

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Whitney Jo Bakken, M.D.,) CONSENT ORDER
)
Respondent)

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Whitney Jo Bakken, M.D. ("Dr. Bakken"). Dr. Bakken 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 it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Bakken is a physician licensed by the Board on or about May 11, 2009, license number 2009-00784.

At the times relevant hereto, Dr. Bakken practiced medicine in Greenville, North Carolina.

In January 2015, the Pitt County Sheriff's Office Narcotics Division alerted the Board that Dr. Bakken was practicing pain

management and prescribing narcotics from her residence. The Board thereafter opened an investigation and obtained patient medical records related to patients that Dr. Bakken was treating for pain and prescribing controlled substances to.

The Board submitted the medical records for four of these patients, who shall be referred to as Patients A-D, to an independent medical expert specializing in pain management who is qualified to testify and provide an opinion with respect to Dr. Bakken's treatment of Patients A-D. This independent medical expert provided an opinion that Dr. Bakken's care of Patients A-D failed to conform to the standards of acceptable and prevailing medical practice in North Carolina. Specifically, this independent medical expert opined that Dr. Bakken practiced below the North Carolina standard of care in her diagnosis, treatment, medical records and overall care of Patients A-D in many respects including, and not limited to, the following:

1. Dr. Bakken prescribed controlled substance pain medications without performing appropriate studies and evaluations that would support a diagnosis requiring controlled substance pain medications.

2. Dr. Bakken inappropriately prescribed excessive amounts of controlled substances for the treatment of pain in amounts that raise concern for abuse and diversion of these drugs.

3. Dr. Bakken failed to safely monitor the patients she was prescribing controlled substances to and conduct appropriate drug testing to ensure that these patients were taking the medications as prescribed by Dr. Bakken.

4. Dr. Bakken failed to review prior medical records to support the diagnoses she made relating to these patients.

CONCLUSIONS OF LAW

Dr. Bakken's care of Patients A-D constitutes unprofessional conduct including, but not limited to, departure from or the failure to conform to, the standards of acceptable and prevailing medical practice within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds for the Board to annul, suspend, revoke, condition or limit Dr. Bakken's license to practice medicine and surgery issued by the Board.

PROCEDURAL STIPULATIONS

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

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

Dr. Bakken acknowledges that she has read and understands this Consent Order and enters into it voluntarily.

Dr. Bakken 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. Bakken's consent, it is ORDERED that:

1. Dr. Bakken's North Carolina medical license is LIMITED, PROHIBITED and RESTRICTED. Specifically, Dr. Bakken is LIMITED, PROHIBITED AND RESTRICTED from treating any and all types of pain (acute and chronic) in all patients she treats. This limitation, prohibition and restriction shall take effect thirty (30) days following the full execution date of this Consent Order to allow Dr. Bakken to safely transition patient care for her pain patients to other medical providers.

2. Within six (6) months of the date of this Consent Order, Dr. Bakken shall attend ten hours of an onsite medical records continuing medical education course ("CME") that must be approved in advance by the Board's Medical Director. Dr. Bakken shall furnish proof of satisfactory completion of this CME to

the Board's Compliance Department within thirty (30) days of completing the course.

3. Within six (6) months of the date of this Consent Order, Dr. Bakken shall attend ten hours of an onsite prescribing CME that must be approved in advance by the Board's Medical Director. Dr. Bakken shall furnish proof of satisfactory completion of this CME to the Board's Compliance Department within thirty (30) days of completing the course.

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

5. Dr. Bakken shall notify the Board in writing of any change in her residence and practice addresses within ten (10) days of the change.

6. Dr. Bakken shall meet with the Board or members of the Board for an interview at such times as requested by the Board.

7. Dr. Bakken hereby waives any requirement under any law or rule that this Consent Order be served on her.

8. If Dr. Bakken 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 for the Board, after any required notice and hearing, to annul, suspend or revoke her license or to deny any

application she might make in the future or then have pending for a license.

9. Upon execution by Dr. Bakken 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 National Practitioners Data Bank.

By Order of the North Carolina Medical Board this the 14th day of September, 2015.

NORTH CAROLINA MEDICAL BOARD

By: Cheryl L. Walker-McGill, M.D.
Cheryl L. Walker-McGill, M.D.
President

Consented to this the 11 day of September, 2015.

Whitney Jo Bakken MD
Whitney Jo Bakken, M.D.

State of NC

County of Pitt

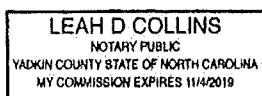
I, Leah D Collins, a Notary Public for the above named County and State, do hereby certify that Whitney Jo Bakken, M.D., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

This the 11 day of September 2015.

Leah D Collins
Notary Public

(SEAL)



My Commission expires: 11/04/2019