

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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IN THE MATTER OF:
JAMES LEONARD CRUMP, M.D.
(CERTIFICATE NO. 007753)

DECISION

93-A-002

This case arises out of an Administrative Complaint which charges James Leonard Crump, M.D. with prescribing controlled substances in excess of legitimate medical justification, and in contravention of known warnings and contraindications pertaining to such medications, in violation of R.S. 37:1285(A)(6). He is further charged, for the same reasons, with recurring medical practice which fails to satisfy the prevailing standards of medical practice in this state, in violation of R.S. 37:1285(A)(14); and, for the same reasons, with professional or medical incompetency, in violation of R.S. 37:1285(A)(12).

The matter was heard on October 28, 1993, and continued on December 1, 1993, before a panel of the Louisiana State Board of Medical Examiners ("Board") representing a quorum of its membership consisting of Drs. Mary Lou Applewhite, F.P. Bordelon, Jr., Keith C. Ferdinand, and Bernard L. Kaplan, with Dr. Kaplan, President, presiding.¹ Also present were Judge Frederick S. Ellis, Independent Counsel for the Board; L. Thomas Styron, Attorney at Law, representing the complainant. Dr. Crump, respondent, was present represented by Anthony Bertucci, Attorney at Law.

¹ F.P. Bordelon, Jr., M.D., did not attend the hearing on December 1, 1993, nor participate in the decision.

FINDINGS OF FACTS

The complaint sets forth facts about the treatment afforded 19 patients by Dr. Crump. Dr. Crump is a board certified pediatrician, whose practice is devoted one-third to pediatrics and two-thirds to the treatment of obesity, helping people quit smoking, and working with alcoholics. Of the 19 cases presented to the Board, nine were patients who were prescribed only anorectics for weight loss by Dr. Crump.

Brobson Lutz, M.D., a board certified internist, and Director of Health for the City of New Orleans, was qualified as an expert in the appropriate standards applying to any physician in Louisiana who prescribes controlled substances, and testified on behalf of the complainant. He stated that patients who use anorectic drugs on a long term basis tend to develop a tolerance for the drugs, which lose their effectiveness. He further testified that patients can develop both a psychological and physical dependence on such drugs, when used long term, and that such use can result in an increase in pulse and blood pressure. He testified that blood pressure must be closely maintained for patients using these drugs, and that failure to do so subjects the patients to a number of risks, including death.

In the case of Fera A., Dr. Lutz noted that she was not overweight enough to require an anorectic, and he found no medical justification "whatsoever" for prescribing anorectics for this patient over a two year period.

The same was true of Hedi B., who received anorectics for almost three years. Her chart showed no physical examination or other tests, and a net loss of weight from 127 3/4 pounds to 121 pounds.

Fred B., received anorectics, Valium and pain pills from May 1990 until June 1991. There was no record of "even rudimentary" physical examinations or other tests. Dr. Lutz was particularly concerned that Dr. Crump prescribed Valium and benzodiazepines without establishing the cause of the pain complained of by Fred B.

Terry B., was started on Didrex when she weighed only 120 3/4 pounds, and was continued on this medication from February 1990 until June 15, 1992. Dr. Lutz found no medical justification for this course of treatment, nor for prescribing Valium for this patient.

Cathy C., was given various combinations of Didrex, Xanax, and Mepergan, beginning in November 1990, and ending in June 1992. Her weight started at 158 1/2 pounds, and fluctuated during the period of treatment, ending at 152 1/2 pounds. Once again, Dr. Lutz found no medical justification for the treatment. The chart was devoid of any evidence of physical examinations or tests.

John C., was prescribed narcotics, benzodiazepines, and anorectics together for a six month period. His chart is devoid of any evidence of physical examinations, tests, or diagnosis. He did lose weight from 268 pounds to 234 1/2 pounds. Dr. Lutz found no medical justification for the treatment.

Sullivan C., received anorectics from September 1989 through March 1992, during which time his weight increased from 266 pounds to 274 1/2 pounds. Dr. Lutz found no medical justification for this treatment.

Patricia C., was treated by Dr. Crump from July 1989, until January 1992. She received anorectics throughout this period, without any evidence of physical examination or tests. Her weight was 128 1/2 at the outset of the treatment, and 123 1/2 at the end. She also received hydrocodone prescriptions throughout this period, although Dr. Crump alleges that many of those prescriptions were forged. Assuming that Dr. Crump wrote only half of the prescriptions, Dr. Lutz could find no justification for any such prescriptions. He testified that such prolonged use could cause the patient to become both psychologically and physically dependent on the drugs.

Dr. Lutz was not asked to testify about the remainder of the patients referred to in the Administrative Complaint.

Patricia C., apparently was a drug offender, and was asked by police to obtain drugs from Dr. Crump while wearing a "wire". She did so on two occasions, and the transcripts of the recordings made at the time shows that Dr. Crump gave her prescriptions for large amounts of controlled substances for no apparent reason other than she asked for them. The two visits were only a few days apart. Neither of these prescriptions appear in Patricia C.'s chart. However, Dr. Crump was never charged with any criminal act.

By way of defense, Dr. Crump testified that at the time of the alleged offenses, he was not abiding by the Board's guidelines for the administration of anorectics, because he disagreed with them. Since the guidelines have since been given the dignity of rules, he stated that he now complies with them in his practice. He further testified that he no longer prescribes anti-anxiety medication or narcotic analgesics, and has not done so since 1992.

His testimony further indicates that he did not keep good records; that he did not routinely give physical examinations to his obesity patients; and that he would give anti-anxiety medications and narcotic analgesics to his patients upon their complaints of pain, without any tests or examinations to determine the validity of the complaint.

CONCLUSIONS OF LAW

Based on the foregoing evidence, the Board has no difficulty in concluding that Dr. Crump was prescribing anorectics in cases in which they were not appropriate; that he prescribed them for periods in excess of those recommended by the PDR as well as the Board's guidelines; that he did so without performing adequate physical examinations to determine the propriety of the treatment; and that he failed to monitor the physical condition of his patients during the course of treatment. The Board further finds that, in the case of Patricia C., Dr. Crump prescribed controlled substances under circumstances which indicate that he was selling drugs rather than treating a patient.

Accordingly, we find him guilty of Violation 1, in that he prescribed controlled substances which were in duration and absence of recorded medical indication, in excess of any legitimate

medical justification, and in contravention of the known warnings, dangers, and contraindications pertaining to such medications, in violation of R.S. 37:1285(A)(6).

The Board further finds, for the same factual reasons, that Dr. Crump is guilty of recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state, in violation of R.S. 37:1285(A)(14).

The Board further finds that the evidence adduced in this case does not warrant a finding of medical incompetency, since Dr. Crump's prescribing practices were supported by some medical authorities. He is therefore not guilty of that charge.

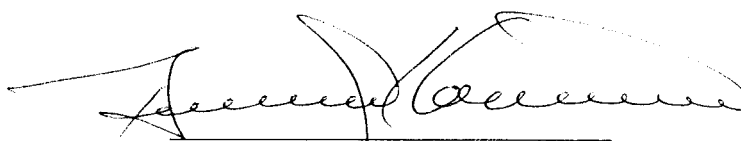
DECISION

In view of these above findings, the Board orders the following sanctions:

- 1) That the license of James Leonard Crump, M.D. to practice medicine in the state of Louisiana as evidence by Certificate No. 007753, be suspended for a period of one year, beginning February 1, 1994.
- 2) That Dr. Crump be evaluated by two psychiatrists, satisfactory to the Board, at his own expense.
- 3) That his license shall not be reinstated until the said psychiatrists have reported to the Board that Dr. Crump can practice medicine with reasonable skill and safety to patients.
- 4) That the license of Dr. Crump to prescribe controlled substances be suspended for life.
- 5) That Dr. Crump pay a fine of \$3,000.00 and all costs and expenses of this proceeding, the said fine and costs to be due and payable within 90 days of the date hereof.

AT ALEXANDRIA, LOUISIANA, this 20 day of December, 1993.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



Bernard L. Kaplan, M.D.
President