

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter of:

JOHN D. OLSON, M.D.
(Certificate No. 012873)

No. 95-I-065

CONSENT ORDER

John D. Olson, M.D. ("Dr. Olson"), is a physician licensed to practice medicine in the state of Louisiana. At all times pertinent, Dr. Olson has been principally engaged in the practice of neurology in and around the Chalmette, Louisiana area. Predicated upon apparently reliable information the Board, through its Investigating Officer, undertook an investigation of Dr. Olson's prescription-writing practices for controlled substances. The investigation encompassed a review of prescription data from a number of area pharmacies as well as a random sampling of Dr. Olson's patient charts. The results of such investigation indicate to the Investigating Officer that Dr. Olson may have issued long-term prescriptions for Vicodin or other controlled substances to certain individuals without legitimate medical justification therefor or in a manner contrary to the prevailing and usually accepted standards of medical practice in the state of Louisiana.

Although denying that he prescribed medication inappropriately or that he practiced contrary to the prevailing standards of care, as evidenced by his subscription hereto Dr. Olson, nevertheless, acknowledges that such information, if accurate, would provide the Investigating Officer with probable cause to initiate formal administrative proceedings against his license pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1261-92,¹ constituting just cause for the revocation, suspension or imposition of such other terms and conditions upon his license to practice medicine in the state of Louisiana as the Board may deem appropriate.

On the basis of the information received by the Board with respect to the investigation and with Dr. Olson's knowledge and consent, the Board is persuaded that it is appropriate for Dr. Olson to may maintain his license to practice medicine in the state of Louisiana, *provided, however*, that he strictly observes and complies with appropriate conditions to maintenance of such license. In consideration of this finding, accordingly, and on the recommendation of the Board's Investigating Officer respecting the pending investigation, 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.

¹ La. Rev. Stat. Ann. §§37:1285A(6) and (14).

Recognizing his right to have charges specified against him, to an administration adjudication of such charges, at which time Dr. Olson would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. Rev. Stat. §§49:955-965, Dr. Olson, nonetheless, hereby waives his right to 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. Olson also 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 he otherwise may be afforded by any law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum. By his subscription hereto, Dr. Olson also hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as his 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. Olson expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer or his legal counsel shall be without prejudice to the Investigating Officer's authority to proceed with the filing and adjudication of an Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

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 until and unless modified by subsequent written order of the Board, the license of John D. Olson, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 012873, as well as his continuing exercise of the rights and privileges thereunder, shall be subject to the following terms and conditions:

(a) **Adherence to Board's Pain Rules.** In connection with his treatment of any patient suffering from chronic or intractable pain, Dr. Olson shall strictly adhere to, abide by and comply in each respect, with the Board's rules respecting non-malignant chronic or intractable pain.²

(b) **Attendance at Seminar.** Dr. Olson shall attend and successfully complete a course of study approved by the Board in the management of complaints of pain. On or before the expiration of six (6) months from the effective date of this Order, at latest, Dr. Olson shall cause to be submitted to the Board written certification of the successful satisfaction of this condition.

(c) **Continuing Medical Education.** In addition to the seminar required hereinabove, Dr. Olson shall obtain not less than fifty (50) credit hours per year, for each of the five (5) years following the effective date of this Order, of continuing medical education credits ("CME") through attendance at and participation in CME programs accredited by and qualifying for the Physician's Recognition Award of the American Medical Association, and he shall obtain such award within three (3) years from the effective date hereof. On or before July 1st of the years 1999-2003, Dr. Olson shall cause to be submitted to the Board written

² La. State. Bd. Med. Exam. Rules, 'Medications Used in the Treatment of Noncancer-Related Chronic or Intractable Pain,' LAC 46:XLV.6915-6923, *Louisiana Register*, Vol. 23, No. 6, pp. 727-728 (Jun. 1997).

certification of the CME programs and credits completed by him during the preceding twelve (12) months.

(d) Medical Records. Dr. Olson shall maintain a complete and legible medical record on each of his patients, including all histories and physical examinations, laboratory and other diagnostic testing, diagnoses and treatment plans, notes of office and hospital visits, as well as the nature, amount, dosage and instructions for ingestion of prescription medication.

(e) Treatment of Family Members Prohibited. Except as may be necessitated by an emergency or life threatening medical condition, Dr. Olson shall not, for the remainder of his medical career, prescribe, dispense or administer any controlled substance which may be classified, defined, enumerated or included in 21 C.F.R. §1308.11-.15, La. Rev. Stat. §40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statute, as well as the drugs Nubain, Dalgan, Soma and Butalbital in any form or generic thereof, to any member of his immediate family.

(f) Cooperation with Board's Probation and Compliance Officer. Dr. Olson shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers, and he shall direct all matters required pursuant to this Consent Order, including evidence of his attendance and successful completion of the course of study referred to herein above and his CME credits, to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms, conditions or restrictions of this Consent Order.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions and restrictions of this Order as set forth hereinabove, shall be deemed adequate and/or sufficient cause, upon proof of such violation or failure, for the suspension and/or revocation of the medical license of John D. Olson, M.D., or for such other disciplinary action as the Board may deem 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.

Signed in New Orleans, Louisiana, and effective on this 19th day of August, 1998.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

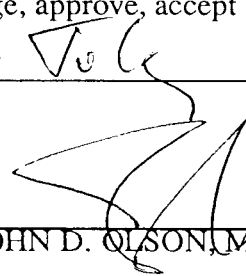
BY: _____

Mary Ann Aschewitz

President

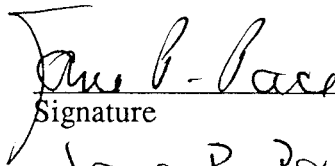
**ACKNOWLEDGMENT
AND CONSENT**

I, JOHN D. OLSON, M.D., hereby acknowledge, approve, accept and consent to entry of
the above and foregoing Order, this 23 day of July, 1998.



JOHN D. OLSON, M.D.

WITNESSES:

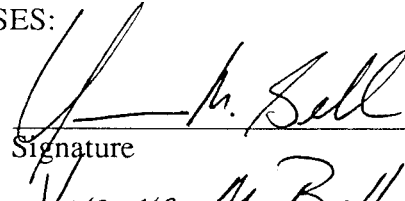


Signature
Jane P. Pace

Printed Name

643 Magazine St.

Address New Orleans, LA 70130



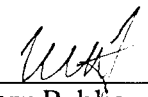
Signature
Vonne M. Bell

Printed Name

643 Magazine St.

Address NOVA 70130

Sworn to and subscribed before me at New Orleans, Louisiana, this 23 day
of July, 1998, in the presence of the two stated witnesses.



Notary Public