



COMMONWEALTH of VIRGINIA

*Department of Health Regulatory Boards
Board of Medicine*

GEORGE J. CARROLL, M.D.
SECRETARY-TREASURER
EUGENIA K. DORSON
EXECUTIVE SECRETARY

517 WEST GRACE STREET
POST OFFICE BOX 27708
RICHMOND, VIRGINIA 23261
(804) 786-0575

September 10, 1985

CERTIFIED MAIL

Brian Bouton, M.D.,
Rt. 2, Box 132
Charlottesville, VA 22901

Dear Dr. Bouton:

This is official notification that an informal conference will be held on October 9, 1985, at 1:00 p.m., at Lynchburg General-Marshall Lodge Hospital, Tate Springs, Wing A, First Floor Conference Room, Lynchburg, Virginia. The conference will be conducted pursuant to Sections 54-318.1 and 9-6.14:11 of the Code of Virginia (1950), as amended.

An informal conference committee which is composed of three members of the Virginia State Board of Medicine, will inquire into allegations that you may have violated certain laws and regulations governing the practice of medicine in Virginia. Specifically, § 54-316(1), § 54-316(3) as further defined in §§ 54-317(3), (11) and (15), and §§ 54-524.50:1 and 54-524.65 of the Code of Virginia, in that:

1. You inappropriately prescribed Tussionex, a Schedule II controlled substance on October 7, 1984 and October 8, 1984 to Dexter Coffin, a person known by you to be addicted to Tussionex, without accepted therapeutic purpose, contrary to sound medical judgement, and outside of a bona fide physician-patient relationship.

2. You falsely and fraudulently wrote the above-mentioned prescriptions for Tussionex, intended to be used by Dexter Coffin, in the name of a third person for whom the drug was not prescribed.

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You may be represented by an attorney at the informal conference. The following actions may be taken by this informal conference committee.

1. If after such conference at which the practitioner may appear, a majority of the committee is of the opinion that a suspension or revocation of the practitioner's license may be justified, or in the event of a violation of the terms of probation hereinafter authorized, the committee shall present to the Board in writing its findings, and the Board may proceed with a formal hearing;

2. The committee may notify the practitioner in writing that he is fully exonerated of any charge that might affect his right to practice in the State;

3. Reprimand or censure the practitioner;

4. Place the practitioner on probation for such time as it may designate or direct that during such period he furnish the committee or its chairman, at such intervals as the committee may direct, evidence that he is not practicing his profession in violation of the provisions of Chapter 12 of Title 54 of the Code of Virginia, which governs the practice of medicine in Virginia.

Should you fail to appear at the informal conference the Board may proceed to a formal administrative hearing in order to impose sanctions. Please inform this office of your intention to appear at the hearing at least ten (10) days prior to the scheduled date above. Also, please inform the Board office of a telephone number where you may be reached.

Enclosed you will find copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the laws and regulations relating to the practice of medicine in Virginia.

Should you have any questions regarding this notice of the Board, please contact Stephanie A. Sivert, Deputy Administrator.

Sincerely,



George J. Carroll, M.D.
Secretary-Treasurer

By:



Eugenia K. Dorson
Executive Secretary

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Enclosure

cc: Informal Conference Committee

Clyde W. Mathews, Jr., Assistant Attorney General

Gerald J. Bechamps, M.D., President, Board of Medicine



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Department of Health Regulatory Boards
Board of Medicine

GEORGE J. CARROLL, M.D.
SECRETARY-TREASURER
EUGENIA K. DORSON
EXECUTIVE SECRETARY

October 30, 1985

517 WEST GRACE STREET
POST OFFICE BOX 27708
RICHMOND, VIRGINIA 23261
(804) 786-0575

Brian Bouton, M.D.
Rt. 2, Box 132
Charlottesville, VA 22901

Dear Dr. Bouton:

This letter serves as official notification of the decision of the Informal Conference Committee of the Virginia Board of Medicine which met with you on October 9, 1985.

The committee reviewed the allegations for which you were noticed in the Notice of Hearing of September 10, 1985.

It was the opinion of the committee that you had violated certain laws and regulations governing the practice of medicine in Virginia. Specifically, Sections 54-316(1), 54-316(3) as further defined in Section 54-317(3) (111) (15) and 54-524.50:1 and 54-524.65 of the Code of Virginia. It was the committee's opinion that you had knowingly written a fraudulent prescription.

The committee did find, however, that there were extenuating circumstances with no evidence of criminal intent. As a result, the committee recommended that you be reprimanded for violation of the Code. You are hereby formerly reprimanded and this reprimand will become a permanent part of the public record of the Board.

Sincerely,

A handwritten signature in cursive script that reads "George J. Carroll, M.D.".

George J. Carroll, M.D.
Secretary Treasurer

GJC:sd

Dictated, Not Read

cc: Clyde W. Mathews, Jr., Assistant Attorney General
Informal Conference Committee
Gerald J. Bechamps, President