

BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

In The Matter of:	:	
	:	
	:	NO. 92-I-045-X
TONY W. BASKIN, M.D. :	:	
(Certificate No. 011148)	:	
	:	
	:	CONSENT ORDER
Respondent	:	

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (Board) following receipt of information indicating that Toney William Baskin, M.D. (Dr. Baskin), a physician currently in the employment of the United States Armed Services¹, was as a result of the abuse of alcohol and narcotics, the subject of disciplinary action by the United States Army in the form of a two year restriction on his ability to prescribe or administer controlled drugs, effective July 25, 1991². The army sanctions referred to hereinabove also formed the basis for disciplinary action by the Texas State Board of Medical Examiners, inasmuch as Dr. Baskin is likewise licensed to practice in the state of Texas.³ The Texas Board's Agreed Order, entered into by mutual consent of the Texas Board and Dr. Baskin, suspended Dr. Baskin's Texas medical licensure for a period of three years. However, the suspension was stayed, and Dr. Baskin's Texas licensure was placed on probation for a period of three years requiring, *inter alia*, continued participation in the Impaired Provider Program at Womack Army Community Hospital in Fort Bragg, North Carolina, together with specified after

¹ Dr. Baskin is a Lt. Colonel in the United States Army Medical Corps serving at the Womack Army Medical Center, Department of Surgery, Fort Bragg, North Carolina.

²See Health Care Provider Clinical Privileges Action Report (U.S. Army, July 22, 1991).

³ See Agreed Order, "In the Matter of the License of Toney William Baskin, M.D.," (No. D/8502, before the Texas State Board of Medical Examiners, March 6, 1992).

care monitoring, treatment, and restriction of controlled substance privileges.⁴

Although Dr. Baskin currently resides and practices medicine exclusively in the state of North Carolina, he remains licensed to practice medicine not only in the state of Texas, but also in the state of Louisiana. Accordingly, the investigation of the captioned matter was assigned to John B. Bobear, M.D., Director of Investigations for the Louisiana State Board of Medical Examiners. Dr. Bobear's review and analysis of the action taken by the United States Army as well as the Texas State Board of Medical Examiners confirms to his satisfaction that just cause exists for recommending that a formal administrative complaint be filed against the licensure of Dr. Baskin pursuant to the Louisiana Medical Practice Act, LSA-R.S. 37:1261 *et seq.*, charging Dr. Baskin with "the refusal of a licensing authority of another state to issue or renew a license, permit or certificate to practice medicine or osteopathy in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state ..." in violation of LSA-R.S. 37:1285(A)(30) as well as violation of LSA-R.S. 37:1285(A)(5), which prohibits "habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence."

The Board is persuaded, nonetheless, on the basis of information currently available to it, that the conditions from which Dr. Baskin suffers may be susceptible to continued effective medical treatment and monitoring, resulting in the continued maintenance of the physician's capacity to engage in the practice of medicine with reasonable skill and safety to patients and to himself, provided that Dr. Baskin strictly observes and complies with appropriate restrictions on and conditions to maintenance of his medical licensure. In consideration of this

⁴ See *id.*

finding, accordingly, and on the recommendation of the investigating officer, 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, LSA-R.S. 37:1261, will be effectively served by entry of the order set forth hereinafter, by consent.

By his subscription hereto, Dr. Baskin acknowledges the substantial accuracy of the foregoing information, and recognizing his right to formal written notice of charges by administrative complaint, to evidentiary adjudication of the charges against him pursuant to LSA-R.S. 49:955-58, and to a final decision rendered upon written findings of fact and conclusions of law, nonetheless hereby waives his right to notice of charges, and formal adjudication, and pursuant to LSA-R.S. 49:955D, consents to entry of the order set forth hereinafter. By his subscription hereto, Dr. Baskin also hereby authorizes the investigating officer designated by the Board with respect hereto, together with legal counsel, 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, without prejudice to further proceedings by the Board should this Consent Order not be accepted and approved by the Board.

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. 49:955D;

IT IS ORDERED that the license of Toney William Baskin, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 011148, be, and the same is hereby, effective as of the date hereof, **SUSPENDED**, such suspension running concurrently with the balance of the three year period of suspension imposed by the Texas State Board of Medical Examiners.

IT IS FURTHER ORDERED that the foregoing order of suspension be, and the same is hereby, **STAYED**, and the license of Toney William Baskin, M.D., shall,

effective as of the date hereof, be continued in effect ON PROBATION, running concurrently with the balance of the three year period of prosecution imposed by the Texas State Board of Medical Examiners; provided, however, that such licensure, and Dr. Baskin's continuing exercise of the rights and privileges thereunder, shall be condition upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

- A. *Compliance with Texas Agreed Order:* Dr. Baskin shall fully comply with the Agreed Order entered with the Texas State Board of Medical Examiners and Dr. Baskin, dated March 6, 1992, a copy of which is annexed hereto and incorporated herein by reference;
- B. *Notice of Current Address:* Dr. Baskin shall advise the Board's Probation Officer of any change of address, mailing or office, within thirty (30) days of such occurrence;
- C. *Notice of Relocation to Louisiana:* In the event that Dr. Baskin decides to return to Louisiana for the purpose of practicing medicine in this state, he shall provide the Board with at least sixty (60) days advance written notice of such intention, and shall contact the Board office for the purpose of scheduling an informal appearance before the Board to discuss his then-current practice plans and intentions.
- D. *Periodic Reports:* Dr. Baskin shall cause to be provided to the Board's Probation Officer copies of any and all notifications and written reports, originals of which he is providing to the Texas State Board of Medical Examiners pursuant to the March 6, 1992 Agreed Order referred to hereinabove.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the conditions or restrictions set forth by this order by Dr. Baskin, or Dr. Baskin's failure to maintain complete abstinence from the use of controlled or dependency-inducing substances, including alcohol, shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the final revocation and cancellation of Dr. Baskin's license to practice medicine in the state of Louisiana.

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

New Orleans, Louisiana, this 22 day of October, 1992.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY: 

BERNARD L. KAPLAN, M.D.
PRESIDENT

ACKNOWLEDGMENT AND CONSENT

I, TONEY WILLIAM BASKIN, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 20 day of September, 1992.


TONEY WILLIAM BASKIN, M.D.