

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter of:

GARY DUKE WOLF, D.O.
(Certificate No. 04409R)

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NO. 95-I-026-X

CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of information indicating that Gary Duke Wolf, D.O. ("Dr. Wolf"), entered into an Agreed Order ("Order") with the Texas State Board of Medical Examiners ("Texas Board"), whereby his Texas medical license was restricted for a period of three (3) years.¹ Such Order was the outcome of an investigation which revealed that from approximately 1985 to 1993, Dr. Wolf prescribed controlled substances to various patients without adequate indications and without sufficient monitoring or follow-up.² As the result of such information, the Texas Board placed enumerated terms and conditions on his license to practice medicine in Texas, among others, requiring: (1) that he obtain fifty (50) hours of continuing medical education credits for each year during the term of the Order; (2) that he maintain a file consisting of a copy of every prescription written for controlled substances and/or drugs with addictive or abusive potential; (3) that he maintain a logbook of all controlled substance prescriptions or refills telephoned or called in to a pharmacy; (4) that he personally appear before the Texas Board or a designated committee thereof at least one (1) time per year for each year of the term of the Order; and (5) that he provide any health care facility or entity where he has privileges with a copy of the Order.³

¹ Agreed Order, *In the Matter of the License of Gary Duke Wolf, D.O.*, Before the Texas State Board of Medical Examiners, E-9029 (Jan. 6, 1995).

² Agreed Order, p. 2, par. 6.

³ Agreed Order, pp. 3-8, *In the Matter of the License of Gary Duke Wolf, D.O.*, Before the Texas State Board of Medical Examiners, E-9029 (Jan. 6, 1995).

Although Dr. Wolf currently resides and practices medicine exclusively in the state of Texas, he remains licensed to practice medicine in the state of Louisiana. Accordingly, the investigation of the captioned matter was duly assigned to John B. Bobear, M.D., Director of Investigations for the Board. Dr. Bobear's review and analysis of the Texas Agreed Order confirms to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against the license of Dr. Wolf, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §37:1285A(29).⁴

The Board is persuaded, however, that on the basis of information currently available to it, Dr. Wolf should be permitted to maintain his license to practice medicine in Louisiana, provided that he strictly observes and complies with appropriate restrictions on and conditions to maintenance of his medical license. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to ensure the health, safety, and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, pursuant to La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

By his subscription hereto, Dr. Wolf acknowledges the substantial accuracy of the foregoing information, and in recognition of his right to formal written notice of charges by Administrative Complaint, to evidentiary adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-58, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Wolf, 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. Dr. Wolf, moreover, acknowledges and waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of this document in any court relating to the matters referred to herein. By his subscription hereto, Dr. Wolf 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. Wolf expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his

⁴La. Rev. Stat. §37:1285A(29), provides that the Board may take action against the license of a physician as the result of '[T]he refusal of a licensing authority of another state to issue or renew a license, permit or certificate to practice medicine or osteopathy in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state'

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 ability to adjudicate such Complaint, should the Board decline to approve this Consent Order.

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. §49:955D;

IT IS ORDERED that the license of Gary Duke Wolf, D.O., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 04409R, be, and the same is hereby, placed ON PROBATION, for a period of three (3) years effective as of the date hereof. Under the terms of Dr. Wolf's probation, he shall strictly comply with and satisfy the following terms, conditions and restrictions:

- a) **Compliance with Texas Order/Practice Prohibited in Louisiana:** Dr. Wolf shall fully comply with the Order imposed by the Texas State Board of Medical Examiners dated January 6, 1995, a copy of which is incorporated herein by reference. In no event shall Dr. Wolf relocate to Louisiana for the purpose of practicing medicine until he has satisfactorily complied with and completed all probationary terms, conditions and restrictions imposed upon his Texas license by the Texas Order.
- b) **Notice of Current Address:** Dr. Wolf shall advise the Board of any change of address and telephone number, mailing or office, within thirty (30) days of such occurrence.
- c) **Notice of Relocation to Louisiana:** In the event that Dr. Wolf decides to return to Louisiana for the purpose of practicing medicine in this state, he shall provide the Board with at least a sixty (60) day advance written notice of such intention and shall contact the Board office for the purpose of scheduling an informal appearance before the Board to discuss his then-current practice plans and intentions.
- d) **Additional Probationary Terms:** In addition to such other terms and conditions as are placed upon his Louisiana license by this Order, Dr. Wolf hereby consents to, agrees with and acquiesces in the imposition of any additional probationary terms, conditions or restrictions, as well as the length or nature 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 at any time following the successful completion of all probationary terms and restrictions imposed upon his Texas license.

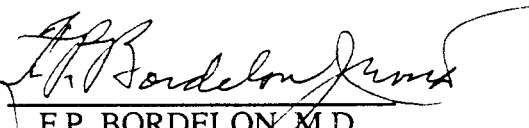
IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Wolf, or Dr. Wolf's failure to comply with the Texas Agreed Order identified hereinabove, shall, upon proof of such violation or failure, be deemed adequate or sufficient cause, for the suspension and/or revocation and Dr. Wolf's license to practice medicine in the state of Louisiana, 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.

New Orleans, Louisiana, this 24th day of August, 1995.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY: 
F.P. BORDELON, M.D.
President

ACKNOWLEDGMENT AND CONSENT

I, GARY DUKE WOLF, D.O., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 27th day of July, 1995.


GARY DUKE WOLF, D.O.

WITNESS:

