

**MINUTES**

**TENNESSEE BOARD OF MEDICAL EXAMINERS**

**July 16, 2007**

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**Contested Case Hearing**

Panel: Dr. Charles White, Dr. Neal Beckford and Dr. Dennis Higdon

**Francis O. Roy, MD**-Dr. Roy was present and represented himself. Ms. Schean Belton represented the State. The Honorable Judge Leonard F. Pogue, Administrative Law Judge presided. The Notice of Charges was handed to the panel for review. Witnesses were sworn in. Dr. Roy gave his opening statement followed by Ms. Belton. Dr. Roy is charged with violating TCA 63-6-214(b) (1), TCA 63-6-214(b) (4), TCA 63-6-214(b) (12) and TCA 63-6-214(b) (13). For a time period including the years 2000 to at least 2004, Dr. Roy prescribed and/or otherwise distributed controlled drugs to twenty-nine (29) patients in which the quantity, duration and method was such that the persons would become addicted to the habit of taking said controlled substances if these persons were not already addicted to said controlled substances. Dr. Roy failed and/or neglected to document counseling for such addiction and failed and/or neglected to document making a bona fide effort to cure the habit of such patients. Witnesses were called to testify on behalf of the state and Dr. Roy. Both sides rested. Ms. Belton gave her closing statement and stated that Dr. Roy is guilty of violating the Practice Act and failure to properly document prescriptions. Dr. Roy followed with his closing statement. The panel began deliberations. Dr. Beckford made a motion to accept the Findings of Fact with amendment to delete one patient making a total of twenty-eight (28) patients. Dr. Higdon seconded the motion. The motion carried. Dr. Beckford made a motion to accept the Conclusions of Law #4, 5 and 6 and Dr. Higdon seconded the motion. The motion carried. Dr. Higdon made a motion to delete Conclusions of Law #7 and Dr. Beckford seconded the motion. The motion carried. Dr. Beckford made a motion to accept the Conclusions of Law #8 and Dr. Higdon seconded the motion. The motion carried. Dr. White made a motion to revoke Dr. Roy's medical license, assess \$28,000.00 in civil penalties, assess costs of the hearing and take a record-keeping and prescribing course. After requirements have been met, Dr. Roy can apply for a new license. Dr. Higdon seconded the motion. Dr. Beckford opposed. The motion passed.

**Adjourned at 3:55 p.m.**

**These minutes were ratified by the Medical Board on September 18, 2007.**