

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
Robert Andre Fleury, M.D., ) CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Robert Andre Fleury, M.D. ("Dr. Fleury"). Dr. Fleury makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Fleury was first issued a license to practice medicine by the Board on or about May 8, 1982, license number 25998.

At all times relevant hereto, Dr. Fleury practiced medicine in Pinehurst, North Carolina.

Patients A through C presented to Dr. Fleury on referrals for management of chronic pain along with other mental health

comorbidities. Dr. Fleury managed the patients' chronic pain with opioids, primarily with oxycodone.

For each patient, Dr. Fleury's records do not reflect sufficient history, physical examinations, or diagnostic studies justifying ongoing opioid therapy.

Prior to the Board's investigation, Dr. Fleury voluntarily ceased practicing chronic pain management.

Upon the Order of the Board, Dr. Fleury underwent a comprehensive competency assessment at the Center for Personalized Education for Professionals ("CPEP"). CPEP recommended Dr. Fleury undergo an educational intervention plan as to his practice of general psychiatry. CPEP also recommended Dr. Fleury engage an educational preceptor to assist Dr. Fleury in implementing the plan.

#### CONCLUSIONS OF LAW

Dr. Fleury acknowledges that his treatment of chronic pain, as described above, was a departure from the standards of acceptable and prevailing medical practice, within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist under this section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition or limit Dr. Fleury's license to practice medicine or to deny any application he might make in the future.

PROCEDURAL STIPULATIONS

Dr. Fleury acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Fleury knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Fleury, with the advice of counsel, acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Fleury desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Fleury's consent, it is ORDERED that:

1. Effective December 1, 2020, Dr. Fleury shall not prescribe any Schedule II controlled substance.
2. Dr. Fleury shall not practice chronic pain management.
3. Within thirty (30) days of this Consent Order, Dr. Fleury shall submit the name of an educational preceptor to the Compliance Coordinator, North Carolina Medical Board, P.O. Box 20007, Raleigh, NC 27619-0007, or to [compliance@ncmedboard.org](mailto:compliance@ncmedboard.org). The Board's Office of Medical Director ("OMD") must approve the educational preceptor. Upon approval by OMD, the educational preceptor will implement the recommendations of CPEP. The

educational preceptor will also file quarterly reports (every three months) with the Compliance Coordinator at the above email address.

4. Dr. Fleury shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

5. Dr. Fleury shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

6. Upon request, Dr. Fleury shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

7. If Dr. Fleury fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

8. This Consent Order shall take effect immediately upon its execution by both Dr. Fleury and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

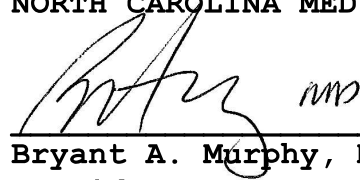
9. Dr. Fleury hereby waives any requirement under any law or rule that this Consent Order be served on him.

10. Upon execution by Dr. Fleury and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 29th day of September, 2020.

NORTH CAROLINA MEDICAL BOARD

By:

Handwritten signature of Bryant A. Murphy, M.D. in black ink, written over a horizontal line. The signature is cursive and includes the initials 'BAM'.

Bryant A. Murphy, M.D.  
President

Consented to this the 17 day of August, 2020.



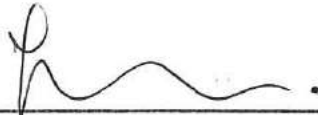
Robert Andre Fleury, M.D.

State of NORTH CAROLINA

County of WAKE

I, LISA M RAMPELLO, do hereby certify that Robert Andre Fleury, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 14 day of AUGUST, 2020.



Notary Public  
LISA M RAMPELLO



My Commission Expires: 12/3/2022