

BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF: JEFFREY LEWIS TATE, M.D.

CONSENT ORDER

On this 7th day of April, 2017, comes on for hearing the matter of Jeffrey Lewis Tate, M.D. The Arkansas State Medical Board appeared together by a quorum of its membership together with its attorney, Kevin M. O'Dwyer; Jeffrey Lewis Tate, M.D., appeared together with his attorney, Shane Strabala. From the pleadings, evidence introduced, and agreement of the parties, the Board finds that:

I.

Jeffrey Lewis Tate, M.D., is licensed to practice medicine in the State of Arkansas and under the provisions of the Medical Practices Act.

II.

As a result of information received by the Board, the Board issued an Order of Notice of Hearing on February 9, 2017, alleging that Jeffrey Lewis Tate, M.D. had violated the Medical Practices Act, more specifically,

- A. ACA §17-95-409(a)(2)(p), that is, violating a regulation of the Board, more specifically, Regulation 2.4, that is, the over prescribing of schedule medication for his patients.
- B. ACA §17-95-409(a)(2)(p), that is, violating a Regulation of the Board, more specifically, Regulation 7, that is, Jeffrey Lewis Tate, M.D., prescribed stimulants without keeping proper records and failed to justify with appropriate medical rationale and documentation of evidence-based research and experience the ongoing

prescribing. He further failed to reassess the patients and documents in the medical record.

III

Jeffrey Lewis Tate, M.D. makes the following offer to the Arkansas State Medical Board, pursuant to A.C.A. §25-125-208(b) of the Administrative Procedure Act as follows:

A. Jeffrey Lewis Tate, M.D., will attend the Recordkeeping, Prescribing and Boundaries courses at Vanderbilt, and provide proof to the Board that he is registered for those classes within six months of the date of April 7, 2017.

B. Jeffrey Lewis Tate, M.D., will reimburse the Board the costs of the investigation and hearing of \$3,800 within one year of the date of this Order. Failure to pay the costs will be considered a violation of this Order and of the Medical Practices Act.

C. Jeffrey Lewis Tate, M.D., agrees to modify his website based on the concerns expressed by the Board regarding ADHD marketing.

D. Jeffrey Lewis Tate, M.D., will return to the Board at the October 2017 meeting.

IV.

The Arkansas State Medical Board, pursuant to ACA § 25-15-208(b) of the Administrative Procedure Act, accepts the offer of Jeffrey Lewis Tate, M.D. as stated in paragraph III above. The Board further finds that said offer and agreement protects the health and safety of the citizens of Arkansas and the rights of Jeffrey Lewis Tate, M.D.

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that the agreement of the parties stated in paragraphs III and IV above is a fair and equitable agreement and the Board adopts the same as the Board's own Order.

IF IS SO ORDERED.

ARKANSAS STATE MEDICAL BOARD

BY: Steve Cathey
STEVEN L. CATHEY, M.D., CHAIRMAN

DATE: 4/13/17

APPROVED AS TO FORM:

[Signature]
Gavin M. O'Dwyer
Attorney for Arkansas State Medical Board

[Signature]
Jeffrey Lewis Tate, M.D.

[Signature]
Shang Strabala
Attorney for Jeffrey Lewis Tate, M.D.