

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
WILLIAM CLAUD WELCH, JR., M.D.**

CONSENT ORDER

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of William Claud Welch, Jr., M.D., Jackson, Mississippi, and has documented evidence indicating that Dr. Welch, hereinafter referred to as "Licensee," has violated the Rules and Regulations of the Board, "Pertaining to Prescribing, Administration and Dispensing of Medication", and has administered, dispensed or prescribed narcotic drugs or other drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice;

WHEREAS, such conduct, if proven, would be in violation of the Mississippi Medical Practice Act and specifically, Subsection (1)(c), (1)(h)(iv) and (1)(m) of Section 73-25-29, Mississippi Code (1972) as amended, for which the Mississippi State Board of Medical Licensure may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board or take any other action the Board may deem proper under the circumstances;

WHEREAS, Licensee is current holder of License No. 04580 for the practice of medicine in the State of Mississippi;

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WHEREAS, Licensee is current holder of License No. 04580 for the practice of medicine in the State of Mississippi;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof has consented to certain restrictions on his license to practice medicine in the State of Mississippi;

NOW THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby indefinitely suspend Licensee's certificate #04580 to practice medicine in the State of Mississippi with the suspension automatically stayed, subject to the following probationary terms and conditions:

- 1. Licensee shall be authorized to maintain his U.S. Drug Enforcement Administration Controlled Substance Certificate, but shall not be permitted to order, manufacture, distribute, possess, dispense, administer or prescribe any controlled substances listed in Schedules II, IIN, III, or IIIN, on an out-patient basis until authorized to do so by the Board.**
- 2. Licensee's issuance of prescriptions, on an out-patient basis, for controlled substances in Schedule IV shall be limited to Benzodiazepines only. Prescriptions issued by Licensee for Benzodiazepines in Schedule IV on an out-patient basis shall be in writing and be limited to a maximum of one prescription per patient per thirty (30) day period not to exceed three (3) dosage units per day with no refills or call-ins authorized.**
- 3. Licensee shall be authorized to issue prescriptions for controlled substances on an out-patient basis in Schedule V, less Buprenex (Buprenorphine) and Lomotil (Diphenoxylate HCL).**
- 4. Licensee shall be authorized to utilize the Uniform Controlled Substances Registration Certificate of any licensed hospital in the State of Mississippi,**

for which Licensee has medical staff privileges. Licensee shall be limited to ordering controlled substances in all Schedules which are to be dispensed or administered to patients that have been admitted as in-patients to a licensed hospital in the State of Mississippi. Licensee shall not be authorized to personally administer or dispense any drug having addiction-forming or addiction-sustaining liability to any patient.

5. Licensee's use of the medications Stadol (Butorphanol Tartrate), Nubain (Nalbuphine), Dalgan (Dezocine), Soma (Carisoprodol), or Butabital products shall be limited to ordering or administering to patients that have been admitted as in-patients to any licensed hospital in the State of Mississippi, for which Licensee has medical staff privileges. This excludes the administering, dispensing or prescribing on an out-patient basis in any manner for any of the above referenced substances to any patients.
6. Licensee shall obey all federal, state and local laws, and all rules governing the practice of medicine, and shall comply with the Rules and Regulations of the Board, "Pertaining to Prescribing, Administration and Dispensing of Medication."
 - a. Licensee shall maintain a complete record of his examination, evaluation and treatment of patients, including documentation of diagnosis and reason for prescribing, dispensing or administering any controlled substance; the name, dose, strength, quantity of the controlled substance and the date the controlled substance was prescribed, dispensed or administered.
 - b. Licensee shall not prescribe, administer or dispense any controlled substances or other drug having addiction-forming or addiction-sustaining

liability without a good faith prior examination and medical indication therefore.

c. All prescriptions issued by Licensee shall be dated as of and signed on the day when issued and shall bear the full name and address of the patient.

- 7. Prior to seeking removal of restrictions of this Consent Order Licensee shall successfully complete the entire course entitled, "Physician Education Program in Clinical, Legal and Ethical Issues in Prescribing Abusable Drugs," sponsored by the University of South Florida, no other course will be accepted. Following completion of said course, Licensee shall submit to the Board documented proof of successful completion. During each year of probation, Licensee shall obtain fifty (50) hours of continuous medical education (CME) approved by the American Medical Association. Licensee shall receive CME credit for attendance at the aforementioned sponsored by the University of South Florida during the year in which he attends said course. Following completion of each course, Licensee shall submit to the Board documented proof of successful completion.**
- 8. Licensee's practice of medicine shall be subjected to periodic surveillance by the Mississippi State Board of Medical Licensure. The Board's medical consultant, any member of the Board, or investigative staff, may perform a patient chart review of a representative sample of those patients treated by Licensee.**
- 9. In the event Licensee should leave Mississippi to reside or to practice outside the State, Licensee shall notify in writing to the Board the date of**

departure and return. Periods of residency or practice outside Mississippi will not apply to the reduction of time periods specified in this Consent Order.

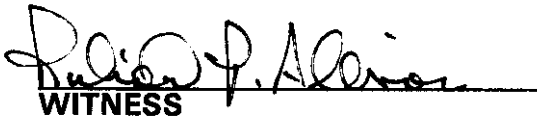
Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all of the above enumerated conditions after the expiration of three (3) years from the effective date hereof. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.

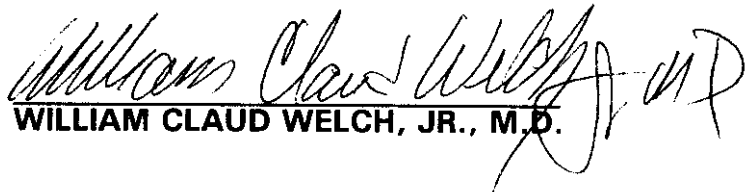
This Consent Order shall be subject to approval by the Board. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning Licensee prior to, or in conjunction with its consideration of the Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceeding.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to among others, the U.S. Drug

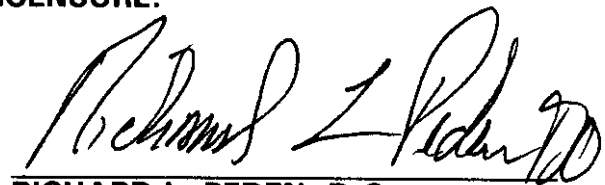
Enforcement Administration, and the Board makes no representation as to actions, if any, which the U.S. Drug Enforcement Administration may take in response to this Order.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Mississippi Code Annotated, (1972) Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision based upon written findings of fact and conclusions of law, William Claud Welch, Jr., M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an Order accepting this Consent Order, thereby suspending his license to practice medicine in the State of Mississippi for an indefinite period of time, staying the suspension and placing his license on probation subject to those terms and conditions enumerated above.


WITNESS


WILLIAM CLAUD WELCH, JR., M.D.

ACCEPTED AND APPROVED, this the 21st day of November, 1996 by the MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.


RICHARD L. PEDEN, D.O.
PRESIDENT