

BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF:
Tom Tvedten, M.D.
P. O. Box 788
Lake Village, Arkansas 71653

DECISION AND ORDER

On March 11, 1983, an Order and Notice of Hearing was issued by the Arkansas State Medical Board directed to Tom Tvedten, M.D. This Order was served upon Dr. Tvedten by United States Mail. The Order advised Dr. Tvedten that he was charged with violating Ark. Stat. Ann. §72-613(e)(g) and Regulation 2 of the Regulations of the Arkansas State Medical Board in that information had been received by the Board that Dr. Tvedten had written prescriptions for excessive amounts of Schedule II and IV addicting or potentially harmful drugs and that Dr. Tvedten had written an excessive number of prescriptions for Schedule II and Schedule IV addicting or potentially harmful drugs for some patients, as reflected by a report prepared by the Diversion Investigation Unit, Arkansas Department of Health, which was attached as Exhibit A to the Order and Notice of Hearing.

On April 8, 1983, Dr Tvedten appeared before the Board represented by counsel, Joe D. Wray, of Monroe, Louisiana, at which time hearing was held with regard to the Order and Notice of Hearing aforementioned. Seven witnesses testified at the request of the Arkansas State Medical Board and Charles Blackmon, M.D. and Dr. Tvedten each testified on

behalf of Dr. Tvedten. By agreement of counsel and the Board, all patients whose names appear in the report attached to the Order and Notice of Hearing as Exhibit A and introduced into evidence at the hearing as Board Exhibit 1 were identified by number only and by stipulation of counsel for Dr. Tvedten and the Board certain language was stricken from the exhibits which language lined through and initialed by all counsel for all parties in the exhibits introduced into evidence before the Board.

After counsel for the Board had presented testimony of seven witnesses and introduced exhibits in support of such testimony, and after both Dr. Tvedten and Dr. Charles Blackmon, a witness appearing on behalf of Dr. Tvedten had testified before the Board, counsel for the Board and Dr. Tvedten, with the knowledge and consent of Dr. Tvedten, agreed that the matter pending before the Board might be disposed of without concluding the hearing and without submitting the entire matter to the Board for findings and fact, conclusions of law and decision.

The agreement reached between counsel for the Board and Dr. Tvedten and his counsel was to the effect that the Board would not take formal action to bring the hearing to conclusion and enter its findings on the evidence and the law if Dr. Tvedten would voluntarily agree to immediately surrender to the Drug Enforcement Administration his Drug Enforcement Administration Registration and would

refrain from writing prescriptions for controlled substances until such time as the Board grants him permission to reapply for Drug Enforcement Administration Registration and, further, that Dr. Tvedten would agree to the Board's suspending Dr. Tvedten's license to practice medicine for a period of ninety (90) days commencing May 22, 1983 and terminating on August 22, 1983.

Thereupon, upon proper motion, second and unanimous vote of the members of the Board, the following Order was issued:

No formal findings and conclusions are rendered by the Board at this time with regard to the matters raised in the Order and Notice of Hearing issued herein on March 11, 1983, based upon an agreement between the Board, its counsel, and Dr. Tom Tvedten and his counsel, in consideration of the voluntary agreement of Dr. Tvedten to immediately surrender his Drug Enforcement Administration Registration and his further agreement not to write prescriptions for controlled substances until such time as he, with the advanced permission of the Board, seeks and received reinstatement of his registration; and upon further consideration of Dr. Tvedten's agreement to a voluntary suspension of his privilege to practice medicine in the State of Arkansas for a period of ninety (90) days, such suspension to begin May 22, 1983 and to terminate automatically on August 22, 1983 at which time his license to practice medicine in the

State of Arkansas shall automatically be reinstated.

Dated this 9th day of May, 1983.

ARKANSAS STATE MEDICAL BOARD

By: Joe Verser, M.D. / original signed by Dr. Verser
Joe Verser, M.D., Secretary WSD