

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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Marksville, LA 71351

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3970 Louisa  
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## Office of the Secretary-Treasurer

J. Morgan Lyons, M.D.  
830 Union Street, Suite 100  
Telephone: (504) 524-6763  
New Orleans, LA 70112-1499

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Medical Center  
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433 Metairie Road, Suite 602  
Metairie, LA 70005

Elmo J. Laborde, M.D.  
819 St. Landry Street  
Lafayette, LA 70506

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IN THE MATTER OF  
JOHN MILTON THORKELSON, M.D.  
(Certificate No. 007513)

Respondent

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F I N A L  
D E C I S I O N

TO: John Milton Thorkelson, M.D.  
2713 Maplewood Drive  
Sulphur, LA 70663

A formal administrative hearing was convened before the Louisiana State Board of Medical Examiners ("Board") on December 9, 1987 to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by John Milton Thorkelson, M.D. ("Dr. Thorkelson"), to-wit: "conviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge," LSA-R.S. 37:1285(1) and "prescribing, dispensing, or administering habit forming or other legally controlled substances in other than a legal or legitimate manner," LSA-R.S. 37:1285(6).

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A quorum of the Board was present.<sup>1</sup> Dr. Thorkelson was notified of the hearing, but elected not to represent himself personally or through legal counsel.

Upon consideration of the evidence presented, pursuant to LSA-R.S. 49:958, the Board renders the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

1.

The Respondent, Dr. Thorkelson, is a physician licensed by this Board, pursuant to the Medical Practice Act of Louisiana ("Medical Practice Act"), LSA-R.S. 37:1261 et seq., to practice medicine in the State of Louisiana. At the time of the events described herein, Dr. Thorkelson was so licensed and engaged in the practice of medicine.

2.

An undercover investigation of Dr. Thorkelson was conducted by the Calcasieu Parish Sheriff's Office, the Sulphur Police Department and the Louisiana State Police during the years of 1984 and 1985.

3.

As a result of this investigation, Dr. Thorkelson was indicted on eleven (11) counts of distribution or dispensing of controlled dangerous substances in violation of LSA-R.S. 40:969A(1), 40:968A and 40:967A(1).

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<sup>1</sup>The following members of the Board were present: Ike Muslow, M.D.; Elmo J. Laborde, M.D.; Gerald R. LaNasa, M.D. and Bernard L. Kaplan, M.D.

4.

On July 15, 1987, Dr. Thorkelson plead guilty to six (6) counts of distribution of Diazepam (Valium), a Schedule IV controlled dangerous substance, in violation of LSA-R.S. 40:969A(1).

5.

On September 4, 1987, Dr. Thorkelson was sentenced by Judge W. Ellis Bond to serve three (3) years for each count in the custody of the Louisiana Department of Corrections. However, these sentences were suspended, and Dr. Thorkelson was placed on supervised probation for three (3) years subject to various conditions.

6.

Dr. Thorkelson was not physically or financially able to attend his formal administrative hearing.

#### CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes, as a matter of law, that:

1.

By having plead guilty to six counts of distribution of controlled dangerous substances in violation of LSA-R.S. 40:969A(1), Dr. Thorkelson may be found guilty of violating LSA-R.S. 37:1285(1) and LSA-R.S. 37:1285(6).

#### DECISION

Considering the foregoing,

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IT IS ORDERED that Dr. Thorkelson's license to practice medicine, as evidenced by Certificate No. 007513, be, and the same is hereby suspended for a period of five (5) years.

IT IS FURTHER ORDERED that all except three (3) years of the foregoing suspension be suspended, provided Dr. Thorkelson comply strictly and exactly with each of the following conditions, restrictions, and terms of his two (2) year probation, following his suspension:

1. Dr. Thorkelson shall never apply for nor obtain a Drug Enforcement Administration license, nor any state equivalent.
2. Dr. Thorkelson shall complete 50 hours of American Medical Association Approved Continuing Medical Education credits during each of the five (5) years.

IT IS FURTHER ORDERED that Dr. Thorkelson shall appear before the Board at the conclusion of this five (5) year period and demonstrate to the Board that he is physically and mentally competent to practice medicine, and that he has satisfactorily complied with all the conditions, terms and restrictions of his probation as set forth above.

IT IS FURTHER ORDERED that should Dr. Thorkelson fail to comply with and satisfy the conditions of probation as set forth above, the suspension described above will become fully executory and effective immediately.

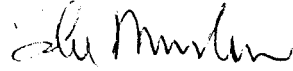
IT IS FURTHER ORDERED that any violation of the probationary terms, conditions, and restrictions set forth herein shall be deemed just cause for the further suspension or revocation of the medical licensure of Dr. Thorkelson, or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the

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causes as provided in LSA-R.S. 37:1285.

New Orleans, Louisiana, this 21 day of January, 1988.

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A handwritten signature in cursive script, appearing to read "Ike Muslow".

IKE MUSLOW, M.D.  
Vice-President

IM/st