

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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: **In Re:** :
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: **Application of** : **CONSENT ORDER**
GARY WAYNE BLANCHARD, M.D. : **FOR ISSUANCE OF**
For Medical Licensure : **MEDICAL LICENSE**
: **ON PROBATION**
: :
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This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Gary Wayne Blanchard, M.D. ("Dr. Blanchard" or the "Applicant"), for a license to practice medicine in the state of Louisiana, on the basis of reciprocity with the State of Missouri. Dr. Blanchard, currently 39 years-of-age, holds a doctor of medicine degree awarded in 1980 by the Louisiana State University School of Medicine in Shreveport, Louisiana. He currently holds a license to practice medicine in the state of Missouri, subject to his observance of certain conditions and restrictions, noted more fully below.

While it appears from the physician's application that he is generally qualified for reciprocity licensure, Dr. Blanchard has suffered in the past from controlled substance abuse and dependency, for which he has previously received treatment and for which he has been sanctioned by the medical licensing authority of Missouri. The information available to the Board indicates, more particularly, that in 1983, during his residency in anesthesiology, Dr. Blanchard developed an addiction to Sublimaze (fentanyl citrate), a narcotic analgesic which he was then self-injecting. The same year he sought and received treatment for chemical dependency at the Hylands Center, St. Louis, Missouri, under the care of David L. Ohlms, M.D., from mid-October to mid-November. Less than a year later, however, he relapsed. Following some five months of self-injecting Sublimaze (5-20cc per day), he was admitted to the Ridgeview Institute, Atlanta, Georgia, for a one-month inpatient chemical dependency treatment program. With a "favorable prognosis," he was discharged in early August 1984 to outpatient aftercare program and participation in Alcoholics Anonymous and Caduceus Club programs and shortly thereafter, on August 31, 1984, entered into an agreement with the State Board of Registration for the Healing Arts, State of Missouri (the "Missouri Board") placing his Missouri medical license on probation for a period of 10 years.

In January 1986 Dr. Blanchard suffered yet another relapse, in this instance self-injecting Sufenta (sufentanil citrate), an opioid analgesic reportedly 10 times more potent than fentanyl. As a result, on July 23, 1986, Dr. Blanchard voluntarily surrendered his Missouri medical license, later surrendered his Missouri Bureau of Narcotics and Dangerous Drugs license and his DEA controlled substances registration, and resigned his clinical privileges at the hospital he was then affiliated with. At the same time, he re-entered treatment at the Hylands Center in St. Louis, where he remained from July 23 to August 22, 1986. The information available to the Board, including Dr. Blanchard's sworn representations and information furnished by the Missouri Board, indicates that the physician has remained drug-free since that time and has continued to make good progress in his recovery.

On June 27, 1988, the Missouri Board granted Dr. Blanchard a temporary license subject to certain continuing probationary terms. He continued to hold such licensure for four years, following which, pursuant to formal written agreement executed June 25, 1992, the Missouri Board issued Dr. Blanchard a restricted permanent medical licensure, on probation for a period of two years beginning June 1, 1992, and subject to specified continuing terms and conditions, requiring, *inter alia*, the physician's enrollment and participation in the Missouri Physicians' Health Program ("MPHP") of the Missouri State Medical Association, compliance with the aftercare treatment recommendations of the MPHP, complete abstinence from the use of drugs except pursuant to a *bona fide* prescription, periodic spontaneous drug screens, and periodic reporting to the Missouri Board.¹

Dr. Blanchard's long-standing and recurrent substance abuse as well as the administrative restrictions imposed by the Missouri Board could equally provide legally sufficient cause for the Board to deny his application for a medical license in this state. La. Rev. Stat. § 37:1285(A)(5) & (30). From the information obtained and considered, however, it appears that the Applicant's treatment and rehabilitation for such condition has been successful to date, that he continues to participate in ongoing aftercare, and that, so long as he continues with such treatment, his prognosis for continued abstinence and recovery is good. The Board believes that it is particularly significant that Dr. Blanchard has, in effect, held medical licensure on probation, and has apparently remained drug-free, without relapse, since July 1986, a period in excess of six years. The Board is persuaded, thus, that the public interest will be properly protected and served by the issuance to Dr. Blanchard of a license to practice medicine in Louisiana, on probation, subject to his acceptance of and strict compliance with certain probationary terms, conditions, and restrictions, as set forth hereinafter. And by his subscription hereto, Dr. Blanchard hereby consents to entry of the Order set forth below and to the issuance of licensure pursuant thereto. Accordingly,

IT IS ORDERED that a license to practice medicine in the state of Louisiana shall be issued to Gary Wayne Blanchard, M.D., ON PROBATION for a period of two years from the date hereof; provided, however, that the issuance of such license and Dr. Blanchard's continuing maintenance of such license shall be expressly conditioned upon and subject to his acceptance of and strict compliance with the following terms, conditions and restrictions:

(a) **Compliance with Agreement with Missouri Board.** Dr. Blanchard shall maintain strict compliance with each and all of the terms, conditions and provisions set forth in the Agreement Between the State Board of Registration for the Healing Arts and Gary Blanchard, M.D., Regarding Licensure, dated and issued June 25, 1992 (the "Missouri Board Agreement"), so long as the Missouri Board Agreement remains in effect. To the extent that continuing compliance with any of the terms or conditions of the Missouri Board Agreement is inconsistent with or impractical in

¹Agreement Between the State Board of Registration for the Healing Arts and Gary Blanchard, M.D., Regarding Licensure (Jun. 25, 1992).

light of the physician's relocation to and practice of medicine in Louisiana, it shall be Dr. Blanchard's responsibility to seek and obtain the explicit written waiver of any such term or provision by the State Board of Registration for the healing Arts of Missouri (the "Missouri Board") and to cause the Missouri Board to furnish the Louisiana Board of Medical Examiners with a copy of such written waiver. During the period of probation ordered herein, Dr. Blanchard shall otherwise strictly comply with and satisfy all of the terms, conditions and provisions of the Missouri Board Agreement which are not so waived by the Missouri Board, with notice to the Louisiana State Board of Medical Examiners.

(b) Participation in Impaired Physicians Program. Within 10 days of the entry of this Order, Dr. Blanchard, if he has not already done so, shall contact the Impaired Physicians Committee of the Ascension Parish Medical Society (the "Ascension IPC") and shall enter into a Treatment Contract with the Ascension IPC providing for his continuing aftercare and participation in Alcoholics Anonymous, Narcotics Anonymous and/or Caduceus Club programs for a period of not less than two years from the effective date of such Treatment Contract. Within five days of signing such Treatment Contract, Dr. Blanchard shall furnish or cause to be furnished to the Board a complete and accurate copy of such Treatment Contract, and he shall thereafter comply in all respects with each and all of the terms, conditions and provisions of such Treatment Contract. Dr. Blanchard shall further authorize his treating and monitoring physicians as designated in such Treatment Contract, to furnish the Board, not less frequently than quarterly during the term of such contract, with written reports on Dr. Blanchard's compliance with the terms of the Treatment Contract.

(c) Prohibition on Practice of Anesthesiology. Until and unless this Order is modified by further order of the Board, Dr. Blanchard shall not, while he holds any license or permit to practice medicine in the state of Louisiana, engage in the practice of anesthesiology, nor shall he enroll, engage or participate in any postgraduate clinical training in anesthesiology.

(d) Prescription, Dispensation, Administration of Schedule II Controlled Substances Prohibited. Dr. Blanchard shall not, during the term of probation ordered herein, prescribe, dispense or administer any Schedule II controlled substance, as defined, enumerated or included in Federal or State statutes or regulations, 21 C.F.R. § 1308.12, La. Rev. Stat. § 40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of the cited regulations or statute.

(e) Maintenance of Complete Abstinence. Dr. Blanchard shall, for the duration of his life, maintain complete and total abstinence from the use of controlled substances and other mood-altering substances, except as may be prescribed for him by a treating physician other than himself for a *bona fide* medical condition.

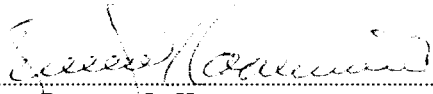
(f) Personal Appearances Before Impaired Physicians Committee. Dr. Blanchard shall make arrangements to and shall personally appear before the Impaired Physicians Committee of the Board, or its designee, at its meeting during December 1992 to permit the Committee to consider his understanding of the terms, conditions and restrictions of this Order and to advise the Committee and the Board of his plans and intentions with respect to continuing treatment and his practice of medicine in this state. Dr. Blanchard shall, in addition, personally appear before the Impaired Physicians Committee of the Board at its meeting preceding the expiration of the probationary term ordered hereunder.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Blanchard shall be deemed adequate and suffi-

cient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Blanchard's license to practice medicine in the state of Louisiana.

New Orleans, Louisiana, this 7 day of November, 1992.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: 
BERNARD L. KAPLAN, M.D.
President

ACKNOWLEDGEMENT
AND CONSENT

I, GARY W. BLANCHARD, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 30TH day of OCTOBER, 1992.


GARY W. BLANCHARD, M.D.