

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**In The Matter of:**

**JACK FRANKLIN SCHOLLARD JR. P.A.**  
**(License No. PA.200204.RX)**

**No. 09-I-002**

**CONSENT ORDER  
FOR REPRIMAND**

The Louisiana State Board of Medical Examiners (the "Board") conducted an investigation of Jack Franklin Schollard Jr., P.A. ("Mr. Schollard"), a physician assistant, and a resident of the State of Washington, that was approved to practice as a physician assistant in this state on or about October 21, 2008. Mr. Schollard submitted an Application for Registration of Physician Assistant Prescriptive Authority that was approved by the Board on December 16, 2008. Between October 21, 2008 through November, 2008, Mr. Schollard provided physician assistant services at a temporary facility in Norco, Louisiana. Although he was not authorized to do so, Mr. Schollard wrote prescriptions for legend and controlled substances, including Doxycycline, Tramadol, Phenergan with Codeine and Suboxone.

Investigation of the captioned matter was assigned to the Investigating Officer (the "I/O") for the Board. The I/O's review and analysis of the matter confirms to her satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against Mr. Schollard, charging him with an enumerated violation of the Louisiana Physician Assistant Practice Act, La. R.S. 1360.33 (the "Act").<sup>1</sup>

<sup>1</sup> Louisiana Revised Statute 37:1360.33 (3) provides: "The board may, exercising due process, discipline any physician assistant, as provided in R.S. 37:1360.34, who:...(3) [v]iolates any provision of this Part or any regulation adopted by the Board pertaining to this Part." Title 46, Part XLV, Section 1505 of the Louisiana Administrative Code provides: "A physician assistant currently licensed by the board shall not prescribe medication or medical devices unless his registration for prescriptive authority has been approved by the board in accordance with this Chapter."

On his behalf, Mr. Schollard represents that he misunderstood the application of the Board's rules and was under the impression that he could commence prescribing medication upon submitting his Application for Registration of Physician Assistant Prescriptive Authority after having already received notice that his Physician Assistant Notice of Intent to Practice had been approved by the Board. He now appreciates that Board approval of such registration is a prerequisite to the exercise of prescriptive authority. Mr. Schollard acknowledges the substantial accuracy of the foregoing information and that proof of such information upon an administrative evidentiary hearing could constitute sufficient cause under the Act for the imposition of such terms, conditions or restrictions on his license to practice as a physician assistant in the state of Louisiana as the Board may deem appropriate.

Recognizing his right to have administrative adjudication of the matters mentioned above, 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.*, Mr. Schollard nonetheless, hereby waives his right to formal adjudication and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. By his subscription hereto, Mr. Schollard 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, Mr. Schollard also hereby authorizes the I/O 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. Mr. Schollard expressly acknowledges that the disclosure of information to the Board by the I/O shall be without prejudice to the I/O'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.

Based upon the information provided, accordingly, and upon the recommendation of the I/O assigned to this matter, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, and the regulation of the relationship between supervising physicians and physician assistants, pursuant to La. Rev. Stat. §37:1360.21(D), 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 La. Rev. Stat. §37:1260.34 and La. Rev. Stat. §49:955(D):

**IT IS ORDERED** that Jack Franklin Schollard Jr., P.A., is hereby issued an **OFFICIAL REPRIMAND** and that Mr. Schollard's license to practice as a physician assistant and his continuing exercise of the rights and privileges granted to him thereby, shall be subject to his acceptance of and strict compliance with the following terms and conditions:

- (1) **Payment of Fine.** Mr. Schollard shall pay a fine of \$1,500 to the Board, which payment shall be made within ninety (90) days of the acceptance of this Order by the Board; and
- (2) **Continuing Medical Education - Proper Prescribing.** Within one hundred eighty (180) days of the issuance of this Order, Mr. Schollard shall successfully complete one or more courses of study in the area of proper prescribing of controlled substances. All courses required by this provision shall be pre-approved by the Board or its designee; and

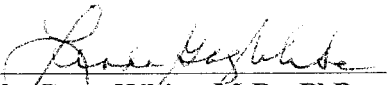
**IT IS FURTHER ORDERED** that any violation of the terms and conditions set forth by this Order by Mr. Schollard shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Mr. Schollard's license to practice as a physician assistant in the state of Louisiana as the Board may deem appropriate, as if such violation was enumerated among the causes provided in La. Rev. Stat. §37:1360.33.

**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 this 17<sup>th</sup> day of August, 2009.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:

  
**Linda Gage-White, M.D., PhD.**  
*President*

*Acknowledgment and Consent  
follows this page*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF \_\_\_\_\_

COUNTY/PARISH OF \_\_\_\_\_

I, FRANKLIN JACK SCHOLLARD JR., P.A., hereby acknowledge, approve,  
accept and consent to entry of the above and foregoing Order, this 17 day of  
July 09.

Jack Franklin Schollard Jr. P.A.  
JACK FRANKLIN SCHOLLARD JR., P.A.

WITNESSES:

David W. Leegard  
Signature

David W. Leegard  
Printed Name

1015 N 4<sup>th</sup> Street  
Address

Grand Forks ND 58203  
City, State, Zip Code

Gloria Gutierrez  
Signature

Gloria Gutierrez  
Printed Name

550 HOUZAPPLE BLDG 105  
Address

Grand Fork AFB, ND 58205  
City, State, Zip Code

Sworn to and subscribed before me at Grand Forks AFB, (city, town),  
North Dakota this 17<sup>th</sup> day of July, 2009, in the  
presence of the two stated witnesses.

Christine L. Harrington  
Notary Public (Signature and Seal)

Christine HARRINGTON  
Printed Name/Notary (or Bar Number)  
County of Grand Forks

