

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



OFFICE OF THE SECRETARY-TREASURER

J. MORGAN LYONS, M.D.

830 UNION STREET, SUITE 100

TELEPHONE: (504) 524-6763

NEW ORLEANS, LA 70112-1499

Dated 12/16/85

IN THE MATTER OF

CONSENT ORDER

MYLES K. GAUPP, M.D.

By written notice of the Louisiana State Board of Medical Examiners (the "Board") the Board informed Myles K. Gaupp, M.D. ("Dr. Gaupp") that he might be in violation of the Medical Malpractice Act, specifically La. R.S. 37:1285(6), "prescribing, dispensing or administering habit-forming or other legally controlled substances in other than a legal or legitimate matter". A formal hearing to adjudicate this charge was scheduled for December 13, 1985.

Recognizing his right to have the specified charges adjudicated pursuant to La. R.S. 49:955-58, and to a Final Decision rendered upon written findings of fact and conclusions of law, Dr. Gaupp, waives his right to a formal adjudication of the charges and consents to the entry of the following order. Accordingly,

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IT IS ORDERED that the following Agreement is entered into by and between the Louisiana State Board of Medical Examiners and Myles K. Gaupp, M.D.:

- A. Dr. Gaupp shall not prescribe, dispense, or administer controlled substances as defined, enumerated or included in 21 C.F.R. §§ 1308.11-.15 and La. R.S. 40:964, or any substance which may hereafter be included in any controlled substance schedule by amendment or revision of the cited regulations or statute, with the exception of the following: Robitussin AC, Tramitic Expectorant DH, Naldecon CX, Phenergan VC with Codiene, Phenergon Expectorant with Codiene, Calcidrine elixir turpinhydrate with Codiene, Tylenol 3 and Frorinol 3, with the stipulation that all copies of all prescriptions for Tylenol 3 and Frorinol 3 be sent to the Louisiana State Board of Medical Examiners, furthermore, Dr. Gaupp may prescribe Dorvon 65, Dorvon compound 65, dorvocet N-100 and Anoxia D.
- B. Notwithstanding these restrictions on his narcotics privileges, Dr. Gaupp may order the administration of controlled substances to inpatients of hospital or emergency room facilities under such hospital or emergency room's controlled substance registration number.

IT IS FURTHER ORDERED that any violation of the terms, conditions and restrictions set forth hereinabove shall be deemed just cause for the suspension or revocation of the medical licensure of Myles K. Gaupp, M.D., or for such other disciplinary action as the Board deems appropriate, as if such violation were

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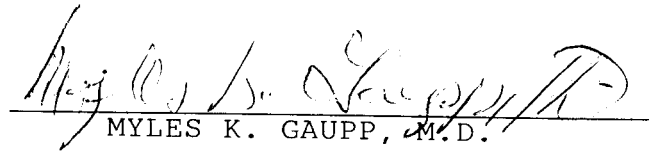
enumerated among the causes set forth in La. R.S. 37:1285.

New Orleans, Louisiana, this 19th day of December, 1985.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS


J. MORGAN LYONS, M.D.

I hereby acknowledge, approve and accept the terms, conditions and restrictions set forth in the above and foregoing Consent Order, this 16 day of December, 1985.


MYLES K. GAUPP, M.D.