

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



830 UNION STREET, SUITE 100  
TELEPHONE: (504) 524-6763  
NEW ORLEANS, LA 70112-1499

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In The Matter Of :  
EDWARD PAUL UZEE, M.D. :  
(CERTIFICATE NO. 007919), :  
Respondent. :  
-----X

No. 89-I-012-G

CONSENT  
ORDER

Information was provided to the Louisiana State Board of Medical Examiners ("Board") indicating the Edward Paul Uzee, M.D. ("Dr. Uzee"), was charged with violating state statutory law governing medical practice in the state of Georgia arising out of his chemical addiction to benzodiazepines in 1987, which are controlled substances under federal and state law.<sup>1</sup>

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<sup>1</sup>Notice of Hearing "In the Matter of Edward Paul Uzee, M.D." (Docket No. 88-67, Composite State Board of Medical Examiners for the State of Georgia, March 3, 1988). A copy of the Notice of Hearing, pp. 1-5 inclusive, is attached hereto as Exhibit "A".

In lieu of formal administrative hearing before the Composite State Board of Medical Examiners for the state of Georgia, Dr. Uzee entered into a Consent Order with the Georgia Board, effective May 12, 1988.<sup>2</sup> Under the terms of the Georgia Consent Order, Dr. Uzee's license to practice medicine in the state of Georgia was actively suspended for a period of four (4) years, the entire period of which was suspended provided he comply with various probationary terms, conditions and restrictions.<sup>3</sup>

Alternative to formal adjudicatory proceedings under the Louisiana Medical Practice Act,<sup>4</sup> the Board has determined that the public interest may be properly and adequately served by Dr. Uzee's execution of a Consent Order by virtue of which the physician's Louisiana license would be placed on probation consistent with the specified terms and conditions imposed by the state of Georgia, together with a requirement that Dr. Uzee notify the Board of any intention to relocate to Louisiana as provided hereunder. As evidenced by his subscription hereto, Dr. Uzee has accepted the disposition proposed by the Board in lieu of formal administrative proceedings.

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<sup>2</sup>Consent Order "In the Matter of Edward P. Uzee, M.D." (Docket No. 88-67, Composite State Board of Medical Examiners, State of Georgia, May 12, 1988). A copy of the Consent Order, pp. 1-9 inclusive, is attached hereto as Exhibit "B".

<sup>3</sup>See Exhibit "B." Generally, the probationary terms, conditions and restrictions require Dr. Uzee to participate in an aftercare program; abstain from consumption of alcohol and controlled substances; refrain from prescribing, administering or dispensing any Schedule II, IIN, III, IIIN and IV controlled substances outside of an institutionalized hospital practice; undergo random drug testing; submit quarterly reports to the Board from his monitoring and supervising physician regarding his physical and mental condition and attendance at aftercare meetings; notify the Board of any change in practice, status, residency or location; and obey all state and federal laws relating to drugs or the practice of medicine.

<sup>4</sup>LSA-R.S. 37:1261-91. The Board is empowered to suspend, revoke or impose probationary conditions on the license of any physician for "[h]abitual or recurring abuse of drugs, including alcohol, which affects the central nervous system and which are capable of inducing physiological or psychological dependence", LSA-R.S. 37:1285A(5), and for "[t]he revocation, suspension, or other restriction imposed on a license...issued by such licensing authority which prevents or restricts practice in that state...., LSA-R.S. 37:1285(A)(30).

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to LSA-R.S. 49:955-58, to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Uzee, nonetheless, hereby waives his right to notice and formal adjudication of charges, pursuant to LSA-R.S. 49:959D and acknowledges, accepts and consents to entry of the following order.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by LSA-R.S. 37:1285 and LSA-R.S. 49:955B,

IT IS ORDERED that, until and unless this Order is modified or rescinded by written order of the Board:

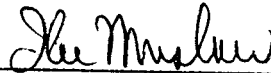
- a) Strict adherence to the terms and conditions of the Georgia Consent Order: Dr. Uzee shall strictly adhere to, abide by, and comply with all of the terms, conditions, and restrictions to which he agreed with the Georgia Board to adhere, as evidenced by his subscription to Exhibit "B", attached hereto, effective May 12, 1988 and incorporated herein by reference.
- b) Notification of relocation and personal appearance: should Dr. Uzee at any time before the expiration of the four (4) year probationary period as evidenced by Exhibit "B", or before May 12, 1992, whichever occurs first, decide to relocate his practice of medicine to the state of Louisiana, he shall, in that instance, provide written notification to the Board at least sixty (60) days prior to his relocation to the state of Louisiana. Dr. Uzee shall also personally appear before the Board prior to the time that he commences the practice of medicine in the state of Louisiana.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms and conditions of the Georgia Consent Order or of the within Consent Order by Dr. Uzee shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the suspension or revocation of the medical license of Edward Paul Uzee, M.D. or for such other

disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-R.S. 37:1285.

New Orleans, Louisiana, this 2nd day of June, 1989.

LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS


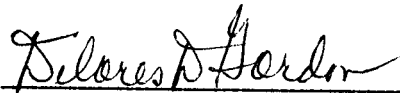


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IKE MUSLOW, M.D.  
PRESIDENT

ACKNOWLEDGEMENT AND CONSENT

I, EDWARD PAUL UZEE, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this \_\_\_\_\_ day of \_\_\_\_\_, 1989.

WITNESS:

  
\_\_\_\_\_  
EDWARD PAUL UZEE, M.D.

OFFICE OF THE JOINT SECRETARY	
FIVE EXAMINING BOARDS	
DOCKET NO.	88-67
DATE	2-29-88
ENTERED BY	J. Jaffer

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

IN THE MATTER OF:

EDWARD PAUL UZEE, M.D.,  
License No. 28327

Respondent.

DOCKET NO.

AG HEARING NOS. 93649-88  
92226-87  
(231353)

TO: Edward Paul Uzee, M.D.  
61 8th Street, N.E.  
Atlanta, Georgia 30309

NOTICE OF HEARING

You are hereby notified that the Composite State Board of Medical Examiners, through its appointed representative, will hold a hearing at the offices of the Board, 166 Pryor Street, S.W., Atlanta, Georgia 30303, at 10:00 o'clock, a.m., on the 11th day of May, 1988, for the purpose of hearing charges that, if proven, may result in the suspension, revocation or other sanction of your license to practice medicine in the State of Georgia. You are also notified of the following matters:

LEGAL AUTHORITY FOR HEARING

This hearing will be held under the authority and jurisdiction conferred upon the Composite State Board of Medical Examiners by O.C.G.A. Chs. 1 and 34, T. 43, as amended (Ga. Laws 1913, p. 101, et seq., as amended), O.C.G.A. § 43-1-19 and in accordance with the Administrative Procedure

EXHIBIT

"A"

Act, codified in O.C.G.A. Ch. 13, T. 50 (Ga. Laws 1964, p. 338, et seq., as amended), the Rules and Regulations of the Board and the Rules and Regulations of the Joint Secretary, State Examining Boards.

HEARING OFFICER

Pursuant to the provisions of O.C.G.A. Ch. 13, T. 50 (Ga. Laws 1964, p. 338, et seq., as amended), the Composite State Board of Medical Examiners hereby appoints Jay Ricketts as hearing officer for the above-styled matter. All motions and responses directed to the Board with regard to this hearing should be addressed to the hearing officer and filed with the Joint-Secretary, with copies served upon counsel for the Board.

RIGHTS OF RESPONDENT

You have the following rights in connection with this hearing:

- (1) To respond and to present evidence on any relevant issue;
- (2) to be represented by counsel at your expense;
- (3) to subpoena witnesses and documentary evidence through the Board and the Joint Secretary;
- (4) such other rights as are conferred by the Rules and Regulations of the Board and the Rules and Regulations of the Joint Secretary, State Examining Boards.

### REQUIREMENT OF ANSWER

An Answer to this Notice of Hearing must be filed within fourteen (14) days after service of this Notice. A copy of the Answer must be served upon the counsel for the Board.

### STATUTES AND RULES INVOLVED

Sanction of the Respondent's license is sought pursuant to the following provisions of O.C.G.A. § 43-34-37:

(a) The board shall have authority to refuse to grant a license to an applicant or to discipline a physician licensed under this chapter or any antecedent law upon a finding by the board that the licensee or applicant has:

(13) Become unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.

O.C.G.A. § 43-1-19 provides that a state examining board shall have the authority to refuse to grant a license to an applicant therefor or to revoke the license of a person licensed by that board or to discipline a person licensed by that board, upon a finding by a majority of the entire board that the licensee or applicant has:

(10) Displayed an inability to practice a business or profession licensed under this title with reasonable skill and safety to the public or has become unable to practice the licensed or profession with reasonable skill and safety

to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material.

MATTERS ASSERTED

1.

The Respondent is licensed to practice medicine in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about June 28, 1987, the Respondent entered the Medical Association of Georgia's Impaired Physicians Program at Ridgeview Hospital for treatment of his disease of chemical dependence by reason of use of benzodiazepines.

3.

The Respondent has completed the inpatient phase of the program and is now participating in an outpatient program pursuant to an Aftercare Contract which was entered into on or about October 26, 1987.

ISSUE INVOLVED

1.

Whether Respondent has become unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.

Resolution of the foregoing issue will determine whether sufficient grounds exist for the imposition of sanctions upon



the Respondent's license to practice medicine in the State of Georgia, under O.C.G.A. §§ 43-34-37 and/or 43-1-19.

This Notice of Hearing is signed and attested by the Joint Secretary of the State Examining Boards, on behalf of the Composite State Board of Medical Examiners.

This 3rd day of March, 1988.

COMPOSITE STATE BOARD OF MEDICAL  
EXAMINERS

RUNETTE FLOWERS, M.D.  
President

(BOARD SEAL)

William G. Miller, Jr.  
WILLIAM G. MILLER, JR.  
Joint Secretary  
State Examining Boards

Counsel:

EMILY P. HITCHCOCK  
Staff Assistant Attorney General  
132 State Judicial Building  
Atlanta, Georgia 30334  
Telephone: (404) 656-4190

MAY 12 1988

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

DOCKET NUMBER

88-67J. O. S. S. S. S.  
State Examining Board

IN THE MATTER OF:

EDWARD PAUL UZEE, M.D.,  
License No. 10837,

Respondent.

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\*DOCKET NO. 88-67AG FILE NOS. 93649-88  
92226-87  
(231353)CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners and Edward Paul Uzee, Respondent, the following disposition of this matter is entered pursuant to the provisions of the Georgia Administrative Procedure Act, codified as O.C.G.A. § 50-13-13(a)(4) (Ga. Laws 1964, pp. 338, 348, as amended).

FINDINGS OF FACT

1.

The Respondent is licensed to practice medicine in the State of Georgia, and was so licensed at all times relevant to the matters asserted herein.

2.

The Respondent entered and completed an inpatient treatment program at Ridgeview for chemical dependency by reason of benzodiazepines addiction in 1987. Thereafter, he entered into an after care contract on or about October 26, 1987.

3.

The Respondent waives any further findings of fact with respect to the above matter.

EXHIBIT

"B"

### CONCLUSIONS OF LAW

The Respondent's condition and conduct constitutes sufficient grounds for refusal of a license to practice medicine in the State of Georgia under O.C.G.A. Ch. 34, T. 43, as amended. The Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

### ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and the Respondent hereby agrees, to the following terms of discipline:

1.

The Respondent's license to practice medicine in the State of Georgia shall stand suspended, for a period of four (4) years, commencing on the effective date of this Consent Order. Provided, however, that said suspension is hereby stayed, and may be served on probation, under the terms and conditions outlined below. It is the intent of the Board that this sanction shall not affect the ability of the Respondent to practice medicine, except as outlined herein.

(a) The Respondent shall continue to participate in an aftercare program acceptable to the Board and shall abide by all the terms and conditions of his Aftercare Contract.

(b) The Respondent shall completely abstain from the consumption of alcohol or controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose.

(c) For a period of four (4) years from the effective date of this Consent Order, the Respondent shall not prescribe, administer, or dispense, in the course of his office practice, any Schedule II, IIN, III, IIIN and IV controlled substance. It is hereby understood that the Respondent may write orders for such Schedule II, IIN, III, IIIN and IV controlled substances on institutionalized patients' charts, in connection with the Respondent's hospital practice, for consumption on the hospital premises. The Respondent's prescribing practices with respect to controlled substances shall continue to be closely monitored throughout the probationary period. At the end of two (2) years, provided that the Respondent has otherwise complied with the terms of this Consent Order, the Respondent shall be eligible to petition the Board for approval to apply for reinstatement of his prescription writing privileges with respect to controlled substances.

(d) The Respondent agrees to undergo random witnessed and immediate alcohol/drug screening at his own expense at the request of the Board or its representative, or the Respondent's monitoring or supervising physicians, for a period of four (4) years from the effective date of this Consent Order.

(e) The Respondent shall submit quarterly reports from his monitoring (aftercare) physician and his supervising (workplace) physician regarding his physical and mental condition to the Board, by March 31, June 30, September 30 and December 31 of each calendar year, including a report on any medication being prescribed to the Respondent and his attendance at the group meetings required in his Aftercare Contract. It is expected that the Respondent's supervising physician shall be in communication with the his monitoring physician and will immediately report any change in the Respondent's condition which would render the Respondent unable to practice with reasonable skill and safety to patients. The Respondent shall provide a copy of this Consent Order to his monitoring and supervising physicians. The Respondent shall submit with the signed Consent Order a signed statement from both his monitoring and supervising physicians as evidence that said monitoring and supervising physicians have read and understood the Consent Order and consent to act as the Respondent's monitoring and supervising physicians, respectively. The Respondent shall report any change in his monitoring or supervising physicians to the Board in writing within ten

(10) days of said change. Failure of the Respondent to provide the required reports in a timely manner shall be deemed to be a violation of this Consent Order.

(f) At any time during the period of probation, the Board shall have the authority to order the Respondent to undergo a physical or mental evaluation by physicians designated by the Board.

(g) In the event the Respondent should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside of Georgia will not apply to the reduction of the Respondent's probationary period. The Respondent shall advise the Board of any change in his practice status and address of record.

(h) The Respondent shall abide by all State and Federal laws relating to drugs or regulating the practice of medicine, the Rules and Regulations of the Composite State Board of Medical Examiners, the terms and conditions of his Aftercare Contract, and the terms of this Consent Order and probation. If the Respondent shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports

submitted to the Board that the Respondent is unable to practice medicine with reasonable skill and safety to patients, the Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing, and if revoked the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement. The Respondent hereby agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of the Respondent's license, pending further proceeding, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing such emergency action, but the Respondent understands that he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(i) Sixty days prior to the expiration of his probationary period, the Respondent may petition in writing for termination of probation, certifying under oath before a notary public that the Respondent has complied with all conditions of probation, and providing documentation from his monitoring and supervising physicians

supporting such request. The Composite State Board of Medical Examiners shall review and evaluate the practice of the Respondent prior to lifting his probation. At such time, the Board shall be authorized to restore all rights and privileges incident to the license of the Respondent, unless it extends, maintains, or imposes such restrictions or conditions as the Board deems appropriate, based upon the information presented to it pursuant to this Consent Order or otherwise available to the Board. The Board shall give notification of its intent to extend, maintain or impose such restrictions or conditions beyond the designated probationary period, and the Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. This Consent Order shall remain in effect pending a final determination by the Board.

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a public reprimand to the Respondent for his conduct.

3.

Approval of this Consent Order by the Composite State Board of Medical Examiners shall in no way be construed as condoning



the Respondent's prior conduct and condition, and shall not be construed as a waiver of any of the lawful rights possessed by the Board. This Consent Order shall not become effective until approved by the Composite State Board of Medical Examiners.

Respondent, Edward Paul Uzee, M.D., acknowledges that he has read this Consent Order, and understand its contents. He understands that he has the right to appear before the Board in this matter, and freely, knowingly and voluntarily waives such right by entering into this Consent Order. He understands that this Consent Order will not become effective until approved by the Composite State Board of Medical Examiners. He further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. He further understands that this Consent Order, once approved, shall constitute a public record which may be disseminated as a disciplinary order of the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the right of the Board to adjudicate this matter. Respondent consents to the terms and conditions contained herein.

Effective, this 12<sup>th</sup> day of May, 1988.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

BY:

*Runette Flowers, M.D.*  
RUNETTE FLOWERS, M.D.  
President

(Signatures continued on next page)

(BOARD SEAL)

ATTEST:

William G Miller Jr  
WILLIAM G. MILLER, JR.  
Joint Secretary  
State Examining Boards

Consented to:

Edward Paul Uzee, M.D.  
EDWARD PAUL UZEE, M.D.  
Respondent

Sworn to and subscribed  
before me this 9<sup>th</sup> day  
of MARCH, 1988.

Sam M. Miller, Notary

NOTARY PUBLIC

My commission expires:

Notary Public, Georgia State at Large  
My Commission Expires 2/24/89