

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

February 16, 1990

Tommie M. Richardson, M.D.
6400 Mill Pond Court
Acworth, Georgia 30101

Dear Doctor Richardson:

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 February 14, 1990.

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.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 026 074 594
RETURN RECEIPT REQUESTED

Mailed 2/27/90

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

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TOMMIE M. RICHARDSON, M.D. *

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was issued to Tommie M. Richardson, M.D., by the State Medical Board of Ohio on December 6, 1989.

On December 6, 1989, notice was given to Dr. Richardson that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Such request was not received within thirty (30) days of the mailing of said notice.

Wherefore, it is hereby ORDERED that for the reasons outlined in the December 6, 1989 letter of notice which is attached hereto and incorporated herein, accordingly:

1. The certificate of Tommie M. Richardson, M.D., to practice medicine and surgery in Ohio is hereby REVOKED. Such revocation shall be stayed and Dr. Richardson's certificate shall be suspended for an indefinite period of time, but not less than two (2) years.
2. The State Medical Board shall not reconsider reinstatement of Dr. Richardson's certificate to practice unless and until all of the following minimum requirements are met:
 - a. Dr. Richardson shall submit to the Board an application for reinstatement, accompanied by all appropriate fees. Dr. Richardson shall not make such application for at least two (2) years from the effective date of this Order.
 - b. Dr. Richardson shall provide written documentation acceptable to the Board verifying that he holds a full and unrestricted license to practice medicine and surgery in all other states in which he is at the time of application or has been in the past licensed, or that he would be entitled to such license but for the non-payment of renewal fees.

Tommie M. Richardson, M.D.

- c. Dr. Richardson shall submit a minimum of two (2) evaluations by physicians acceptable to the Board stating that Dr. Richardson is not currently drug or alcohol dependent and that he is able to practice according to acceptable and prevailing standards of care. Each of these evaluations shall be in writing and shall state with particularity the basis for such determination.
 - d. In the event that Dr. Richardson has not been engaged in the active practice of medicine or surgery for a period in excess of two (2) years prior to his application for reinstatement, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Richardson's fitness to resume practice.
 - e. In the event that Dr. Richardson wishes to practice in Ohio, Dr. Richardson shall submit to the Board and receive its approval for a plan of practice in Ohio which, unless otherwise determined by the Board, shall be limited to a supervised, structured environment in which Dr. Richardson's activities will be overseen and supervised by another physician approved by the Board. The Board may require whatever monitoring provisions or practice restrictions it deems appropriate to ensure the safe practice of medicine by Dr. Richardson.
3. Further, upon the reinstatement of his Ohio certificate and his commencement of practice in Ohio, the certificate of Tommie M. Richardson, M.D., shall be subject to the following probationary terms, conditions, and limitations for a period of five (5) years:
 - a. Dr. Richardson shall obey all federal, state, and local laws and all rules governing the practice of medicine in Ohio.
 - b. Dr. Richardson shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of probation.
 - c. Dr. Richardson shall appear in person for interviews before the full Board or its designated representative at six (6) month intervals, or as otherwise directed by the Board.

Tommie M. Richardson, M.D.

- d. Dr. Richardson shall abstain from the personal use or possession of drugs, except for those available for purchase over the counter or those prescribed, administered, or dispensed to Dr. Richardson by another so authorized by law who has full knowledge of Dr. Richardson's history of chemical dependency.
 - e. Dr. Richardson shall submit blood or urine specimens for analysis without prior notice at such times as the Board may request.
 - f. Dr. Richardson shall not engage in the solo practice of medicine in Ohio without prior written approval by the Board. Dr. Richardson shall receive the Board's prior approval for any alteration to the practice plan which was approved by the Board prior to his commencement of practice in Ohio.
 - g. In the event that Dr. Richardson should leave Ohio for three (3) continuous months, or reside or practice outside the State, Dr. Richardson 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.
4. If Dr. Richardson violates probation in any respect, the Board, after giving Dr. Richardson notice and the opportunity to be heard, may set aside the stay order and impose the revocation of his certificate.
 5. Upon successful completion of probation, Dr. Richardson's certificate shall be fully restored.

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

(SEAL)



Henry G. Cramblett, M.D.
Secretary

February 16, 1990

Date

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

December 6, 1989

Tommie M. Richardson, M.D.
6400 Mill Pond Court
Acworthy, GA 30101

Dear Doctor Richardson:

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 October 5, 1988, the Composite State Board of Medical Examiners of the State of Georgia issued a Consent Order (a copy of which is attached hereto and fully incorporated herein) as a result of your submitting an application for a license to practice medicine in that state. Such order was issued as a result of your entering a treatment program in January 1985 for chemical dependency by reason of use of cocaine. You were discharged from that program on February 28, 1985.

The imposition of a Consent Order placing conditions upon your license to practice medicine in the State of Georgia, 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: Section 4731.22(B)(26), Ohio Revised Code.

2. You submitted an application for biennial renewal to practice medicine and surgery in Ohio on November 10, 1984 and on January 30, 1987. On these applications you responded "No" to the following question:

At any time since your last renewal of your certificate have you been addicted to or dependent upon alcohol or any chemical substance?

In fact, on or about January, 1985, you entered a treatment program for chemical dependency for use of cocaine.

3. You submitted an application for biennial renewal to practice medicine and surgery in Ohio on October 12, 1988. On this application you responded "No" to the following question:

At any time since your last application for renewal of your certificate have you surrendered or consented to limitation upon a license to practice medicine, or state or federal privileges to prescribe controlled substances?

In fact, on or about October 5, 1988, you entered into a Consent Order with the Composite State Board of Medical Examiners of the State of Georgia, placing conditions and limitations upon your license to practice medicine in that state.

Your acts, conduct, and omissions as alleged in the above paragraphs (2) and (3), individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board", as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, such acts, conduct, and omissions as alleged in the above paragraphs (2) and (3), individually and/or collectively, constitute "soliciting patients or publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), 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, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

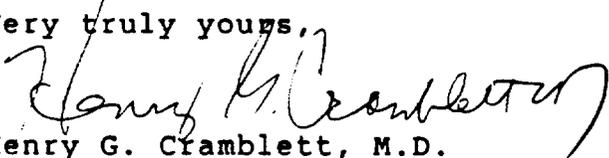
Tommie Richardson, M.D.
Page Three

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.

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

Enclosures:

CERTIFIED MAIL #P 746 510 111
RETURN RECEIPT REQUESTED

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

OCT 5 1998

STATE OF GEORGIA

CONFIDENTIAL

88-498

IN THE MATTER OF:

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TOMMIE MACK RICHARDSON, M.D.,
Applicant.

AG FILE NO. 94062-88-ROL

CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners and Tommie Mack Richardson, M.D., Applicant, 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).

FINDINGS OF FACT

1.

The Applicant is licensed to practice medicine in the states of Mississippi, Tennessee, Ohio and Indiana, and has applied for a license to practice medicine in Georgia by reciprocity/endorsement.

2.

The Applicant entered a treatment program for chemical dependency by reason of use of cocaine, in January, 1985 and was discharged on February 28, 1985. The Applicant has had follow-up aftercare since that time in the State of Indiana. Applicant desires to work in the field of addictionology.

3.

The Board has received numerous letters in support of the Applicant's application for licensure.

4.

The Applicant waives any further findings of fact with respect to the above matter. However, the Applicant shall be allowed to submit a supplemental statement for the investigative file in explanation and mitigation of the matters stated herein for consideration by the Board prior to its review of this Consent Order.

CONCLUSIONS OF LAW

The Applicant's condition and/or prior conduct constitute sufficient grounds for refusal of a license to practice medicine in the State of Georgia under O.C.G.A. Chs. 1 and 34, T. 43, as amended. The Applicant 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 Applicant hereby agrees, that the Applicant shall be issued a license to practice medicine in the State of Georgia, subject to the following conditions:

1.

Commencing on the effective date of this Consent Order, the Applicant's license shall be placed on probation for four (4) years, with the following terms and conditions of probation:

(a) The Applicant shall continue to participate in treatment and/or an aftercare program acceptable to the Board. Applicant shall provide the Board with a copy of his aftercare agreement/contract.

(b) Applicant shall affiliate with and regularly participate in meetings of Alcoholics Anonymous, Narcotics Anonymous, Caduceus Club or another similar support group acceptable to the Board in accordance with his aftercare contract or as otherwise required by the Board.

(c) The Applicant shall completely abstain from the consumption of mood altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a legitimate purpose.

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

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

(f) Applicant shall abide by all terms of his aftercare contract as a condition of probation and supply a copy thereof to the Board.

(g) Applicant shall provide a copy of this Consent Order to an acceptable supervising ("workplace") physician and an acceptable primary care ("monitoring") physician experienced in addictionology who shall sign a statement to be submitted in conjunction with the Consent Order as evidence of having read and understood same. The Applicant shall submit or cause to be submitted quarterly reports from said supervising and monitoring physicians regarding his performance and mental/physical condition by March 31, June 30, September 30 and December 31, including a report on any medication being prescribed to the Applicant. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Consent Order. It is expected that said supervising and monitoring physicians shall be in communication with each other and will immediately report any change in Applicant's condition which would render Applicant unable to practice with reasonable skill and safety to patients. Applicant shall report any change in supervising or monitoring physicians in writing to the Board in writing within ten (10) days.

(h) The Applicant may possess a DEA permit. Until further order of the Board, however, the Applicant shall only be authorized to prescribe, administer, dispense, or order controlled substances for institutionalized patients for consumption on the institutional premises.

(i) The Applicant shall supply a copy of this Consent Order, once approved and docketed, within 10 days from receipt by Applicant, to each hospital or other institution in Georgia where he maintains staff privileges of any kind, and to any person with whom Applicant is associated in practice or for whom Applicant is employed as a physician in the State of Georgia. Applicant shall also be required to disclose the existence of and provide a copy of this Consent Order in connection with any future application for institutional appointment, associated practice or employment as a physician in the State of Georgia while this Consent Order is in effect.

(j) In the event the Applicant should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, the Applicant shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside of Georgia as well as periods when Applicant is not actively engaged in the practice of medicine or is on inactive licensure status will not apply to the reduction of the Applicant's probationary period, except as authorized by the Board. The Applicant shall advise the Board of any change in address of record or employment status.

(k) The Applicant shall abide by all State and Federal laws regulating the practice of medicine or relating to drugs, the Rules and Regulations of the Composite State Board of Medical Examiners, and the terms of this Consent

Order and probation. If the Applicant shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports submitted to the Board that the Applicant is otherwise unable to practice medicine with reasonable skill and safety to patients, the Applicant '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. Applicant 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 Applicant 's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Applicant understands that he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(1) Within 60 days from the scheduled date of termination of probation, Applicant may petition for termination of probation by certifying under oath before a notary public that the Applicant has complied with all conditions of probation and by providing documentation supporting discharge from probation. The Composite State Board of Medical Examiners shall review and evaluate the practice of the Applicant prior to lifting the probation. At such

time, the Board shall be authorized to restore all rights and privileges incident to the license of the Applicant, 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. Notice of intent to extend, maintain or impose such restrictions or conditions beyond the designated probationary period shall be given to the Applicant, and Applicant may respond to such notice in writing or request an appearance before the Board as in a non-contested case. This Consent Order shall remain in effect pending a final determination by the Board.

2.

This Consent Order may be disseminated in the same manner as orders containing public reprimands.

3.

This Consent Order, if approved by the Composite State Board of Medical Examiners shall in no way be construed as condoning the Applicant's prior condition or conduct, and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

4.

Applicant, Tommie Mack Richardson, acknowledges that he has read this Consent Order, and understands 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 and docketed by the Joint Secretary, State Examining Boards. 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 action 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. Applicant consents to the terms and conditions contained herein.

Approved, this 5th day of October, 1988.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

BY: L. Newton Turk, III, M.D.
L. NEWTON TURK, III, M.D.
President

(BOARD SEAL)

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

Consented to:

Tommie Mack Richardson, M.D.
TOMMIE MACK RICHARDSON, M.D.
Applicant

Sworn to and subscribed before me this 28th day of September, 1988.

Charlotte A. Austin
NOTARY PUBLIC

My commission expires: 9-21-90