

STATE OF OHIO  
THE STATE MEDICAL BOARD OF OHIO  
65 SOUTH FRONT STREET  
SUITE 510  
COLUMBUS, OHIO 43266-0315

July 10, 1987

Earl S. Perrigo, M.D.  
3242 Executive Parkway  
Toledo, Ohio 43606

Dear Doctor Perrigo:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Lauren Lubow, Attorney Hearing Officer, State Medical Board; a certified copy of the Motions by the State Medical Board, meeting in regular session on July 8, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County 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.

THE STATE MEDICAL BOARD OF OHIO

*Henry G. Cramblett by WWS*  
Henry G. Cramblett, M.D.  
Secretary

HGC:em  
Enclosures

CERTIFIED MAIL NO.P 026 072 737  
RETURN RECEIPT REQUESTED

cc: John Pardee, Esq.

CERTIFIED MAIL NO.P 026 072 738  
RETURN RECEIPT REQUESTED

Ralph Denune, Esq.  
CERTIFIED MAIL NO P 026 072 739  
RETURN RECEIPT REQUESTED

Henry M. Shaffer, Esq.  
CERTIFIED MAIL NO. P 026 072 740  
RETURN RECEIPT REQUESTED



BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF \*

\*

EARL S. PERRIGO, M.D. \*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 8th day of July, 1987.

Upon the Report and Recommendation of Lauren Lubow, Attorney Hearing Officer, State Medical Board, in this matter designated pursuant to R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 8th day of July, 1987.

It is hereby ORDERED:

That Earl S. Perrigo, M.D., be placed on probation for a term of three (3) years under the following terms and conditions:

1. Dr. Perrigo shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
2. Dr. Perrigo shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of probation.
3. Dr. Perrigo shall appear in person for interviews before the full board or its designated representative at three month intervals, or as otherwise directed by the Board.
4. In the event that Dr. Perrigo should leave Ohio for three continuous months, or reside or practice outside the state, Dr. Perrigo must notify the State Medical Board in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this probationary period.

5. Within 30 days of the effective date of this decision, Dr. Perrigo shall submit to the Board for its prior approval a program of approved Category I Continuing Medical Education related to the violations found in this decision. The exact number of hours shall be determined by the Board or its designee and shall not total less than 25 nor more than 75 hours per year. This program shall be in addition to the Continuing Medical Education requirements for relicensure. The Board may also require Dr. Perrigo to pass an examination related to the content of the program. Dr. Perrigo shall provide documentary proof satisfactory to the Board of successful completion of this course.
6. Dr. Perrigo shall submit a complete record of his treatment of Patient A, including all medication prescribed and dispensed, to a Board-appointed physician specializing in the management of chronic pain for his or her evaluation and recommendations. A copy of this report and the record on which it was based shall be provided to the State Medical Board. Dr. Perrigo shall provide the Board with documentary evidence of implementation of the consulting physician's recommendations by submitting this patient's records to the Board for review on a quarterly basis, or as otherwise directed by the Board.
7. Upon successful completion of probation, Dr. Perrigo's certificate will be fully restored.

This Order shall become effective immediately upon approval by the State Medical Board of Ohio.

(SEAL)

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

7/10/87  
Date

REPORT AND RECOMMENDATION  
IN THE MATTER OF EARL PERRIGO, M.D.

The hearing in the matter of Earl Perrigo, M.D., came before me, Lauren Lubow, Hearing Examiner for the State Medical Board of Ohio, on December 13, 1985.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Mode of Conduct

- A. During the course of this hearing, rules of evidence were relaxed and both the State and the Respondent were given great latitude in demonstrating the relevency and materiality of testimony and exhibits offered, as well as in attempting to discredit testimony and evidence presented by the opposing party.

II. Basis for Hearing

- A. By letter of September 11, 1985, the State Medical Board notified Earl S. Perrigo, M.D., that it proposed to take disciplinary action against his license to practice medicine and surgery in the State of Ohio. Dr. Perrigo was advised that he was in potential violation of the Medical Practice Act due to his prescribing of medications for a patient (identified as Patient A to preserve confidentiality) as outlined in State's Exhibit #1, specifically:

1. Section 4731.22(B)(2), Ohio Revised Code, "Failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for the treatment of disease;"
2. Section 4731.22(B)(3), Ohio Revised Code, "Selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes . . . ;"
3. Section 4731.22(B)(6), Ohio Revised Code, "A departure from, or the failure to conform to, minimal standards to care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established."

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- B. By letter of October 7, 1985, to the State Medical Board, Earl S. Perrigo, M.D., requested a hearing in the above matter (State's Exhibit #2).

III. Appearance of Counsel

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Attorney General, by Yvette McGee, Assistant Attorney General.
- B. On behalf of the Respondent: Henry M. Schaffer, Esq., John Pardee, Esq., and Ralph Denune, Esq.

IV. Testimony Heard

- A. Presented by the State
  1. Earl S. Perrigo, M.D., as on cross-examination
  2. Patient A
- B. Presented by the Respondent
  1. Earl S. Perrigo, M.D.

V. Exhibits Examined

In addition to those listed above, the following exhibits were identified and admitted into evidence in this matter:

- A. Presented by the State
  1. State's Exhibit #3: October 23, 1985, letter to Dr. Perrigo from the State Medical Board, advising that the hearing originally set for October 23, 1985, was continued pursuant to Section 119.09, Ohio Revised Code.
  2. State's Exhibit #4: October 31, 1985, letter from the State Medical Board setting a hearing date of November 13, 1985.

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3. State's Exhibit #5: November 18, 1985, letter from the State Medical Board advising that the November 13, 1985, hearing was continued to December 13, 1985.
4. State's Exhibit #6: Prescriptions written by Dr. Perrigo for Patient A from November 7, 1980, through July 30, 1985.
5. State's Exhibit #7: Dr. Perrigo's records for Patient A during the time period in question.
6. State's Exhibits #8 through #11: Four prescriptions for Patient A written by Dr. Perrigo's associate Dr. Raymond Rappaport during the time period in question.
7. State's Exhibit #12: One prescription written by Richard L. Schafer, M.D., for Patient A during the time period in question.

B. Presented by the Respondent:

1. Respondent's Exhibit A: December 11, 1985, letter from Dr. Perrigo to the State Medical Board explaining his treatment of Patient A.
2. Respondent's Exhibit B: An X-ray of Patient A's back.
3. Respondent's Exhibit C: Reports from various physicians concerning Patient A.
4. Respondent's Exhibit D: December 12, 1985, letter to Dr. Perrigo from Ernest W. Johnson, M.D., Ohio State University, concerning Patient A.
5. Respondent's Exhibit E: Consultation report from Philip B. Watson, M.D., Children's Hospital, Columbus, concerning Patient A.
6. Respondent's Exhibit F: April 11, 1979, letter to Dr. Perrigo from Vijay Mahajan, M.D., St. Vincent Hospital and Medical Center concerning Patient A.
7. Respondent's Exhibit G: April 11, 1985, Physical Capacities Evaluation by Dr. Perrigo.

FINDINGS OF FACT '87 APR 31 P17:44

1. Earl S. Perrigo, M.D., did write the prescriptions identified in State's Exhibit #6 for Patient A.

This fact is established by stipulation of the parties (Tr. at 6).

2. Four of the prescriptions written for Patient A listed in the State Medical Board's September 11, 1985, citation letter (State's Exhibit #1), specifically those identified as State's Exhibits #8, #9, #10, and #11, were written by Dr. Perrigo's associate, Dr. Rappaport. Dr. Perrigo was aware of these prescriptions, and they were noted on Patient A's records (State's Exhibit #7).

These facts are established by the aforementioned Exhibits and by the testimony of Dr. Perrigo (Tr. at 82-83).

3. During the period covered by the State's citation letter, Dr. Perrigo prescribed Percodan to Patient A for relief of lower back pain. Tuinal was prescribed for stopping recurrent leg seizures which kept the patient from sleeping.

These facts are established by Dr. Perrigo's testimony (Tr. at 13-14).

4. The prescriptions identified as State's Exhibits 6 and 8-14, written over a period of four years and eight months, made available to Patient A a total of 12,762 Percodan tablets and 2,244 tablets of Tuinal 200 mg.

These facts are established by State's Exhibits #1, #6, #7, #8, #9, #10, and Respondent's Exhibit A.

5. During the period covered by the State's citation letter, Dr. Perrigo prescribed other medications such as Quinamm to relieve Patient A's leg seizures. Tuinal was also prescribed simultaneously.

These facts are established by State's Exhibits #1, #6, #7, #8, #9, #10, and Respondent's Exhibit A.

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6. Earl S. Perrigo, M.D., has been Patient A's primary-care physician since 1978.

This fact is established by Respondent's Exhibit A and by Dr. Perrigo's testimony (Tr. at 11).

7. Patient A had been addicted to Percodan in the mid-1960's, prior to becoming Dr. Perrigo's patient.

This fact is established by Patient A's testimony (Tr. at 41).

### CONCLUSIONS

Chronic pain management is one of the most difficult issues faced by this Board and its physician licensees. As Dr. Perrigo points out, the goal in treating a patient such as Patient A who suffers a permanent disability is not to cure, but simply to help him live a quality life, as involved as possible, but limiting extraordinary feats.

One cannot argue with Dr. Perrigo's motives. However, a review of the testimony and exhibits admitted suggests that Dr. Perrigo's methods may have failed to adequately balance the patient's desire to lead a reasonably active life with the propensity of these drugs to create a debilitating addiction.

In view of the objective documentation offered in this case (Respondent's Exhibits B and C), there is no doubt that Patient A suffers from chronic low back pain and occasional muscle spasms. Patient A's contention that he suffers constant pain, with the severity of the pain varying considerably from day to day, is confirmed by Dr. Perrigo and the consultations in evidence.

Nevertheless, the legitimacy of Patient A's pain does not necessarily prove the legitimacy of Dr. Perrigo's prescribing practices. When Schedule II drugs are involved, especially when they are prescribed for a chronic condition, it is important that a physician be alert to signs of drug tolerance and dependence, and zealously pursue alternative modes of treatment, even though the patient may resist changes.

In this case, Dr. Perrigo has prescribed Percodan for Patient A since 1978 and, despite manufacturers' warnings with regard to additive

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effects with other CNS depressants, also has prescribed Tuinal for this patient since at least 1980 (Tr. at 40-41). Dr. Perrigo claims that Patient A has not developed tolerance to these drugs because Patient A does not use them continuously; yet the records in this case indicate otherwise. Dr. Perrigo testified that, "There are at least two or three days a week when he will not use Tuinal, and there are one or two days a week when he uses no Percodan." (Tr. at 58). Yet the amounts of Percodan and Tuinal made available to Patient A by Dr. Perrigo's prescriptions do not support Dr. Perrigo's claim of such intermittent use. Often, in a given month, Patient A was prescribed enough Percodan to take 10 tablets every day, and enough Tuinal 200 mg. to take two tablets each day. The usual adult dosages recommended by the manufacturers are four Percodan tablets daily, and 50 to 200 mg. of Tuinal at bedtime.

In spite of Dr. Perrigo's insistence to the contrary, the record is replete with indications of Patient A's tolerance to these medications. For example, the patient record (State's Exhibit #7) indicates that on several occasions Patient A was suffering from insomnia and apparently attempted to combat it by taking more medications than instructed (see e.g., notes for 6/6/83, 9/30/83, 1/9/84, 3/7/84). On numerous occasions, Patient A requested and was refused extra medications. Significantly, the record indicates that Dr. Perrigo was periodically prescribing other CNS depressants such as Valium, Flexeril, and Triavil, without reducing dosages of Percodan and Tuinal. Patient A's propensity to abuse these medications is further evidenced by his admitted prior drug addiction and his acquisition of narcotics from other physicians while under Dr. Perrigo's care.

Although Dr. Perrigo claims to have tried alternative modes of treatment for Patient A, the record lacks evidence that there were actually zealous efforts to replace or reduce the Schedule II medications prior to 1985. By his own admission, Dr. Perrigo has utilized other medications (Flexeril, Valium, Quinamm, Triavil, etc.) as "adjunctive", rather than alternative, therapies (Respondent's Exhibit A). Although both Dr. Perrigo's testimony (Tr. at 74) and the patient record (State's Exhibit #7 at 4/13/82) indicate that Quinamm has been effective in stopping Patient A's nocturnal muscle spasms, there is no evidence of a corresponding decrease in the use of Tuinal. It should be noted that Tuinal, which is not even recommended for this particular symptom, carries a warning of its habit-forming properties and is deemed by its manufacturers to have an efficacy of approximately two weeks.

Although there is evidence that Dr. Perrigo did consult other practitioners about his diagnosis and treatment of Patient A's condition from 1978 to 1981, it appears that Dr. Perrigo did not fully disclose

the extent of his prescribing to his colleagues before seeking their opinions. In the consultations compiled as Respondent's Exhibit C, references to medication are incomplete or entirely missing, presumably because these consultations were not sought for the purpose of reviewing Dr. Perrigo's prescribing. There is no evidence that Dr. Perrigo sought consultation other than for purposes of this hearing after 1981. Consequently, the opinions offered in Exhibit C are not relevant to the majority of the Board's citation letter, which covers the years 1980 through 1985.

Even Drs. Johnson and Walson, who offered opinions of Dr. Perrigo's treatment for purposes of this hearing, were not provided with a complete accounting of the medications prescribed to Patient A, beyond those listed in the citation letter, such as might have been found in his patient records. Thus, the usefulness of their opinions is limited by their lack of opportunity to evaluate Dr. Perrigo's prescribing of Tuinal and Percodan as it interplays with his overall prescribing pattern for this patient. It is significant to note that even with the limited information they received, both physicians did make recommendations that could possibly benefit Patient A, such as simplifying the patient's medication regime and getting him involved in a chronic pain management program.

In summary, this Hearing Officer is mindful that this case involves only one of Dr. Perrigo's patients. Dr. Perrigo's prescribing of Percodan and Tuinal as set forth in the Board's citation cannot be looked at in a vacuum. Nevertheless, while the Board must recognize the reality of Patient A's pain and the difficulties of treating such a chronic condition, the fact remains that there is substantial evidence that Dr. Perrigo's treatment failed to conform to minimal standards of care by making a difficult situation worse. Dr. Perrigo continued to prescribe large quantities of Schedule II drugs for Patient A over a period of five years, in conjunction with additive drugs, despite signs of tolerance and reason to suspect misuse.

Accordingly, I find that the acts, conduct, or omissions of Earl S. Perrigo, M.D., with regard to Findings of Fact #1 through #7 above constitute violations of:

- a. Section 4731.22(B)(2), Ohio Revised Code, "Failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;"
- b. Section 4731.22(B)(3), Ohio Revised Code, "Selling, prescribing, giving away, or administering drugs for other than legal

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and legitimate therapeutic purposes or conviction of violation of any federal or state law regulating the possession, distribution, or use of any drug;" and

- c. Section 4731.22(B)(6), Ohio Revised Code, "A departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established."

PROPOSED ORDER

It is hereby ORDERED that Earl S. Perrigo, M.D., be placed on probation for a term of three (3) years under the following terms and conditions:

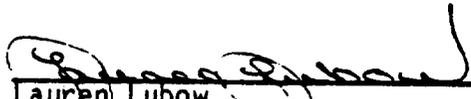
1. Dr. Perrigo shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
2. Dr. Perrigo shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of probation.
3. Dr. Perrigo shall appear in person for interviews before the full Board or its designated representative at three month intervals, or as otherwise directed by the Board.
4. In the event that Dr. Perrigo should leave Ohio for three continuous months, or reside or practice outside the state, Dr. Perrigo must notify the State Medical Board in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this probationary period.
5. Within 30 days of the effective date of this decision, Dr. Perrigo shall submit to the Board for its prior approval a program of approved Category I Continuing Medical Education related to the violations found in this decision. The exact number of hours shall be determined by the Board or its designee and shall not total less than 25 nor more than 75 hours per year. This program shall be in addition to the Continuing Medical Education requirements for relicensure. The Board may also require Dr. Perrigo to pass an examination related to the content of the program. Dr. Perrigo shall provide documentary

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proof satisfactory to the Board of successful completion of this course.

6. Dr. Perrigo shall submit a complete record of his treatment of Patient A, including all medication prescribed and dispensed, to a Board-appointed physician specializing in the management of chronic pain for his or her evaluation and recommendations. A copy of this report and the record on which it was based shall be provided to the State Medical Board. Dr. Perrigo shall provide the Board with documentary evidence of implementation of the consulting physician's recommendations by submitting this patient's records to the Board for review on a quarterly basis, or as otherwise directed by the Board.
7. Upon successful completion of probation, Dr. Perrigo's certificate will be fully restored.

This Order shall become effective immediately upon approval by the State Medical Board of Ohio.

  
\_\_\_\_\_  
Lauren Lubow  
Attorney Hearing Examiner

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STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio 43266-0315

September 11, 1985

Earl S. Perrigo, M. D.  
2500 West Central  
Toledo, Ohio 43605

Dear Doctor Perrigo:

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 the following reason:

1. On or about the following dates you did prescribe the indicated controlled substances in the quantity listed to Patient A (Patient A is identified in the attached Patient key which is to be kept from public disclosure to maintain patient confidentiality).

PATIENT	DATE	SUBSTANCE	SCHEDULE	AMOUNT
A	11/07/80	Percodan	II	100
"	11/07/80	Tuinal 200	II	30
"	11/25/80	Percodan	II	100
"	12/10/80	Percodan	II	100
"	12/10/80	Tuinal 200	II	30
"	12/22/80	Percodan	II	100
"	1/06/81	Percodan	II	100
"	1/19/81	Percodan	II	100
"	2/03/81	Percodan	II	100
"	2/03/81	Tuinal 200	II	30
"	2/18/81	Percodan	II	100
"	3/03/81	Percodan	II	100
"	3/03/81	Tuinal 200	II	30
"	3/13/81	Percodan	II	100
"	3/27/81	Percodan	II	100
"	4/10/81	Percodan	II	100
"	4/10/81	Tuinal 200	II	30
"	4/28/81	Percodan	II	100
"	4/28/81	Tuinal 200	II	30
"	5/13/81	Percodan	II	100
"	5/13/81	Tuinal 200	II	50
"	5/28/81	Percodan	II	100
"	6/12/81	Percodan	II	100
"	6/12/81	Tuinal 200	II	50
"	6/26/81	Percodan	II	100

September 11, 1985

PATIENT	DATE	SUBSTANCE	SCHEDULE	AMOUNT
A	7/10/81	Percodan	II	100
"	7/10/81	Tuinal 200	II	30
"	7/22/81	Percodan	II	100
"	8/10/81	Percodan	II	100
"	8/10/81	Tuinal 200	II	30
"	8/21/81	Percodan	II	100
"	9/08/81	Percodan	II	100
"	9/08/81	Tuinal 200	II	30
"	9/22/81	Percodan	II	100
"	9/24/81	Tuinal 200	II	30
"	10/02/81	Percodan	II	100
"	10/02/81	Tuinal 200	II	30
"	10/07/81	Percodan	II	50
"	10/26/81	Percodan	II	100
"	10/26/81	Tuinal 200	II	30
"	11/06/81	Percodan	II	100
"	11/13/81	Percodan	II	100
"	11/23/81	Tuinal 200	II	30
"	12/04/81	Percodan	II	100
"	12/15/81	Percodan	II	100
"	12/15/81	Tuinal 200	II	30
"	12/30/81	Percodan	II	100
"	12/30/81	Tuinal 200	II	30
"	1/12/82	Percodan	II	100
"	1/12/82	Tuinal 200	II	30
"	1/26/82	Percodan	II	100
"	1/26/82	Tuinal 200	II	30
"	2/16/82	Percodan	II	100
"	2/16/82	Tuinal 200	II	30
"	3/02/82	Percodan	II	100
"	3/02/82	Tuinal 200	II	30
"	3/16/82	Percodan	II	100
"	3/16/82	Tuinal 200	II	50
"	3/30/82	Percodan	II	100
"	4/13/82	Percodan	II	100
"	4/13/82	Tuinal 200	II	50
"	4/27/82	Percodan	II	100
"	4/27/82	Tuinal 200	II	50
"	5/11/82	Percodan	II	100
"	5/25/82	Percodan	II	100
"	5/25/82	Tuinal 200	II	30
"	6/08/82	Percodan	II	100
"	6/22/82	Percodan	II	100
"	7/13/82	Percodan	II	100
"	7/13/82	Tuinal 200	II	30
"	7/27/82	Percodan	II	100
"	7/27/82	Tuinal 200	II	30

September 11, 1985

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Earl S. Perrigo, M. D.

PATIENT	DATE	SUBSTANCE	SCHEDULE	AMOUNT
A	8/10/82	Percodan	II	100
"	8/27/82	Percodan	II	100
"	9/07/82	Percodan	II	100
"	9/07/82	Tuinal 200	II	30
"	9/21/82	Percodan	II	100
"	10/05/82	Percodan	II	100
"	10/05/82	Tuinal 200	II	30
"	10/22/82	Percodan	II	100
"	11/02/82	Percodan	II	100
"	11/02/82	Tuinal 200	II	30
"	11/16/82	Percodan	II	100
"	11/16/82	Tuinal 200	II	30
"	11/29/82	Percodan	II	100
"	12/13/82	Percodan	II	100
"	12/13/82	Tuinal 200	II	30
"	12/28/82	Percodan	II	100
"	12/28/82	Tuinal 200	II	30
"	1/07/83	Percodan	II	100
"	1/18/83	Percodan	II	100
"	2/01/83	Percodan	II	100
"	2/15/83	Percodan	II	100
"	2/28/83	Percodan	II	100
"	3/14/83	Percodan	II	100
"	3/14/83	Tuinal 200	II	30
"	3/28/83	Percodan	II	100
"	3/28/83	Tuinal 200	II	30
"	4/11/83	Percodan	II	100
"	4/11/83	Tuinal 200	II	30
"	4/15/83	Percodan	II	12
"	4/26/83	Percodan	II	100
"	5/12/83	Percodan	II	100
"	5/12/83	Tuinal 200	II	30
"	5/23/83	Percodan	II	100
"	6/06/83	Percodan	II	100
"	6/06/83	Tuinal 200	II	30
"	6/21/83	Percodan	II	100
"	6/21/83	Tuinal 200	II	30
"	7/01/83	Percodan	II	100
"	7/01/83	Tuinal 200	II	30
"	7/14/83	Percodan	II	100
"	7/27/83	Percodan	II	100
"	7/27/83	Tuinal 200	II	30
"	8/08/83	Percodan	II	100
"	8/08/83	Tuinal 200	II	30
"	8/22/83	Percodan	II	100

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PATIENT	DATE	SUBSTANCE	SCHEDULE	AMOUNT
A	9/02/83	Percodan	II	100
"	9/02/83	Tuinal 200	II	30
"	9/19/83	Percodan	II	100
"	9/19/83	Tuinal 200	II	30
"	9/30/83	Percodan	II	100
"	10/13/83	Percodan	II	100
"	10/13/83	Tuinal 200	II	30
"	10/24/83	Percodan	II	100
"	10/24/83	Tuinal 200	II	30
"	11/07/83	Percodan	II	100
"	11/18/83	Percodan	II	100
"	11/18/83	Tuinal 200	II	30
"	11/29/83	Percodan	II	100
"	12/09/83	Percodan	II	100
"	12/09/83	Tuinal 200	II	30
"	12/19/83	Percodan	II	100
"	12/29/83	Percodan	II	100
"	12/29/83	Tuinal 200	II	30
"	1/09/84	Percodan	II	100
"	1/19/84	Percodan	II	100
"	1/30/84	Percodan	II	100
"	1/30/84	Tuinal 200	II	30
"	2/13/84	Percodan	II	100
"	2/13/84	Tuinal 200	II	30
"	2/24/84	Percodan	II	100
"	2/24/84	Tuinal 200	II	30
"	3/07/84	Percodan	II	100
"	3/07/84	Tuinal 200	II	30
"	3/19/84	Percodan	II	100
"	3/30/84	Percodan	II	100
"	3/30/84	Tuinal 200	II	30
"	4/09/84	Percodan	II	100
"	4/23/84	Percodan	II	100
"	5/04/84	Percodan	II	100
"	5/04/84	Tuinal 200	II	30
"	5/15/84	Percodan	II	100
"	5/25/84	Percodan	II	100
"	5/25/84	Tuinal 200	II	30
"	6/04/84	Percodan	II	100
"	6/18/84	Percodan	II	100
"	6/25/84	Percodan	II	100
"	6/25/84	Tuinal 200	II	30
"	7/06/84	Percodan	II	100
"	7/06/84	Tuinal 200	II	30
"	7/16/84	Percodan	II	100
"	8/15/84	Percodan	II	100
"	8/15/84	Tuinal 200	II	30
"	8/23/84	Percodan	II	100
"	8/23/84	Tuinal 200	II	30
"	8/31/84	Percodan	II	100

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PATIENT	DATE	SUBSTANCE	SCHEDULE	AMOUNT
A	9/10/84	Percodan	II	100
"	9/20/84	Percodan	II	100
"	9/20/84	Tuinal 200	II	30
"	10/01/84	Percodan	II	100
"	10/10/84	Percodan	II	100
"	10/22/84	Percodan	II	100
"	10/22/84	Tuinal 200	II	30
"	11/01/84	Percodan	II	100
"	11/01/84	Tuinal 200	II	30
"	11/12/84	Percodan	II	100
"	11/19/84	Tuinal 200	II	30
"	11/26/84	Percodan	II	100
"	12/14/84	Percodan	II	100
"	12/24/84	Tuinal 200	II	30
"	1/07/85	Percodan	II	100
"	1/17/85	Percodan	II	75
"	1/17/85	Tuinal 200	II	30
"	1/28/85	Percodan	II	75
"	2/25/85	Percodan	II	75
"	3/11/85	Percodan	II	75
"	3/11/85	Tuinal 200	II	30
"	3/21/85	Percodan	II	75
"	4/02/85	Percodan	II	75
"	4/11/85	Percodan	II	75
"	4/11/85	Tuinal 200	II	14
"	4/22/85	Percodan	II	75
"	4/22/85	Tuinal 200	II	30
"	5/03/85	Percodan	II	100
"	5/13/85	Percodan	II	100
"	5/23/85	Tuinal 200	II	30
"	5/28/85	Percodan	II	75
"	6/10/85	Percodan	II	75
"	6/10/85	Tuinal 200	II	30
"	7/08/85	Percodan	II	75
"	7/18/85	Percodan	II	75
"	7/18/85	Tuinal 200	II	30
"	7/30/85	Percodan	II	100

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The acts, conduct and/or omissions as alleged in paragraph 1 individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease, "as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, the acts, conduct and/or omissions as alleged in paragraph 1 individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes, " as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, the acts, conduct and/or omissions as alleged in paragraph 1 individually and/or collectively, constitute "a departure from, or the failure to conform to minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

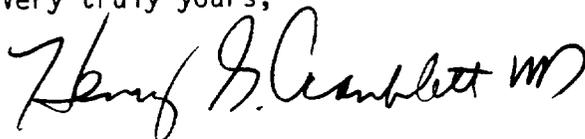
Pursuant to Chapter 119., Ohio Revised Code, please be advised that you may request a hearing on this matter. If you wish to request such a hearing, that request must be made within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such a hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, or that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event there is no request for such a hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board of Ohio 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 all referenced statutes are enclosed.

Very truly yours,



Henry G. Cramblett, M. D.  
Secretary

HGC:caa

enclosures

CERTIFIED MAIL NO. P 569 361 808  
RETURN RECEIPT REQUESTED