

IN THE MATTER OF	§	BEFORE THE
	§	
THE LICENSE OF	§	TEXAS STATE BOARD
	§	
JEFFREY M. SCHLUETER, D.O.	§	OF MEDICAL EXAMINERS

ORDER

On this the 17<sup>th</sup> day of May 2002, came on to be heard before the Texas State Board of Medical Examiners (hereinafter "the Board"), duly in session the matter of the license of Jeffrey M. Schlueter, D.O. (hereinafter "Respondent"). On May 3, 2002, Respondent appeared in person without counsel, before representatives of the Board to report on and address issues relating to Respondent's compliance with the terms and conditions of an Agreed Order (hereinafter "the Order") entered on May 15, 1996, pertaining to Respondent's medical license H-6586, and to petition the Board for termination of the Order. Jon Porter represented Board staff.

The Board was represented at the Termination Request Hearing by Eddie J. Miles, Jr., member of the Board, and Robert C. Henderson, II, M.D., District Review Committee member. Upon recommendation of the Board's representatives, the Board makes the following Findings of Fact and enters this Order as set forth herein:

FINDINGS OF FACT

A. On May 15, 1996, the Board entered an Order indefinitely restricted Respondent's Texas medical license under various terms and conditions, based on the following Findings of Fact:

1. Respondent holds Texas medical license H-6586.
2. The Board has jurisdiction over the subject matter of this cause, and Respondent hereby waives his right to notice and hearing as provided by Texas law and the rules of the Board prior to entry of this Agreed Order by the Board.
3. Respondent has been diagnosed with adjustment disorder with mixed disturbance emotions and conduct, as well as occupational problems

which in part are related to adjustment to chronic debilitating multiple sclerosis.

4. In or around March and April of 1995, Respondent engaged in inappropriate behavior during counseling of three different psychiatric patients.
5. The inappropriate behavior involved verbal statements which were considered to be embarrassing to the patients and in some instances had sexual content or involved sexual innuendo.
6. This behavior took place while Respondent was employed by the Navarro County Mental Health Mental Retardation (MHMR) facility in Corsicana, Texas. Inappropriate behavior of the same type occurred while Respondent practiced at Huguley Memorial Medical Center during 1995.
7. Respondent's employment was terminated at the MHMR facility on April 5, 1995. Respondent's privileges were surrendered December 15, 1995 at Huguley Memorial Medical Center.
8. During the summer of 1995, Respondent sought assessment and treatment at the Abbott Northwestern Hospital in Minneapolis - St. Paul, Minnesota, where Respondent underwent psychiatric inpatient care for one week.
9. Respondent was subsequently referred to the Mayo Intensive Psychotherapy Center (Mayo Center) where Respondent was assessed and treated from December 26, 1995 to January 19, 1996.
10. During treatment at the Mayo Center, Respondent was involved in intensive group therapy for a four (4) week period, and received neuropsychological testing and a neurological assessment.
11. The Mayo Center psychiatrists recommended that Respondent reduce his workload, be supervised at work, engage in follow-up psychotherapy, and obtain neurologic follow-up.
12. Respondent reports significant improvement in his ability to refrain from inappropriate comments since his treatment at the Mayo Center.
13. Respondent reports receiving ongoing treatment from a physician for multiple sclerosis (MS) and reports participation in a MS support group."

B. On May 14, 1999 the Board granted modification of the May 15, 1996 Order.

C. On January 25, 2001 the Board denied modification of the May 15, 1996 Order.

D. Respondent has completed six (6) years of an indefinite Order. On May 3, 2002, the Board's Representatives found the following:

1. Respondent appeared to be in full compliance with the terms and conditions set forth by the Order.
2. Respondent admits what he did was uncalled for, unprofessional and despicable.
3. The termination of the Order will not change his practice. Respondent will continue to work twenty-five (25) hours a week and not work in a hospital setting. Respondent's health will not allow it.
4. Respondent's patient's population is almost exclusively geriatrics and mostly does medication management.
5. Respondent admits to learning a significant lesson.
6. Respondent has fulfilled the requirements of his Order in a timely manner and cooperated with the Board and Board staff during the period of his probation, pursuant to Section 187.38(d)(4).

E. Based on the above Findings of Fact and information available on May 3, 2002, the Board's representatives recommend that Respondent's petition for termination be granted.

#### ORDER

Based on available information, the above Findings of Fact, and the recommendation of the Board's representatives, the Board ORDERS that the Respondent's request for termination is hereby GRANTED.

THIS ORDER IS A PUBLIC RECORD.

SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical  
Examiners on this 17<sup>th</sup> day of May 2002.



Lee S. Anderson, M.D.  
President, Texas State Board of  
Medical Examiners