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In the Matter of

* No. 88-A-004

RICHARD PARKS BLAND, M.D. *
(Certificate No. 00862-R) *

CONSENT ORDER

* * * * *

By Administrative Complaint filed on March 23, 1988, the Louisiana State Board of Medical Examiners (hereinafter "Board") charged Richard Parks Bland, M.D. with violations of the Medical Practice Act, more particularly:

1. Prescribing habit-forming or legally controlled substances in other than a legitimate manner, LSA-R.S. 37:1285 A(6);
2. Continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this State, LSA-R.S. 37:1285 A(14);
3. Entry of a plea of guilty to a criminal charge, LSA-R.S. 37:1285 A(1); and
4. Entry of a plea of guilty to a criminal charge arising out of or in connection with the practice of medicine, LSA-R.S. 37:1285 A(2).

As evidenced by his signature to this Consent Order, Dr. Bland acknowledges and admits to the four violations of the

Medical Practice Act, as set forth above and in the Administrative Complaint, and to the allegations upon which the violations are based, as contained in Paragraphs Nos. 1-124 and 126-132 of the Administrative Complaint.

Dr. Bland, recognizing his right to administrative adjudication of such charges pursuant to LSA-R.S. 49:955-58, and to a final decision rendered upon written findings of facts and conclusions of law, nonetheless hereby waives his right to such formal adjudication and final decision and, pursuant to LSA-R.S. 49:955 D, consents to entry of the Order set forth hereinafter and as agreed upon by the Board and Dr. Bland, with the advice of his attorney, Emmett Sole.

IT IS ORDERED that the license of Richard Parks Bland, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 00862-R, be and the same is hereby suspended for a period of five (5) years effective as of October 15, 1988.

IT IS FURTHER ORDERED that the foregoing Order of Suspension will be suspended as of April 15, 1989, at which time, Dr. Bland shall be placed on probation for a period of four and one-half (4-1/2) years, or until October 15, 1993. However, the issuance of Dr. Bland's license on April 15, 1989 shall be expressly conditioned on Dr. Bland's strict compliance with the following terms and conditions:

- (a) Between October 15, 1988 and April 15, 1989, Dr. Bland shall not practice or attempt to practice medicine in the State of Louisiana, including, but not limited to, practice at a state or federal institution, through the use of a medical license or certificate issued by another state;
- (b) During the time period October 15, 1988 through April 15, 1989, Dr. Bland shall perform sixteen (16) hours of community service per week, as directed by the Board and which does not involve the practice of medicine. The total amount of community service hours to be fulfilled by Dr. Bland during this time is four hundred sixteen (416) hours (26 weeks x 16 hours/week). Dr. Bland shall be entitled to complete the 416 hours

of community service requirement before April 15, 1989 by performing more than 16 hours of community service per week if he so chooses. In the event that Dr. Bland obtains employment between October 15, 1988 and April 15, 1989, and which does not involve the practice of medicine, and the community service requirement herein conflicts with Dr. Bland's ability to maintain his employment, Dr. Bland, or his attorney, shall notify the Board in writing, which will include details on employment, nature of the employment, hours, amount of hours in the work week. The Board shall waive the community service requirement, in whole or in part, where the community service conflicts with Dr. Bland's ability to maintain his employment;

- (c) Dr. Bland shall personally appear before the Board at its regular meeting during March 23 or 24, 1989 to permit the Board to consider his compliance with the terms of this Order, whereupon the Board may determine to extend the actual suspension and/or probationary period, amend or supplement the terms, conditions and restrictions thereof, or permit the actual suspension to expire herein in accordance with this Order. Dr. Bland shall, accordingly, contact the office of the Board prior to February 1, 1989 to determine the date and time such personal appearance shall be scheduled.

IT IS FURTHER ORDERED that on April 15, 1989, or at such later time that Dr. Bland complies with the requirements of the preceding provisions, the license of Richard Parks Bland, M.D. to engage in the practice of medicine in the State of Louisiana shall only be issued and shall forever be limited and restricted according to the following conditions:

- (a) Dr. Bland's license shall, for the remainder of his practice or life, be limited to practice at approved institutions under a probational restricted license;
- (b) Dr. Bland shall, for the remainder of his practice or life, engage in the practice of medicine only at an institution approved by the Board and under the direct supervision of Dr. William McBride or some other physician with the prior approval of the Board. Before such practice begins, Dr. Bland shall obtain the

Board's written approval of the institution, of the nature of the physician's practice at such institution, of Dr. Bland's supervisory physician or physicians, and the dates during which such services will be provided; and

- (c) Dr. Bland shall not, for the remainder of his practice or life, prescribe, dispense or administer any controlled substance, as defined, enumerated or included in federal or state statutes or regulations, such as 21 C.F.R. §§ 1308.11-.15 (1987), LSA-R.S. 40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of the cited regulations and statutes. If he has not already done so, Dr. Bland shall forthwith, but not later than thirty (30) days from the date hereof, surrender to the issuing authorities his state license and Federal registration to prescribe, dispense and administer controlled substances, and he shall not, at any time hereafter, apply for or obtain any such license or registration or any renewal or reinstatement thereof. This prohibition shall not extend to medications ordered or prescriptions written by Dr. Bland for institutional inpatients under the permit or license of the institution, where he is permitted to practice. However, Dr. Bland shall not write prescriptions or order medication for patients who have been discharged or for outpatients of an institution. Any prescription written or medication ordered by Dr. Bland shall be filled and taken in the institution where he is permitted to practice.

IT IS FURTHER ORDERED that during the period of his probation, October 15, 1988 through October 15, 1993, Dr. Bland:

- (a) shall cause each of his supervisory physicians at each institution at which he is permitted to practice to submit semi-annual reports to the Board. Each report shall address Dr. Bland's professional competence and shall be submitted on or about October 15 and April 15 of each year;
- (b) shall pay a \$5,000.00 fine payable to the Board in five (5) equal installments of \$1,000.00 which shall be paid

to the Board on or before the following dates: October 15, 1989, October 15, 1990, October 15, 1991, October 15, 1992, and October 15, 1993;

- (c) Dr. Bland shall obtain not less than fifty (50) credit hours per year for the five years (October 15, 1988 through October 15, 1993) for attendance at and participation in continuing medical education (CME) programs accredited by and qualifying for the Physician's Recognition Award of the American Medical Association. On or before October 15, 1989, October 15, 1990, October 15, 1991, October 15, 1992, and October 15, 1993, Dr. Bland shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months;
- (d) except as otherwise provided herein, Dr. Bland shall not petition the Board before October 15, 1993 for any change in any of the substance, terms, provisions or content of this Consent Order; and
- (e) shall strictly adhere to all provisions of the Medical Practice Act.

IT IS FURTHER ORDERED that any violation of or default in the performance of the terms, provisions, restrictions or conditions of this Consent Order shall be deemed just and reasonable cause for the immediate and summary revocation of Dr. Bland's license and shall result in the immediate and summary revocation of his license to practice medicine in the State of Louisiana.

During these proceedings, the Board has been contacted, in conversation or writing, by several physicians who have spoken highly of Dr. Bland. Considering this and given Dr. Bland's circumstances, if Dr. Bland complies with all the terms of this Consent Order, particularly those dealing with the period of actual suspension, October 15, 1988 through April 15, 1989, and Dr. Bland is issued a probational restricted license at approved institutions to commence on April 15, 1989, the Board would encourage employment of Dr. Bland by an institution and where, obviously, this employment is consistent with the terms of this Consent Order and Dr. Bland's license. The Board is encouraged

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and hopeful that Dr. Bland will be permitted to return to his previous employment at the Veterans Administration Medical Center, Alexandria, Louisiana, under the direct supervision of Dr. William McBride.

New Orleans, Louisiana, this 27th day of October, 1988.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

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

I, RICHARD PARKS BLAND, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 15th day of October, 1988.

Richard P. Bland M.D.
RICHARD PARKS BLAND, M.D.

Reviewed and Approved as to Form
E.C. 8 ~~and Witnessed as to Signature~~

Emmett Sole
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