

BEFORE THE LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

----- x
:

In The Matter Of

GEORGE C. STOHLMAN, M.D.
(Certificate No. 009297),

Respondent

No. 94-I-007

CONSENT
ORDER

----- x
:
The above-entitled proceeding was docketed for investigation by the Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board") following the receipt of information which indicated that during the year 1991, George C. Stohlman, M.D. ("Dr. Stohlman"), a physician licensed to practice medicine in Louisiana and Florida, but who was at all pertinent times engaged in practice in the state of Florida, was charged with making false statements on income tax returns from earnings gained from his medical practice during the calendar years 1984-1986, inclusive. (*United States of America v. George C. Stohlman, Cr. No. 91-90-Cr-T-10(20)* (U.S.D.Ct. M.D., Fla., 1991)).¹ Such information further revealed that on September 3, 1991, Dr. Stohlman entered into a Plea Agreement with the United States Attorney whereby which he agreed to voluntarily plead guilty to three (3) counts of such federal charges. As a result of the foregoing plea, on December 19, 1991, Dr. Stohlman was sentenced to a three (3) year suspended sentence, ordered to serve three (3) years on supervised probation, to cooperate with the Internal Revenue Service concerning the payment of back taxes, perform three hundred (300) hours of community service and to continue to participate in the alcohol recovery program in which he was enrolled or any such other program as his probation officer directed.² Pursuant to Administrative Complaint filed by the State of Florida Department of Professional Regulation, Board of Medicine ("Florida Board") on April 15, 1993, Dr. Stohlman was charged with conviction of a crime which was directly related to the

¹ During the year 1991, Dr. Stohlman was indicted by a federal grand jury on charges of violating the Internal Revenue Code, 26 USC §7206(1) as a result of allegedly filing income tax returns for the calendar years 1984, 1985 and 1986 which he did not believe to be true and correct in that Dr. Stohlman reported gross earnings for his medical practice below his actual gross earnings for the years in question.

² Judgment and Probation/Commitment Order, *United States of America v. George C. Stohlman, M.D.*, (Dec. 19, 1991).

practice of medicine, in violation of Fla. Stat. §458.331 (1)(c).³ By Consent Agreement entered into between Dr. Stohlman and the Florida Board, the physician's Florida medical license was reprimanded, he was assessed a Five Thousand (\$5,000.00) Dollar fine, placed on probation concurrent with the probationary period imposed by the federal court in connection with his criminal conviction, ordered to appear before the Florida Board at its first meeting following the commencement of probation and required to perform one hundred (100) hours of approved community service within one (1) year.⁴ Finally, such information indicated that although Dr. Stohlman did apprise the Board of his plea agreement and the subsequent sentence imposed by the court, that he failed to inform the Board that such charges were lodged against him during the year 1991 on his 1992 renewal application for Louisiana medical licensure; similarly, that he did not advise the Board of all of the conditions which were imposed upon him by the court in connection with the criminal conviction referred to hereinabove, on his 1993 renewal application.

As evidenced by his subscription hereto, Dr. Stohlman acknowledges the substantial accuracy of the foregoing information and, further, that proof of such information upon an administrative evidentiary hearing would establish grounds under the Louisiana Medical Practice Act for the suspension, revocation or such other action as the Board might deem appropriate against his license to practice medicine in the state of Louisiana, as a result of his "Conviction of a crime or entry of a plea of guilty or *nolo contendere* to a criminal charge constituting a felony under the laws of Louisiana or of the United States," "Conviction of a crime or entry of a plea of guilty or *nolo contendere* to any criminal charge arising out of or in connection with the practice of medicine," and "Fraud, deceit, or perjury in obtaining any diploma, license, or permit..."⁵

Recognizing his right to have notice of the allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-958, and to a final decision rendered upon written findings or facts and conclusions of law, Dr. Stohlman, 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 set forth hereinafter. By his subscription hereto, Dr. Stohlman also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or legal counsel assisting him in that capacity, to present this Consent Order to the Board for its

³Administrative Complaint, *Department of Professional Regulation vs. George C. Stohlman, M.D.*, Case No. 92-09226 (Fla. Bd. Med. Exam.).

⁴Consent Agreement/Final Order, *Department of Professional Regulation v. George C. Stohlman, M.D.*, Case No. 92-09226 (Fla. Bd. Med. Exam.).

⁵La. Rev. Stat. §37:1285A(1), (2) and (3).

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. Stohlman expressly acknowledges that the disclosure of 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 George C. Stohlman, M.D., to engage in the practice of medicine in the state of Louisiana as evidenced by Certificate No. 009297, be, and the same is hereby, placed **ON PROBATION** for a period three (3) years from the effective date hereof; *provided, however*, that Dr. Stohlman's 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) Practice of Medicine in Louisiana Prohibited; Compliance/Consent Agreement and Federal Probationary Order. Dr. Stohlman shall not engage in the practice of medicine in any form in the state of Louisiana until and unless the Board issues and serves on him a written order authorizing his practice in this state. As express conditions to the issuance of such an order, Dr. Stohlman shall have successfully completed each of the probationary periods, as well as all terms and conditions imposed upon him by the Consent Agreement which he entered into with the Florida Board on October 2, 1993, and those which were imposed on him by the federal court in connection with his criminal conviction referred to hereinabove and enumerated in the Judgment and Probation/Commitment Order of December 19, 1991, all of which are incorporated herein by reference. Dr. Stohlman shall, and does by his subscription hereto, authorize his Probationary Officers in connection with his Consent Agreement with the Florida Board and the federal conviction to provide the Board with written and verbal reports relative to his compliance with the terms and conditions of his respective probations. Moreover, Dr. Stohlman shall, at the conclusion of the probationary periods imposed by the Florida Board and the federal court, cause his Probation Officers to direct correspondence to the Board advising of his successful completion of the terms and conditions ordered thereunder.

(b) Notice of Relocation to Louisiana. In the event that Dr. Stohlman should decide to relocate to Louisiana for the purpose of practicing medicine following his successful completion of probation imposed upon him by the federal court and the Florida Board, he shall contact the Board at least sixty (60) days in advance of his return to Louisiana to arrange an appearance before the Board at its next regularly scheduled meeting. At such meeting, Dr. Stohlman shall demonstrate his compliance with the probationary terms and conditions imposed upon him by the Florida Board, the federal court and the Board pursuant to this Order, and he shall discuss with the Board his intended plans for the practice of medicine in this state.

(c) Additional Probationary Terms. In addition to such other terms and conditions as are placed upon his Louisiana license by this Order, Dr. Stohlman hereby consents to, agrees with and acquiesces in the imposition of any additional probationary terms, conditions or restrictions, as well as the length, nature and tenure thereof which, in the sole discretion of the Board, it may deem necessary or appropriate to impose upon his Louisiana license should he decide to relocate to the state of Louisiana for the purpose of engaging in the practice of medicine either prior to or following the conclusion of the three (3) year probationary period imposed by this Order.

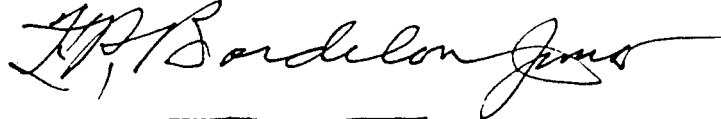
(d) Verification of Compliance/Probation Officer. Dr. Stohlman shall immediately notify the Board's Probation Officer of any change in his personal and professional addresses and telephone numbers and he shall direct all matters, requests or inquiries relating to this Order to the attention of the Probation Officer.

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

New Orleans, Louisiana, this 2nd day of March, 1995.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS



BY:

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

ACKNOWLEDGMENT
AND CONSENT

I, GEORGE C. STOHLMAN, M.D., hereby acknowledge, approve, accept and consent
to entry of the above and foregoing Order, this 27 day of January, 1995.


GEORGE C. STOHLMAN, M.D.

WITNESS:

