

**BEFORE THE
LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

In The Matter of:

FRANK T. ROBBINS, M.D.
(Certificate No. 06202R),

Respondent:

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No. 94-A-016

CONSENT ORDER

An investigation conducted on behalf of the Louisiana State Board of Medical Examiners ("Board") developed information indicating that Frank T. Robbins, M.D. ("Dr. Robbins"), a physician licensed by the Board to practice medicine in the state of Louisiana and at all times pertinent engaged in the practice of medicine in the Lake Charles, Louisiana area, dispensed and issued prescriptions for a variety of legally controlled substances, principally benzodiazepines and narcotic analgesics, in apparent excessive quantities and for extended periods of time to twenty-two of his patients. Following such investigation, which included an analysis of dispensing records maintained by the physician, together with Dr. Robbins' own office records and prescriptions written to the patients in question, the physician was charged with enumerated violations of the Louisiana Medical Practice Act (the "Act"), La. Rev. Stat. §§37:1261-92, including allegations that the physician's records failed to satisfy the prevailing and usually accepted standard of care in Louisiana.¹

Dr. Robbins denies that he prescribed or dispensed medication inappropriately to the individuals in question and submits that he was prepared to offer testimony by an expert who had reviewed the patient records and conferred with the patients in question to substantiate his position at an evidentiary hearing. Nevertheless, he acknowledges, as does his expert, that his medical records are insufficient to support his prescribing practices to the patients in question and that such inadequate records would provide the Board with probable cause for the revocation, suspension or imposition of such other terms and conditions upon Dr. Robbins' license to practice medicine in the state of Louisiana as the Board may deem appropriate.

Recognizing his right to have an administrative adjudication of such charges, at which time Dr. Robbins 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. Robbins, nonetheless, hereby waives his right to notice of charges and formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order

¹La. Rev. Stat. Ann. §37:1285(A)(6), (12) and (14), respectively, provide that the Board may take action against the license of a physician as the result of (6) 'Prescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefor or in other than a legal or legitimate manner;' (12) 'Professional or medical incompetency;' and (14) 'Continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state.'

set forth hereinafter and acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Practice Act or to which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of the Board's investigation or this document in any court. By his subscription hereto, Dr. Robbins 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. Robbins expressly acknowledges that the disclosure of the information to the Board by the Investigating Officer, or his legal counsel, shall be without prejudice to the Investigating Officer's authority to file a formal Administrative Complaint against him, or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent Order.

Based upon the information provided, accordingly, and upon the recommendation of the Investigating Officer assigned to this matter, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state pursuant to La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

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 the license of Frank T. Robbins, M.D., to engage in the practice of medicine in the state of Louisiana as evidenced by Certificate No. 0620R, shall be, and the same is hereby **SUSPENDED** for a period of **ninety (90) days** from January 1, 1995, or until April 1, 1995, subsequent to which Dr. Robbins' license shall be placed **ON PROBATION** for a period of **five (5) years**, or until April 1, 1999, *provided, however*, that Robbins' continuing exercise of the rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following minimum terms, conditions and restrictions:

(a) Prescription, Dispensation, Administration of Controlled Substances Prohibited. Dr. Robbins shall not, during his lifetime, prescribe, dispense or administer any controlled substance, as defined, enumerated or included in federal or state statutes or regulations, 21 C.F.R. §1308, 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. This prohibition shall survive the term of probation ordered herein and remain in effect so long as Dr. Robbins shall hold any formal license or permit to practice medicine in the state of Louisiana. In furtherance of this condition, Dr. Robbins shall, within thirty (30) days from the effective date hereof, surrender to the appropriate state and federal authorities all controlled substance registrations or certificates in his possession.

(b) Continuing Medical Education. Dr. Robbins shall obtain not less than fifty (50) credit hours per year for each of the five (5) years of his probationary period as set forth herein above of continuing medical education credits ("CME") through attendance at and participation in CME programs accredited by and qualifying for the Physicians 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 January 1st of each

year during the term of probation ordered hereby, Dr. Robbins shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months.

(c) Cooperation with Board's Probation and Compliance Officer. Dr. Robbins 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 the CME credits described herein above, 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 and restrictions of this Consent Order.

(d) Payment of Fine. Dr. Robbins shall pay to the Board a fine in the amount of Five Thousand and no/100 (\$5,000.00) Dollars, which sum shall be on or before October 1, 1995.

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 herein above, 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 Frank T. Robbins, M.D., or for such other disciplinary action as the Board deems 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 15th day of December 1994.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

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

**ACKNOWLEDGMENT
AND CONSENT**

I, FRANK T. ROBBINS, M.D., HEREBY ACKNOWLEDGE, APPROVE, ACCEPT
AND CONSENT to entry of the above and foregoing Order, this 15th day of
December, 1994.


FRANK T. ROBBINS, M.D.

APPROVED AS TO FORM



Perry R. Sanders, Jr., Esq.
400 Broad Street
Lake Charles, LA 70601
Counsel for Frank T. Robbins, M.D.