

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:

Robert C. Brown, M.D.
(Certificate No. 014813)

:
:
No. 96-I-055

:
:
CONSENT
ORDER

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners ("Board") following receipt of information which revealed that Robert Cornelius Brown, M.D. ("Dr. Brown") had relinquished his staff membership or clinical privileges at a hospital, held no hospital affiliations, and had been involved in several medical malpractice settlements.

Of particular concern was a case involving in-patient Dorothy F. who was caused to undergo bilateral amputations of the lower extremities, one below the knee and one above the knee, ostensibly due to the failure of Dr. Brown to examine, treat and refer the patient timely. Also of concern was the case involving in-patient Carrie P. who died ostensibly due to Dr. Brown's failure to diagnose nonketotic hyperosmotic coma, and improper treatment thereof, including fluid overload.

Investigation of the captioned matter was assigned to John B. Bobear, M.D., the Medical Consultant/Director of Investigations for the Board. Although Dr. Brown no longer treats hospital in-patients and he has undertaken additional continuing medical education, Dr. Bobear's review and analysis of the matter confirms to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against

Dr. Brown, charging him with violation of the Louisiana Medical Practice Act (the "Act") pursuant to La. Rev. Stat. §§ 37:1285A(12)¹ and (14).²

As evidenced by his subscription hereto, Dr. Brown acknowledges the substantial accuracy of the foregoing information and, further, that proof of such information upon administrative evidentiary hearing would establish grounds under the Act for the suspension, revocation or such other action as the Board might deem appropriate against his license to practice medicine in the State of Louisiana, pursuant to La. Rev. Stat. §§37:1285A(12) and (14).

Recognizing his right to have notice of any allegation or charge asserted against him, to administrative adjudication of such allegation or charge, pursuant to La. Rev. Stat. §§49:955-58, and to a subsequent final decision rendered upon written findings of fact and conclusions of law, Dr. Brown, nonetheless, hereby waives his right to formal 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. Brown acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, et seq., or to which otherwise may be afforded him by law. Further Dr. Brown specifically waives his rights to contest his agreement to, or the force and effect of the Board's investigation or this document in any court or other forum. Dr. Brown, furthermore, hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as any legal counsel assisting him in connection herewith, 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. Brown expressly acknowledges that the disclosure of the 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 him, or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent

¹ Pursuant to La. Rev. Stat. §37:1285A(12), the Board may take action against the license of an individual licensed to practice medicine in the State of Louisiana, as a result of "Professional or medical incompetency;"

² La. Rev. Stat. §37:1285A(14) provides that the Board may take action against the license of a physician as the result of "Continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state;"

Order, or to his right to defend any allegations in an Administrative Complaint at time of hearing.

Based upon the information provided, accordingly, and on the recommendation of the Investigating Officer, 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, 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. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Dr. Brown to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 01413, and the continuing exercise of the rights and privileges thereunder, shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

1. **Restriction of Practice.** Dr. Brown shall not admit, consult or treat in any fashion whatsoever any patient in any hospital or institutional setting, unless and until he receives a written order from the Board relieving him of this restriction.

2. **Hospital Staff Privileges.** Dr. Brown acknowledges that he does not hold medical staff membership or clinical privileges at any hospital or institution and he shall not hereafter seek, solicit, renew or apply for such privileges in the future unless and until he receives a written order from the Board specifically authorizing and allowing him to do so.

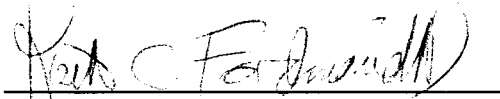
IT IS FURTHER ORDERED that any violation by Dr. Brown of, or failure of strict compliance by him with, any of the terms, conditions or restrictions set forth by this Order, shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of his license to practice medicine in the State of Louisiana, as well as any right to renewal and/or reinstatement thereof, or for such other disciplinary action as the Board deems appropriate, as if such violations 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 22 day of July, 1997.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY:



KEITH C. FERDINAND, M.D.
PRESIDENT

**ACKNOWLEDGMENT
AND CONSENT**

I, Robert Cornelius Brown, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Consent Order by the Louisiana State Board of Medical Examiners, this 10 day of July, 1997.

Robert C Brown, M.D.
Robert Cornelius Brown, M.D.

WITNESSES:

Jane P. Pace
Signature
Jane P. Pace
Typed Name

643 Magazine Street
Address
New Orleans, LA 70130

Yvonne B. Bell
Signature
Yvonne B. Bell
Typed Name

643 Magazine Street
Address
New Orleans, LA 70130

Sworn to and subscribed before me at New Orleans, Louisiana, this 10 day of July, 1997 in the presence of the two stated witnesses.

Douglas Klein
Notary Public