

TEXAS STATE BOARD OF MEDICAL EXAMINERS

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MEDICAL EXAMINERS

VS.

GERALD IRWIN BUSCH, M. D.

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AFFIDAVIT

I, Gerald Irwin Busch, M. D., do hereby certify that I have read and understand the terms and conditions of the Board Order signed on December 23, 1986, reinstating my Texas medical license and placing me on probation for a period of ten (10) years under certain terms and conditions. I hereby agree to abide and be bound by such terms and conditions as set forth in the Order.

Gerald Irwin Busch, M.D.
Gerald Irwin Busch, M. D.

SWORN to before me by the said Gerald Irwin Busch, M. D., on this the 13th day of January, 1987.

Laurence H. Batts
Notary Public in and for the State of
Texas

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VS.

GERALD IRWIN BUSCH, M.D.

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DULY IN SESSION AT
1101 CAMINO LA COSTA
SUITE 201
AUSTIN, TEXAS

BOARD ORDER

On this the 3rd day of December, 1986, came to be heard before the Texas State Board of Medical Examiners, duly in session, Gerald Irwin Busch, M.D., who appeared in person seeking reinstatement of his medical license, which was revoked and cancelled by the Order of the Board rendered and entered on December 2, 1985, and the Board having heard the evidence presented by Doctor Busch and having considered other evidence presented, is of the opinion that the request should be granted under certain terms and conditions of probation, therefore;

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the license to practice medicine within the State of Texas, heretofore held by Gerald Irwin Busch, M.D., and cancelled by the Texas State Board of Medical Examiners by Order of the Board rendered on December 2, 1985, be and the same is hereby reinstated upon the following terms and conditions:

1. Respondent shall be placed upon probation for a period of ten (10) years and at the conclusion of the said probationary term, if Respondent has fulfilled all terms and conditions of said probation, his license shall be reinstated without condition or restriction.

2. Respondent shall not apply for his Federal Drug Enforcement Administration Controlled Substances Registration and Texas Controlled Substances Registration Certificates without first obtaining written permission of the Texas State Board of Medical Examiners.

3. If Respondent enters a Psychiatric Residency, the Board authorizes the chairman of that Residency program in psychiatry to furnish the Board with quarterly reports of Respondent's progress, such written reports to be forwarded to the office of the Board by March 1, June 1, September 1, and December 1 of each year Respondent attends the Residency program, beginning March 1, 1987, or at such other times as the Board may request, until such time as the Board terminates this requirement in writing to Respondent.

4. Respondent shall continue under the care and treatment of his current

psychiatrist, David C. Kay, M.D., and authorize the release to the Board of the psychiatrist's evaluations of Respondent's mental condition. Such written reports by the psychiatrist shall be forwarded to the office of the Board every six (6) months, beginning in June 1987.

5. Respondent shall continue to participate in the activities and programs of Alcoholics Anonymous, Narcotics Anonymous and Cocaine Anonymous, on a regular basis and shall make written reports directly to the Board, as to number and location of meetings attended. Reports shall be regularly submitted every three (3) months, on March 1, June 1, September 1, and December 1 of each year, beginning on March 1, 1987, or at such other times as the Board may request, until such time as the Board terminates this requirement in writing to Respondent.

6. Respondent shall submit himself for random urine samples at the request of the Executive Director or his designee to determine chemically through laboratory analysis that he is free of drugs. The cost of these chemical analyses are to be borne by the Respondent.

7. Respondent shall personally appear before the Board or its designee in June and December of each year, commencing in June 1987, or at any other time as directed by the Board for the probationary period unless otherwise directed in writing by the Executive Director of the Board.

8. Respondent shall cooperate with the Texas State Board of Medical Examiners, its attorneys, investigators, and other employees, in the investigation of his practice to verify that he has complied with the Texas Medical Practice Act.

9. Respondent shall not be found guilty of habits of intemperance in the use of alcohol and/or habit forming drugs.

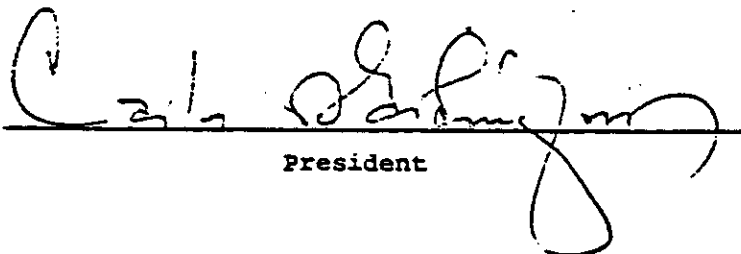
10. Respondent shall comply with all the provisions of Article 4495b, Texas Civil Statutes (Texas Medical Practice Act), Article 4476-14, Texas Civil Statutes (Texas Dangerous Drug Act), and Article 4476-15, Texas Civil Statutes (Texas Controlled Substances Act), and shall not be found guilty of violating any of the laws of the grade of a felony or misdemeanor involving the practice of medicine or moral turpitude of this State, any other State, or of the United States.

11. The running of this period of probation shall be tolled for any periods of time during which Respondent either resides or practices medicine outside of Texas, and, therefore, any period of time during which Respondent either resides

or practices medicine outside the State of Texas shall not be applied to the probationary period herein assessed. In the event Respondent leaves Texas for either of these purposes, he shall immediately notify the Board of the dates of departure from and return to Texas. On Respondent's return to Texas, the remainder of the probationary period herein assessed shall begin and shall continue until the terms of such period has been completed.

Upon full compliance with the terms and conditions set forth, and upon expiration of the term of probation, the said license of Gerald Irwin Busch, M.D., shall have full privileges, free and clear of the probationary period herein imposed; provided, however, in the event Gerald Irwin Busch, M.D., violates or fails to comply with any of the terms or conditions of this Order during said period of probation, the Board, upon receipt by it of said evidence thereof, may, after notice and hearing, immediately and forthwith terminate said probation, cancel and revoke said stay of execution, and direct that the Order of Revocation of his medical license herein made become effective and such license be cancelled.

SIGNED this the 23rd of December, 1986.



President