

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
:
RALPH R. ROBINSON, M.D. :

Entry of Order

On May 23, 1989, Ralph R. Robinson, M.D., executed a Voluntary Surrender of his Certificate to Practice Medicine and Surgery with a consent to revocation, which document is attached hereto and fully incorporated herein.

In consideration of the foregoing and of Doctor Robinson's express waiver of the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, it is hereby ORDERED that Certificate No. 37050 authorizing Ralph R. Robinson, M.D., to practice medicine and surgery be REVOKED, effective immediately.

This Order is hereby entered upon the Journal of the State Medical Board for the 23rd day of May, 1989, and the original thereof shall be kept with said Journal.

(SEAL)

Henry G. Cramblett (M)
Henry G. Cramblett, M.D.
Secretary

5/31/89
Date

VOLUNTARY SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY

MAY 31 1989

I, Ralph R. Robinson, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Ralph R. Robinson, M.D., do hereby voluntarily, knowingly, and intelligently surrender all rights to practice medicine under my certificate to practice medicine and surgery, No. 37050, to the Ohio State Medical Board.

I understand that as a result of the surrender herein that I am no longer permitted to practice medicine and surgery in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery No. 37050, or issuance of any other certificate pursuant to Chapters 4730. and 4731., Ohio Revised Code, on or after the date of signing this Voluntary Surrender of Certificate to Practice Medicine and Surgery.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order revoking my certificate to practice medicine and surgery, No. 37050, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

There is presently pending the case of Ralph R. Robinson, M.D. v. State Medical Board of Ohio, Case No. 89CV-02-901, which, pursuant to Section 119.12, Ohio Revised Code, is an appeal to the Franklin County Court of Common Pleas from the Findings, Order and Journal Entry entered by the State Medical Board of Ohio on January 12, 1989, and mailed by certified mail on January 26, 1989. I agree that I shall voluntarily dismiss said appeal upon acceptance by the State Medical Board of Ohio of this Voluntary Surrender of Certificate to Practice Medicine and Surgery.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(22), Ohio Revised Code, and that this action by me is not to be construed as an admission of any violation by me of Section 4731.22, Ohio Revised Code, and more particularly Section 4731.22(B)(22) thereof.

Signed this 23 day of May, 1989, in the office of my attorneys, Gordon, Silberman, Wiggins & Childs, P.C., 1400 SouthTrust Tower, Birmingham, Alabama.

Ralph R. Robinson MD

Cynthia S. Kuydos
Witness

Bronson A. Gilmore
Witness

B. W. H. H. H.
Notary Public

SEAL

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF)
)
RALPH R. ROBINSON, M.D.)
)
APPELLANT)

NOTICE OF APPEAL

FEB - 9 1989

Comes now Ralph R. Robinson, M.D., by and through his attorney Bruce L. Gordon, and files this Notice of Appeal in order to notify the State Medical Board of the State of Ohio that Ralph R. Robinson, M. D. ("Dr. Robinson"), is filing an Appeal from the Findings, Order and Journal Entry entered by the State Medical Board of Ohio on January 12, 1989, and mailed by certified mail on January 26, 1989, with the Franklin County Court of Common Pleas and as grounds for said Appeal sets out the following:

1. The grounds set forth by the Board for its entry of the Order do not support the action taken.

2. The action taken by the Board is unconstitutional, unjustified, and constitutes a taking of property of Dr. Robinson without due process of law.

3. The indefinite suspension of the license of Dr. Robinson to practice medicine and surgery in the State of Ohio is drastic action in response to the disciplinary action taken against Dr. Robinson in the State of Kentucky in comparison to the Agreed Orders accepted by other State Medical Boards in states in which Dr. Robinson is licensed.

4. The Order is arbitrary and capricious and is not supported by the facts.

5. At the time the letter notice ("Notice") dated November 9, 1988 was transmitted to Dr. Robinson, Dr. Robinson was not represented by legal counsel in this matter and, therefore, did not know what his legal rights and remedies were in response thereto.

6. The Notice did not contain adequate information to apprise Dr. Robinson of his legal rights regarding the issues presented therein and the Notice was not in conformity with the laws and regulations of the State of Ohio and the regulations of the Board.

7. The Board lacks the proper jurisdiction over Dr. Robinson to take the action set forth in the Order.

8. The Board filed no formal complaint against Dr. Robinson setting out grounds for possible suspension of his medical license in the State of Ohio and the Notice does not constitute a legally sufficient pleading to initiate a proceeding to take the action set forth in the Order.

9. The Order is contrary to the laws of the State of Ohio and the regulations of the Board.

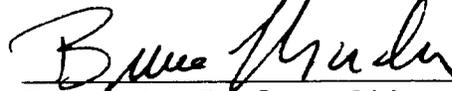
10. The findings set out in the Order are not in conformity with the evidence and the evidence does not support the findings.

11. The Board does not have proper jurisdiction to take the action set forth in the Order.

Dr. Robinson is a prominent physician recognized in his field and a suspension of Dr. Robinson's medical license in the

State of Ohio without a proper hearing and without due process violates his constitutional rights and have dramatic ramifications on his right to practice medicine in other states and severely impair his ability to earn a living for which he was licensed.

DONE and DATED this 8th day of February, 1989.



Bruce L. Gordon, Attorney
For Ralph R. Robinson, M.D.

OF COUNSEL:
Gordon, Silberman,
Wiggins & Childs, P.C.
1500 Colonial Bank Building
Birmingham, Alabama 35203

Ralph R. Robinson, M.D.
322 Englewood Road
Middleboro, KY 40965

3003B

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS, OHIO 43215

January 13, 1989

Ralph R. Robinson, M.D.
322 Englewood Road
Middlesboro, KY 40965

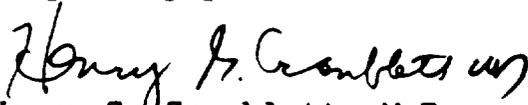
Dear Doctor Robinson:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on January 11, 1989 and January 12, 1989.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,


Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 746 514 664
RETURN RECEIPT REQUESTED

Mailed 1/26/89

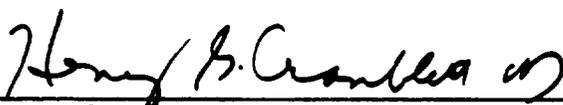
STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, meeting in regular session on January 11, 1989 and January 12, 1989, constitutes a true and complete copy of the Findings, Order, and Journal Entry in the matter of Ralph R. Robinson, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio acting in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

January 25, 1989

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

RALPH R. ROBINSON, M.D.

*

FINDINGS, ORDER AND JOURNAL ENTRY

On November 9, 1988, notice was given to Ralph R. Robinson, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine or surgery in Ohio. Dr. Robinson was further notified that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Dr. Robinson has not requested a hearing, and more than thirty (30) days have elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED for the reasons outlined in the November 9, 1988 letter of notice, which is attached hereto and fully incorporated herein, that the license of Ralph R. Robinson, M.D., to practice medicine and surgery in Ohio be indefinitely suspended. The State Medical Board shall not consider reinstatement of Dr. Robinson's medical license unless and until the following minimum requirements have been met:

1. Dr. Robinson shall take and pass the SPEX examination or any similar written examination which the Board may deem appropriate to assess his clinical competency.
2. Dr. Robinson shall take and pass an examination to be administered by the Board or its designee related to the content of the DEA Physician's Manual (Revised July, 1985) which manual may be obtained from the offices of the State Medical Board. If Dr. Robinson fails this examination he must wait one (1) month between re-examinations.

Upon reinstatement, Dr. Robinson's certificate shall be subject to the following probationary terms, conditions, and limitations:

1. Dr. Robinson shall be ineligible to reapply for or to hold registration with the United States Drug Enforcement Administration, and shall not prescribe, dispense, administer, or possess controlled substances, except for those prescribed for his own use by another so authorized by law, without prior Board approval.

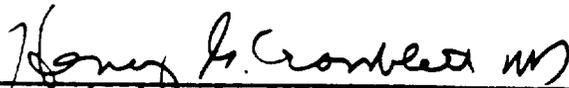
Ralph R. Robinson, M.D.
Page Two

2. Subsequent to the reinstatement of his controlled substance privileges, Dr. Robinson shall keep a log of all controlled substances he prescribes, dispenses, or administers. Such log shall be submitted in the format approved by the Board, and shall be submitted on a quarterly basis, or as otherwise directed by the Board.

This ORDER shall become effective immediately.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 12th day of January, 1989, and the original thereof shall be kept with said Journal.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

January 25, 1989

Date

STATE OF OHIO
THE STATE MEDICAL BOARD
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS OH 43215

November 9, 1988

Ralph R. Robinson, M.D.
322 Englewood Road
Middlesboro, KY 40965

Dear Doctor Robinson:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation for one or more of the following reasons:

1. On or about March 24, 1988, you entered into an Agreed Order with the Kentucky Board of Medical Licensure, placing your license to practice medicine in Kentucky on probation for a period of five (5) years. Said Agreed Order and the Complaint issued on or November 9, 1987 are attached hereto and fully incorporated herein.

The imposition of probation as alleged in the above paragraph (1) constitutes "the limitation, revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, or the imposition of probation by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees", as that clause is used in Section 4731.22(B)(22), Ohio Revised Code, to wit: Sections 4731.22(B)(3) and 4731.22(B)(6), Ohio Revised Code.

Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

November 9, 1988

Ralph R. Robinson, M.D.
Page Two

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,


Henry G. Cramblett, M.D.
Secretary

HGC:jmb
Encls.

CERTIFIED MAIL #P 746 510 252
RETURN RECEIPT REQUESTED

3-24-88

COMMONWEALTH OF KENTUCKY
STATE BOARD OF MEDICAL LICENSURE
CASE NO. 310

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY RALPH R. ROBINSON, M.D. (LICENSE # 11914)

AGREED ORDER

Comes now the Kentucky Board of Medical Licensure, by and through its Inquiry Panel (A), and Ralph R. Robinson, M.D. and enter into the following agreement placing Dr. Robinson's license to practice medicine in Kentucky on probation for a period of five (5) years, effective this date, subject to the following terms and conditions:

1. Dr. Robinson shall not prescribe, dispense, administer or otherwise professionally utilize any controlled substances designated by KRS 219A as Schedule II, IIN, III or IIIN during the probationary period. However, after a period of two (2) years and after completion of the required continuing medical education training, Dr. Robinson may petition the Panel for reinstatement of all prescribing privileges or any portion thereof.

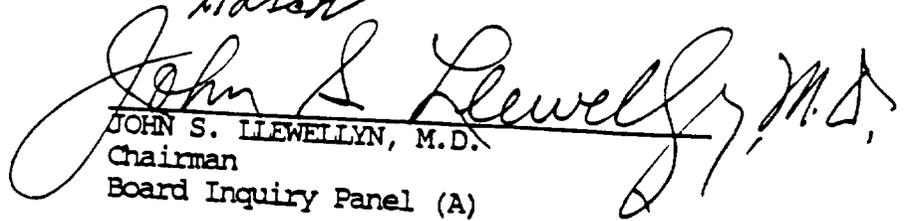
2. Dr. Robinson shall obtain continuing medical education in the area of pharmacology at the rate of fifteen (15) hours per year for the first two (2) years of probation. Additionally, Dr. Robinson must purchase a copy of the videotape "Prescribing Controlled Substances" from the American Medical Association.

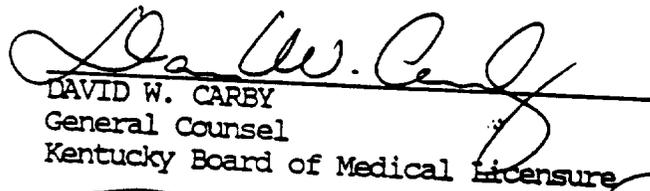
3. Dr. Robinson shall reimburse the Board its investigative costs expended. The investigative costs in this case total \$1,000.

In the event that Dr. Robinson violates any of the aforementioned terms or conditions of probation, the Board or its appropriate Panel may immediately suspend Dr. Robinson's license to practice medicine pursuant to KRS 311.592.

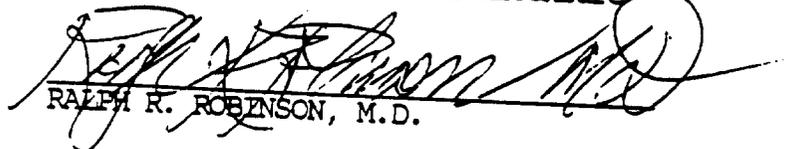
So AGREED this 24th day of March February, 1988.

FOR THE BOARD:


JOHN S. LEWELLYN, M.D.
Chairman
Board Inquiry Panel (A)


DAVID W. CARBY
General Counsel
Kentucky Board of Medical Licensure

FOR DR. ROBINSON:


RALPH R. ROBINSON, M.D.

COUNSEL (Optional)

11-9-87

COMMONWEALTH OF KENTUCKY
STATE BOARD OF MEDICAL LICENSURE
CASE NO. 310

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY RALPH R. ROBINSON, M.D. (LICENSE #11914)
ADDRESS OF RECORD: 2024 CUMBERLAND, MIDDLESBORO, KY, 40965

COMPLAINT

Comes now the Complainant, Olney M. Patrick, M.D., Chairman
of the Kentucky Board of Medical Licensure's Inquiry Panel (B), and on
behalf of the Panel states for its Complaint against the Respondent,
Ralph R. Robinson, M.D., as follows:

1. Respondent is licensed to practice medicine in the
Commonwealth of Kentucky and is thereby subject to review and
discipline by the Kentucky Board of Medical Licensure pursuant to
KRS 311.530 et seq.

2. That Respondent undertook to diagnose and treat the
following patients:

Patient "A"	Patient "L"
Patient "B"	Patient "M"
Patient "C"	Patient "N"
Patient "D"	Patient "O"
Patient "E"	Patient "P"
Patient "F"	Patient "Q"
Patient "G"	Patient "R"
Patient "H"	Patient "S"
Patient "I"	Patient "T"
Patient "J"	Patient "U"
Patient "K"	Patient "V"
	Patient "W"

In his treatment of these patients, it is alleged that Respondent regularly and frequently prescribed/dispensed/administered controlled substances for undiagnosed pain, for prolonged periods of time and in inappropriate combinations. Respondent's conduct in treating these patients constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof, to-wit: 1) prescribing/dispensing/administering controlled substances with the intent or knowledge that they were being used or likely to be used other than medicinally or for an accepted therapeutic purpose, and 2) prescribing/dispensing/administering controlled substances in such amounts that he knew or had reason to know, under the attendant circumstances, were excessive under accepted and prevailing medical practice standards.

Additionally, it is alleged that Respondent's conduct in this matter is calculated or has the effect of bringing the medical profession into disrepute as the prescribing/dispensing/administering of the controlled substances for prolonged periods of time and in inappropriate combinations was a departure from, or a failure to conform to the standards of acceptable and prevailing medical practice within the Commonwealth of Kentucky.

3. Accordingly, sufficient grounds exist for discipline to be taken against the license to practice medicine in the Commonwealth of Kentucky held by Respondent pursuant to KRS 311.595(8), 311.597(1)(a), 311.597(1)(d), and 311.597(4).

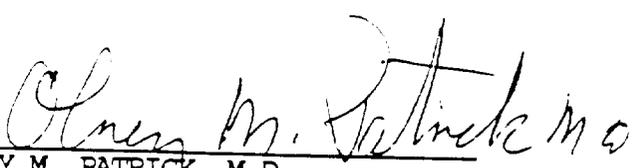
4. Respondent is directed to respond to the allegations delineated in the Complaint within thirty (30) days of service thereof and if further given notice that:

(a) His failure to respond may be taken as an admission of the charges; and

(b) He may appear alone or with counsel, may cross-examine all prosecution witnesses and offer evidence in his defense.

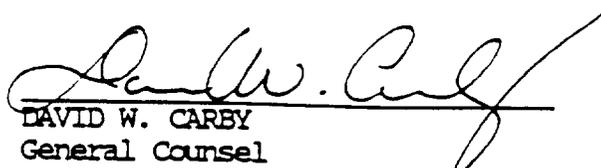
WHEREFORE, Complainant prays that appropriate disciplinary action be taken against the license to practice medicine held by Ralph R. Robinson, M.D.

This 9TH day of ~~October~~, 1987.
November


OLNEY M. PATRICK, M.D.
Chairman
Board Inquiry Panel (B)

CERTIFICATE

This is to certify that the original of the foregoing Complaint was hand-delivered to Mr. C. William Schmidt, Executive Director for the Kentucky Board of Medical Licensure, and a copy was mailed, postage prepaid, to Hon. B. Frank Radmacher, III, Hearing Officer, 730 W. Main St., Suite 490, Louisville, KY, 40202 and to Ralph R. Robinson, M.D., 2024 Cumberland, Middlesboro, KY, 40965, on this 9TH day of ~~October~~, 1987.
November


DAVID W. CARBY
General Counsel