. Conklin continued to write prescriptions for controlled dangerous substances to stable patients without proper examination or documentation. During the investigation, Dr. Conklin did explain to the Investigating Officer that he wrote some of the prescriptions at no charge while patients transitioned to another doctor/clinic.

Dr. Conklin has agreed to this Consent Order in order to avoid the time and expense of further administrative investigation and/or a hearing. Thus, without admitting any violation of the Louisiana Medical Practice Act, La. Rev. Stat. §§ 37:1261-1292 ("the Act"), Dr. Conklin nonetheless acknowledges that the reported information, if true, could establish grounds under the Act for such action against his license to practice medicine in this state as the Board may determine to be appropriate, pursuant to La. Rev. Stat. §§ 37:1285A(6) and (30),¹ as well as the Board rules.² In consideration of the foregoing, 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,

¹La. Rev. Stat. §§37:1285A(6) and (30), provide that the Board may revoke, suspend, or impose probationary or other restrictions on the license of a physician as a result of "(6) [p]rescribing, dispensing, or administering legally controlled substances . . . without legitimate medical justification therefor or in other than a legal or legitimate manner" and "(30) [v]iolation of any rules and regulations of the board, or any provisions of this Part."

² LAC 46:XLV.6901 *et seq.* of the Board Rules govern physician prescription, dispensation, administration, or other use of medications for weight control or weight reduction in the medical treatment of obesity. LAC 46:XLV.6915 *et seq.* of the Board Rules govern physician responsibility for providing effective and safe pain control for patients with noncancer-related chronic or intractable pain.

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 and administrative adjudication of any charges that may be filed in this matter, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951, *et seq.*, Dr. Conklin nonetheless hereby waives his right to notice 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. Conklin also acknowledges that he waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Dr. Conklin 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 fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Conklin expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

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 Scott G. Conklin, M.D. is hereby *Officially Reprimanded* for the conduct set forth above;

IT IS FURTHER ORDERED that Dr. Conklin shall pay the Board a fine in the amount of Five Thousand Dollars (\$5,000) within ninety (90) days of the effective date of this Order;

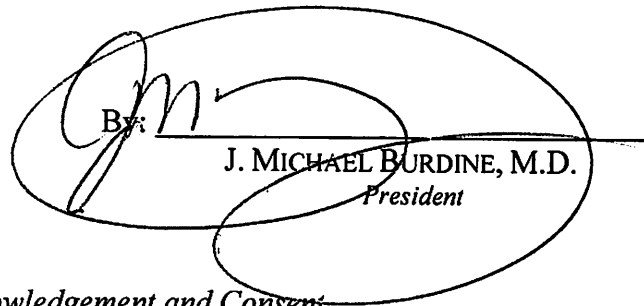
IT IS FURTHER ORDERED that Dr. Conklin shall undertake one or more courses of study in the area of the prescribing of controlled dangerous substances. All courses required by this provision shall be comprehensive in nature, and pre-approved by the Board or its designee.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Conklin shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Conklin's license to practice medicine in this state as the Board may deem appropriate, 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.

Signed at New Orleans, Louisiana, and effective on this _____ day of _____,
2016.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:  _____
J. MICHAEL BURDINE, M.D.
President

*Acknowledgement and Consent
on following page*

*Acknowledgement and Consent
on following page*

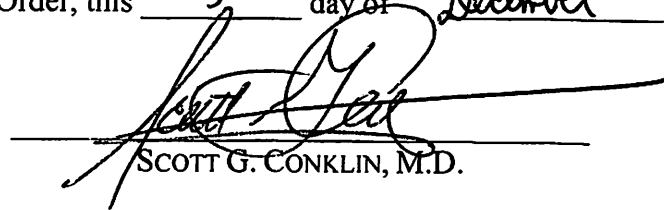
*Acknowledgement and Consent
on following page*

*Acknowledgement and Consent
on following page*

STATE OF LOUISIANA
PARISH OF St. Bernard

**ACKNOWLEDGMENT
AND CONSENT**

I, SCOTT G. CONKLIN, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 5th day of December, 2016.



SCOTT G. CONKLIN, M.D.

WITNESSES:

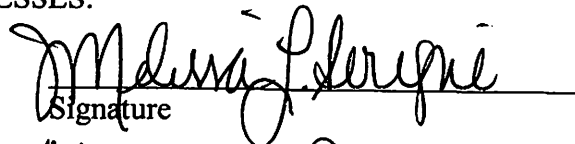
Ronda Prestwood

Signature

Ronda Prestwood

Typed Name

2110 Pakenham Drive
Address Chalmette LA 70043



Signature

Melissa L. Serigne

Typed Name

2110 Pakenham Drive
Address Chalmette, LA 70043

Sworn to and subscribed before me at Chalmette, Louisiana, this 5th day of December, 2016, in the presence of the two stated witnesses.

Debra M. Barousse

Notary Public (Signature/Seal)

Debra M. Barousse Notary No. 38227

Notary Public (Printed Name)/Bar-Notary #