

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:

WAYLON M. PARKER, M.D.
(CERTIFICATE NUMBER 016672)

DECISION

96-A-002

This matter was heard on Friday, March 22, 1996, before a panel of the Board representing a quorum of its membership consisting of Drs. F.P. Bordelon, Jr., Ike Muslow, Elmo J. Laborde, Richard M. Nunnally and Trenton L. James, II. Also present were Judge Frederick S. Ellis, Independent Counsel for the Board, presiding, and Philip O. Bergeron, Attorney at Law, representing the complainant. Dr. Parker, respondent, was present along with his attorney, Danielle Trostorff.

FINDINGS OF FACT

Waylon M. Parker, M.D. is a board certified pediatrician, who has practiced as such without incident in Mississippi, Texas and Louisiana, since 1985.

In 1988, Dr. Parker began the practice of pediatrics in Del Rio, Texas. In February 1990, he went to a meeting in Austin, Texas, hoping to get funds to train medical personnel in the Del Rio area. He met a Texas state legislator there, who agreed to help him, but who asked that Dr. Parker agree to take his wife, Peggy, into his home to recuperate from pneumonia.

In June 1990, Dr. Parker thought Peggy's recovery was complete, and suggested that she return home. He was asked by her husband to let her stay until after an upcoming election, to which Dr. Parker agreed. In December 1990, it was agreed that Peggy would return home. On the day she was to have left, Dr. Parker returned home, expecting to find her gone, but instead found her still there, crying, with bruises on her arms and legs.

Peggy convinced Dr. Parker that her life, and his life, were in danger from her husband, and got him to help her move out of her husband's home. A few days later, In January 1991, he received a call from the Department of Health Services in Austin, and was informed that a women who claimed to be his wife was there and needed treatment. Peggy was crying and in great distress. He went to the hospital and apparently was told by Peggy that she had been attacked and raped in her home. He agreed to take her from the hospital and hide her in a hotel for a week, and allowed her to use his name as an alias. He then paid her way to Florida to be with her family.

A few weeks later, she called and asked him to help her return to Texas to be with her teenage son, and he did so. In February 1991, he was asked to fly Peggy and her son back to

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Florida for her mother's funeral and he did so.

Dr. Parker now no longer felt safe in Texas, so he moved to Mississippi to practice. He was then called by Peggy who asked him to take her back to Texas to get her things and then move in with him in Mississippi, "so she could be safe". He once again agreed to her request.

During this time, Peggy hurt her back in an accident, while a guest passenger in Dr. Parker's automobile. In June 1991, Dr. Parker began writing prescriptions for pain for Peggy. She refused to see another doctor, and continued to live with Dr. Parker, with her son, and Dr. Parker continued to write prescriptions for her. She also continued to use Dr. Parker's name.

In January 1992, he took Peggy to a doctor for her neurological problems, and all tests were within normal limits. Dr. Parker continued to prescribe drugs for Peggy.

In March 1992, Peggy sued her husband for divorce. He showed up in Mississippi to visit the son, and Peggy convinced Dr. Parker to let the husband stay at the house. During 1992 he spent many nights at Dr. Parker's home.

In 1993, Dr. Parker agreed to take Peggy to Houston to get a job. While there he continued to prescribe drugs for her, and was investigated by the Texas Board. Ultimately, in August 1994, he surrendered his Texas license, rather than undergo an investigation.

In April 1993, he was investigated by the Mississippi Board for writing prescriptions for his "wife". In June 1993, the Mississippi Board wrote him a letter, recommending that he stop writing prescriptions for his "wife". This recommendation was ignored by Dr. Parker.

In June 1994, he wrote a letter to Peggy, and told her he could no longer treat her, and that she must "make other doctor and living arrangements". He moved to Marrero, Louisiana, to practice pediatrics, and Peggy and her son moved with him. At that time, he found another doctor to treat her. In July 1995, he returned to his apartment and found that Peggy had moved out. He has not seen her since.

On September 21, 1995, Dr. Parker entered into a consent order with the Mississippi Board, by virtue of which his license was suspended for five years, but the suspension stayed, subject to various terms and conditions.

On his application for renewal of his Louisiana license to practice medicine for 1994, Dr. Parker failed to reveal the Mississippi investigation, although he was aware of it and knew that it should have been revealed.

In connection with the Mississippi order, Dr. Parker has undergone psychiatric evaluation and treatment by Robert W. Davis, M.D., a psychiatrist. Dr. Davis opined that Dr. Parker had a neurotic relationship with Peggy, which grew out of being brought up in a dysfunctional family. He was of the opinion that Dr. Parker can safely practice pediatrics, but that he should complete his course of treatment. Dr. Davis believes that Dr. Parker has learned his lesson and that nothing like this episode with Peggy will happen again.

CONCLUSIONS OF LAW

The record is clear that Dr. Parker voluntarily relinquished his license in Texas while it was under investigation, which is a violation of R.S. 37:1285(A)(29).

It is equally clear that Dr. Parker's Mississippi license has been sanctioned, which is a violation of R.S. 37:1285(A)(29).

Finally it is clear that Dr. Parker knowingly failed to reveal the Mississippi investigation in his 1994 application for the renewal of his Louisiana license in violation of R.S. 37:1285(A)(3).

He is, therefore, guilty of all of the charges against him.

This Board is aware that the Mississippi Board found that the problems of prescribing for Peggy was an isolated instance. This Board is also aware that there have been no problems in Dr. Parker's pediatric practice.

However, it must be noted that Dr. Parker's knowing failure to reveal the Mississippi investigation on his 1994 renewal application has resulted in a lengthy and expensive investigation and a full hearing before this Board. We cannot overemphasize the importance of truthful responses on the application, which will result in many problems such as this one being settled before they arise.

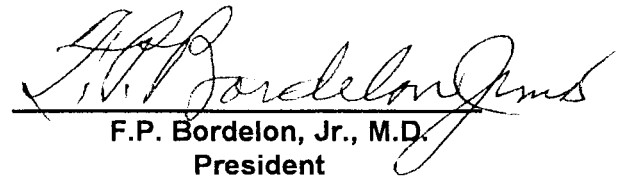
DECISION

It is, therefore, the **DECISION** of the Board that the license of Waylon M. Parker, M.D., to practice medicine in the state of Louisiana, as evidenced by Certificate Number 016672, be suspended until September 1997, when he completes the requirements of his Mississippi probation. At that time, he may reapply for licensure in Louisiana.

Dr. Parker shall pay all costs of this proceeding.

AT MARKSVILLE, LOUISIANA, THIS 29th day of April, 1996.

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OF MEDICAL EXAMINERS


F.P. Bordelon, Jr., M.D.
President