

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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In Re: :

Application of :

MARY MELISSA MORGAN, M.D. :

(Certificate No. 021116) :

For Reinstatement of License :

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CONSENT ORDER FOR REINSTATEMENT OF MEDICAL LICENSE

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Mary M. Morgan, M.D. for reinstatement of her Louisiana medical license, originally issued in 1990, but which has since lapsed for nonrenewal. From the application and other supporting information, it appears that Dr. Morgan, a 1990 graduate of the Louisiana State University School of Medicine in Shreveport, currently completing a residency in internal medicine at the University of Iowa Hospitals and Clinic, Iowa City, Iowa, is generally eligible for reinstatement of her Louisiana medical license. As acknowledged in her application, however, and in additional information and reports furnished to the Board, Dr. Morgan has for a number of years suffered from, and has recently received inpatient treatment for, chemical dependency, which could constitute grounds for the denial of reinstatement of licensure. La. Rev. Stat. § 371285(A)(5).

It appears, more particularly, that Dr. Morgan has self-prescribed and abused Fiorinal (butalbital) and Fiorinal No. 3 (butalbital with codeine), Schedule III controlled substances, first prescribed for her by a physician for dysmenorrhea, but later prescribed at her request by other physicians and by herself, with increasing frequency, for dysmenorrhea and migraine headaches. Following a March 1993 investigation by the Iowa Board of Medical Examiners, at the direction of the Iowa board Dr. Morgan submitted to evaluation for chemical dependency at the McBride Center for the Professional, Milwaukee Psychiatric Hospital, Wauwatosa, Wisconsin, from May 10-14, 1993, where she was admitted several days later for a three-week term (May 19-June 8, 1993) of inpatient treatment for chemical dependency, being discharged with a diagnosis of opioid and sedative dependence; adjustment disorder with depressed mood, resolved; compulsive traits; and dysmenorrhea, migraines without aura—stable and asymptomatic with treatment.

As evidenced by her subscription hereto, Dr. Morgan acknowledges and admits the substantial accuracy of the foregoing statements, that she has suffered from the recurrent use and abuse of controlled substances, and that the reported information would provide the Board with legal cause to deny her application for reinstatement for "[h]abitual or recurring abuse of drugs...which affect the central nervous system and are capable of inducing physiological or psychological dependence;" and "[p]rescribing, dispensing or administering...controlled substances...without legitimate medical justification therefor or in other than a legal or

legitimate manner;”¹ The Board is persuaded, however, that the condition from which Dr. Morgan suffers have been and are susceptible to effective medical treatment, resulting in maintenance of the physician’s capacity to engage in the practice of medicine with reasonable skill and safety to patients, provided that Dr. Morgan strictly observes and complies with appropriate restrictions on and conditions to reinstatement and maintenance of her medical licensure. In consideration of this finding, accordingly, and on the recommendation of the the Board’s Physician’s Health Committee, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. § 37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing her right to have notice of allegations asserted against her, to administrative adjudication (hearing) of such allegations pursuant to La. Rev. Stat. §§ 49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Morgan nonetheless hereby waives her right to notice of allegations and formal adjudication and, pursuant to La. Rev. Stat. § 49:955(D), consents to entry of the Order set forth hereinafter.

Accordingly, in consideration of the foregoing, pursuant to the authority vested in the Board by La. Rev. Stat. § 37:1285;

IT IS ORDERED that the license of Mary Melissa Morgan, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by certificate no. 021116, be, and the same is hereby, REINSTATED ON PROBATION for a period of five (5) years from the date hereof, provided, that, such reinstatement of medical licensure, and Dr. Morgan’s continuing exercise of rights and privileges thereunder, shall, effective as of the date hereof, be conditioned upon and subject to her acceptance of and strict compliance with the following probationary terms, conditions and restrictions:

(a) Compliance with Aftercare Treatment Recommendations. Dr. Morgan shall comply in all respects with the aftercare recommendations made by her treating physicians, Roberto Soria, M.D. and Charles Engel, M.D., at the McBride Center for the Professional (McBride/Dewey Unit), of the Milwaukee Psychiatric Hospital, Wauwatosa, Wisconsin, as embodied in her discharge summary dated June 9, 1993.

(b) Participation in Impaired Physicians Program. Dr. Morgan shall, if she has not already done so, prior to engaging in the practice of medicine in the state of Louisiana, enter into a Treatment Contract with the Impaired Physicians Committee of the Jefferson Parish Medical Society (the “Jefferson IPC”), designating Martha E. Brown, M.D., of the Louisiana State University Medical Center, New Orleans, as her monitoring physician, and shall continue under treatment in compliance with the terms and conditions of such Treatment Contract, which shall provide, at a minimum, for her daily attendance at Alcoholics Anonymous or Narcotics Anonymous meetings and random, unannounced urine or other drug screens. Dr. Morgan shall authorize and cause the Jefferson IPC and her treating and monitoring physicians under such Treatment Contract to submit to the Board, not less frequently than quarterly throughout the probationary period ordered hereby, written reports on Dr. Morgan’s then-current treatment program, diagnosis, prognosis, and her compliance with the terms, conditions and restrictions of this Order and any aftercare agreement she has executed pursuant hereto.

(c) Maintenance of Complete Abstinence. Dr. Morgan shall, for the duration of her life, maintain complete and total abstinence from the use of controlled or other mood-altering substan-

¹LA. REV. STAT. ANN. § 37:1285(A)(5), (6) (West 1988).

ces, except as may be prescribed for her by a treating physician other than herself for a *bona fide* medical condition.

(d) **Personal Appearances Before Board.** Dr. Morgan shall personally appear before the Physicians Health Committee of the Board at its meeting preceding the expiration of the probationary term ordered herein.

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. Morgan shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Morgan's license to practice medicine in the state of Louisiana.

New Orleans, Louisiana, this 2 day of July, 1993.

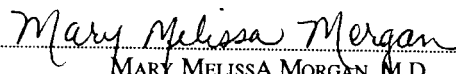
LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: 

BERNARD L. KAPLAN, M.D.
President

ACKNOWLEDGEMENT
AND CONSENT

I, MARY MELISSA MORGAN, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 30 day of June, 1993.


MARY MELISSA MORGAN, M.D.

Witness:

