

JUN 03 1994

DOCKET NUMBER

89-118

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

IN THE MATTER OF:

DOCKET NO. 89-118

HOWARD ALAN REISMAN, M.D.,
License No. 21428

RESPONDENT.

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ORDER TERMINATING PROBATION


The Respondent having demonstrated compliance with the Order previously entered in this matter, and the Board being possessed of no information which would warrant extension thereof under the terms of the Order, such probation is hereby terminated.

This 2nd of June, 1994.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

F. James Funk, M.D.
President

ATTEST:



WILLIAM G. MILLER, JR., JOINT SECRETARY
STATE EXAMINING BOARDS

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ORIGINAL

FILED IN OFFICE
Joint Secretary
State Examining Boards

MAR 27 1989

DOCKET NUMBER

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS 89-118

STATE OF GEORGIA

IN THE MATTER OF:)

HOWARD ALAN REISMAN, M.D.,)
License No. 21428,)

Respondent.)

DOCKET NO. 89-118

AG HEARING NO. 94427-88-EPH

TO: Howard Alan Reisman, M.D.
11050 Crabapple Road
Suite 111-D
Roswell, Georgia 30075

NOTICE OF HEARING

You are hereby notified that the Composite State Board of Medical Examiners, through its appointed representative, will hold a hearing at the offices of the Board, 166 Pryor Street, S.W., Atlanta, Georgia 30303, at 10:00 o'clock, a.m., on the 27th day of JUNE, 1989, for the purpose of hearing charges that, if proven, may result in suspension, revocation or other disciplinary action against your license to practice medicine in the State of Georgia. You are also notified of the following matters:

LEGAL AUTHORITY FOR HEARING

This hearing will be held under the authority and jurisdiction conferred upon the Composite State Board of Medical Examiners by O.C.G.A. Chs. 1 and 34, T. 43, as amended, O.C.G.A. § 43-1-19 and in accordance with the Administrative Procedure Act, codified in O.C.G.A. Ch. 13, T. 50, as amended,

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the Rules and Regulations of the Composite State Board of Medical Examiners and the Rules and Regulations of the Joint Secretary, State Examining Boards.

HEARING OFFICER

Pursuant to the provisions of O.C.G.A. Ch. 13, T. 50, the Composite State Board of Medical Examiners hereby appoints the hearing officer designated below as hearing officer for the above-styled matter.

NAME: _____
ADDRESS: _____ Ted Marcus
3355 Lenox Road
Suite 430
Atlanta, GA 30326

TELEPHONE: 404-264-9100

The hearing officer shall have the authority to exercise those powers on behalf of the Board enumerated in O.C.G.A.

§ 50-13-13(a)(6) or elsewhere in the Georgia Administrative Procedure Act or the rules of the Joint Secretary, as adopted by the Board, in conducting the hearing.

RIGHTS OF RESPONDENT

You have the following rights in connection with this hearing:

- (1) To respond and to present evidence on any relevant issue;
- (2) to be represented by counsel at your expense;
- (3) to subpoena witnesses and documentary evidence through the Board by filing a request with the Joint Secretary;

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(4) such other rights as are conferred by the Rules and Regulations of the Board and the Rules and Regulations of the Joint Secretary, State Examining Boards.

FILING OF ANSWER AND OTHER PLEADINGS

An Answer to this Notice of Hearing must be filed within fourteen (14) days after receipt or service of this Notice. The original and one duplicate of the Answer and any subsequent pleading or response, each designated as "Original" and "Duplicate" by appropriate marking or stamp, should be filed with the Docket Clerk of the Joint Secretary, 166 Pryor Street, S.W., Atlanta, Georgia 30303. An additional copy of the Answer and any subsequent pleading or response should also be sent to or served upon counsel for the Board, whose name and address appear on the last page of this Notice.

STATUTES AND RULES INVOLVED

Sanction of the Respondent's license is sought pursuant to the following provisions of O.C.G.A. § 43-34-37:

(a) The board shall have authority to refuse to grant a license to an applicant or to discipline a physician licensed under this chapter or any antecedent law upon a finding by the board that the licensee or applicant has:

(7) Engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice need not have resulted in actual injury to any person. As used in this paragraph, the term "unprofessional conduct" shall include

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any departure from, or failure to conform to, the minimal standards of acceptable and prevailing medical practice and shall also include, but not be limited to, the prescribing or use of drugs, treatment, or diagnostic procedures which are detrimental to the patient as determined by the minimal standards of acceptable and prevailing medical practice or by rule of the board;

(10) Violated or attempted to violate a law, rule, or regulation of this state, any other state, the board, the United States, or any other lawful authority without regard to whether the violation is criminally punishable, which law, rule, or regulation relates to or in part regulates the practice of medicine, when the licensee or applicant knows or should know that such action is violative of such law, rule, or regulation; or violated a lawful order of the board, previously entered by the board in a disciplinary hearing;

(13) Become unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.

O.C.G.A. § 43-1-19(a) provides that a state examining board shall have the authority to refuse to grant a license to an applicant therefor or to revoke the license of a person licensed by that board or to discipline a person licensed by that board, upon a finding by a majority of the entire board that the licensee or applicant has:

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(6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee or applicant to practice a business or profession licensed under this title, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of the licensed business or profession but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practice of the business or profession licensed under this title.

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the state examining board regulating the business or profession licensed under this title, the United States, or any other lawful authority (without regard to whether the violation is criminally punishable), which statute, law, or rule or regulation relates to or in part regulates the practice of a business or profession licensed under this title, when the licensee or applicant knows or should know that such action is violative of such statute, law, or rule; or violated a lawful order of the board previously entered by

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the board in a disciplinary hearing, consent decree, or license reinstatement.

(10) Displayed an inability to practice a business or profession licensed under this title with reasonable skill and safety to the public or has become unable to practice the licensed profession with reasonable skill and safety to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material.

Respondent is also alleged to have violated O.C.G.A. § 16-13-41(f), which statute relates to or in part regulates the practice of medicine, and reads as follows:

No person shall prescribe or order the dispensing of a controlled substance, except a registered practitioner who is:

- (1) Licensed or otherwise authorized by this state to prescribe controlled substances;
- (2) Acting in the usual course of his professional practice; and
- (3) Prescribing or ordering such controlled substances for a legitimate medical purpose.

Respondent is also alleged to have violated O.C.G.A. § 16-13-43(a)(3), which statute relates to or in part regulates the practice of medicine, and makes it unlawful for any person to acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or theft.

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Respondent is also alleged to have violated Board Rule 360-2-.09, which relates to or in part regulates the practice of medicine, and provides in pertinent part as follows:

The Board has the authority to refuse to grant a license to an applicant, or to discipline a physician licensed in Georgia if that physician has engaged in unprofessional conduct. For the purpose of the implementation and enforcement of this rule, unprofessional conduct is defined as, but not limited to, participating in or aiding the following:

(f) Any departure from, or the failure to conform to, the minimal standards of acceptable and prevailing medical practice. Guidelines to be used by the Board in defining such standards may include, but are not restricted to:

1. Diagnosis. Evaluation of a medical problem using means such as history, physical examination, laboratory, and radiographic studies, when applicable.
2. Treatment. Use of medications and other modalities based on generally accepted and approved indications, with proper precautions to avoid adverse physical reactions, habituation or addiction.
3. Records. Maintenance of records to furnish documentary evidence of the course of the patient's medical evaluation, treatment and response.

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(g) Repeated prescribing of controlled drugs for personal or family use.

MATTERS ASSERTED

1.

The Respondent is licensed to practice medicine in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

During the period between May 12, 1986 through March 28, 1988, Respondent wrote at least 40 prescriptions for Fiorinol No. 3 (a/k/a butalbital with codeine), a Schedule III controlled substance, within the meaning of the Georgia Controlled Substances Act, in the name of the following patients for his own use as follows:

<u>Date Filled</u>	<u>Patient</u>	<u>Amount</u>
5/12/86	S [REDACTED] R [REDACTED]	28
9/19/86	D [REDACTED] R [REDACTED]	30
10/27/86	D [REDACTED] R [REDACTED]	30
12/5/86	J [REDACTED] G [REDACTED]	30
12/29/86	B [REDACTED] S [REDACTED]	28
2/2/87	L [REDACTED] R [REDACTED]	28
2/6/87	D [REDACTED] R [REDACTED]	30
2/11/87	D [REDACTED] R [REDACTED]	30
2/12/87	V [REDACTED] R [REDACTED]	30
2/25/87	L [REDACTED] F [REDACTED]	28
3/25/87	V [REDACTED] R [REDACTED]	30
4/23/87	J [REDACTED] G [REDACTED]	30
5/20/87	L [REDACTED] F [REDACTED]	28
6/12/87	J [REDACTED] G [REDACTED]	30
10/15/87	L [REDACTED] R [REDACTED]	12
10/16/87	L [REDACTED] R [REDACTED]	12
10/19/87	D [REDACTED] R [REDACTED]	30
10/21/87	V [REDACTED] G [REDACTED]	24
11/7/87	V [REDACTED] G [REDACTED]	24
11/21/87	D [REDACTED] R [REDACTED]	24
11/23/87	B [REDACTED] S [REDACTED]	50

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12/2/87	J [REDACTED] G [REDACTED]	28
12/11/87	L [REDACTED] M [REDACTED]	28
12/18/87	S [REDACTED] R [REDACTED]	30
12/19/87	V [REDACTED] G [REDACTED]	28
12/21/87	B [REDACTED] S [REDACTED]	30
12/23/87	J [REDACTED] G [REDACTED]	30
12/31/87	J [REDACTED] G [REDACTED]	28
1/6/88	L [REDACTED] M [REDACTED]	30
1/8/88	D [REDACTED] R [REDACTED]	28
1/25/88	A [REDACTED] G [REDACTED]	30
2/15/88	A [REDACTED] M [REDACTED]	30
2/17/88	A [REDACTED] McD [REDACTED]	30
2/19/88	A [REDACTED] McD [REDACTED]	30
2/22/88	B [REDACTED] S [REDACTED]	30
2/25/88	A [REDACTED] McD [REDACTED]	30
3/10/88	A [REDACTED] McD [REDACTED]	30
3/14/88	B [REDACTED] S [REDACTED]	30
3/16/88	S [REDACTED] R [REDACTED]	30
3/23/88	A [REDACTED] McD [REDACTED]	30
3/26/88	A [REDACTED] McD [REDACTED]	30

The list of drugs in this Notice of Hearing are taken from prescriptions written by the Respondent. The list is provided for the convenience of the parties and the Hearing Officer, for the purpose of placing Respondent on notice that his writing of prescriptions for family members and others and then using the controlled substances himself may be the subject of testimony at the hearing concerning the above-cited prescriptions. The original, unexcised copy of this Notice of Hearing has been docketed and stamped "Confidential" to protect the persons' identity simultaneously with the filing and docketing of this public Notice of Hearing.

3.

During June 1987, the Respondent was confronted with his addiction problem, and negotiated a treatment plan for his substance abuse with Ronald Milestone, M.D.

4.

In October 1987, the Respondent suffered a relapse of his substance abuse problem which he concealed from his treating physician.

ISSUES INVOLVED

1.

Whether the Respondent has become unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.

2.

Whether the Respondent's prescribing practices with respect to patients L. M., S. R., L. R., V. R., D. R., A. McD., J. G., B. S., A. G., and V. G. constitutes unprofessional conduct and/or a violation of any of the aforementioned statutes and rules. An unexcised copy of this Notice of Hearing marked "Confidential" has been simultaneously docketed with this excised Notice of Hearing to protect the identity of the patients.

Resolution of the foregoing issues will determine whether sufficient grounds exist for disciplinary action against the Respondent, under O.C.G.A. §§ 43-34-37 and/or 43-1-19.

This Notice of Hearing is signed and attested by the Joint Secretary of the State Examining Boards, on behalf of the Composite State Board of Medical Examiners. The Board reserves

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the right to amend this Notice of Hearing as provided in the
Rules of the Joint Secretary, State Examining Boards.

This 27th day of March, 1989.

COMPOSITE STATE BOARD OF MEDICAL
EXAMINERS

THOMAS J. BUSEY, JR., M.D.
President

(BOARD SEAL)

William G. Miller, Jr.
WILLIAM G. MILLER, JR.
Joint Secretary
State Examining Boards

Counsel:

EMILY P. HITCHCOCK
Assistant Attorney General
132 State Judicial Building
Atlanta, Georgia 30334
Telephone: (404) 656-4190

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MAY 12 1989

DOCKET NUMBER

MAY 21 1989 89-118

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

IN THE MATTER OF:)
) DOCKET NO. 89-118
HOWARD ALAN REISMAN, M.D.,)
License No. 21428,) AG HEARING NO. 94427-88-EPH
)
Respondent.)

CONSENT ORDER

By Agreement of the Composite State Board of Medical Examiners and Howard Alan Reisman, M.D., Respondent, the following disposition of this matter is entered pursuant to the provisions of the Georgia Administrative Procedure Act, codified as O.C.G.A. § 50-13-13(a)(4).

FINDINGS OF FACT

1.

The Respondent is licensed to practice medicine in the State of Georgia, and was so licensed at all times relevant to the matters stated herein.

2.

In June 1987, the Respondent began a treatment program for his addiction to Fiorinal #3 with Ronald Milestone, M.D.

3.

In October 1987, the Respondent suffered a relapse of his substance abuse problem which he concealed from his treating

physician for a period of time.

4.

In March 1988, the Respondent again began a treatment program for his addiction to Fiorinal #3.

5.

In October 1988, the Respondent underwent a 72-hour inpatient psychiatric evaluation at Brawner Psychiatric Institute at the request of the Board. The report from this evaluation indicated that, due to the Respondent's prior history of covering up his relapse, the Respondent needed a three to four month addictive physician's treatment program to give him the best possible chance at a continued recovery without a second relapse.

6

Following this evaluation, Dr. Reisman chose to continue his treatment program with Ronald Milestone, M.D., underwent continued drug screens, began treatment under the auspices of Paul H. Earley, M.D., through the PRO Services treatment program, and entered the SAFE Recovery Systems Outpatient Treatment Program.

7.

The Respondent was admitted to the SAFE Program on January 3, 1989, and has since completed the 8 week Outpatient Treatment Program.

8.

The Respondent underwent a second evaluation by Paul H.

Earley, M.D., and a copy of the Evaluation Report, dated March 2, 1989, has been forwarded to the Board. Dr. Earley's evaluation concluded that inpatient treatment would be regressive. The evaluation also recommended continued participation under Dr. Earley's supervision, including the Respondent's participation in PRO Services and weekly psychotherapy with Dr. Milestone.

9

The Respondent continues to comply with all of Dr. Earley's recommendations.

10.

The Respondent waives any further findings of fact with respect to the above matter. However, the Respondent shall be allowed to submit a supplemental statement for the investigative file in explanation and mitigation of the matters stated herein for consideration by the Board prior to its review of this Consent Order.

CONCLUSIONS OF LAW

The Respondent's conduct constitutes sufficient grounds for disciplinary action under O.C.G.A. Chs. 1 and 34, T. 43, as amended. The Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and the Respondent hereby agrees, to the following terms of discipline:

1.

The Respondent's license to practice medicine in Georgia shall be placed on probation under the terms and conditions outlined below. It is the intent of the Board that this sanction shall not affect the ability of the Respondent to practice medicine except as outlined herein. Until further order of the Board, the Respondent shall abide by the following terms and conditions of probation:

(a) The Respondent agrees to continue to participate in the treatment and aftercare program prescribed by Dr. Earley in his March 2, 1989 evaluation report. The Respondent further agrees to provide the Board with a copy of his aftercare agreement/contract within ten (10) days of the effective date of this Consent Order.

(b) The Respondent shall provide a copy of this Consent Order to an acceptable supervising ("workplace") physician and an acceptable primary care ("monitoring") physician experienced in addictionology who shall sign a statement to be submitted as evidence of having read and understood same. The Respondent shall submit or cause to be submitted quarterly reports from said supervising and monitoring physicians regarding his

performance and mental/physical condition by March 31, June 30, September 30 and December 31, including a report on any medication being prescribed to the Respondent. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Consent Order. It is expected that said supervising and monitoring physicians shall be in communication with each other and will immediately report any change in Respondent's condition which would render Respondent unable to practice with reasonable skill and safety to patients. Respondent shall obtain prior Board approval through the medical coordinator or executive director for any change in supervising or monitoring physicians.

(c) In recognition of the demands of a gynecological practice and in an effort to assure the Board that the Respondent will have adequate access to the supervision a supervising (workplace) physician, the Respondent shall also provide a copy of this Consent Order to an "alternate supervising physician" as a back-up to the primary supervising physician named above, and who shall sign a statement to be submitted as evidence of having read and understood same.

(d) During the aftercare phase of his recovery program, the Respondent shall affiliate with and regularly participate in meetings of Alcoholics Anonymous, Narcotics Anonymous, Caduceus Club or another similar support group acceptable to the Board in accordance with his aftercare contract or as otherwise required by the Board.

(e) For a period of five (5) years from the effective date of this Consent Order, the Respondent shall not prescribe, administer, or dispense, in the course of his office practice, any Schedule II and III controlled substances, except as provided below:

(i) Subject to the following controls, the Respondent may write orders for such Schedule II and III controlled substances in connection with outpatient surgery he performs, and in conjunction with the discharge of patients from a hospital or other institutions provided:

(A) The Respondent has reviewed the patient's chart in advance with his supervising physician; and

(B) The supervising physician co-signs the prescription for that patient in advance; and

(C) A receipt for the prescription order is signed by the patient (or her legal guardian) when the Respondent gives the prescription to her; and

(D) Within seventy-two hours of the discharge of the patient, the Respondent furnishes the supervising physician with that signed receipt, or, if the prescription was not delivered, the Respondent returns the prescription to the supervising physician; and

(E) The Respondent keeps a separate log of these prescriptions, with the same criteria as the log

specified in subsection 1(f) below.

(ii) It is hereby understood that the Respondent may write orders for such Schedule II and III controlled substances on institutionalized or emergency room patients' charts, in connection with the Respondent's institutional practice, for consumption on the institutional premises. The Respondent's prescribing practices with respect to controlled substances shall continue to be closely monitored throughout the probationary period.

In the event the Board has reasonable grounds to believe the Respondent has violated this subsection 1(e), the Respondent shall be subject to emergency suspension of all his prescription writing privileges and such other sanctions as the Board may deem proper under the circumstances after a hearing.

(f) In lieu of restricting the Respondent's ability to prescribe Schedule II-N, III-N, and IV controlled substances, for a period of five (5) years commencing on the effective date of this Consent Order, the Respondent shall personally maintain on a daily basis an accurate and separate log of all Schedule II-N, III-N, and IV controlled substances prescribed, administered, or dispensed in his office, indicating the date, drug, strength, amount, and diagnosis or reason for prescribing, and shall in all respects comply with Board Rule 360-2-.09. Provided, further, that if a particular controlled substance is prescribed, administered, or dispensed, etc. to the same patient more than once, the Respondent shall justify the continued prescribing of said drug on the patient's office

clinical record. The Respondent's prescribing practices with respect to controlled substances shall be closely monitored throughout the probationary period.

(g) Should the Drug Enforcement Administration determine after lawful proceedings that Respondent's DEA registration should be rescinded or restricted, such finding will supersede any provisions of this consent order relating to controlled substances.

(h) The Respondent shall completely abstain from the consumption of mood altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a legitimate purpose.

(i) At any time during the period of probation, the Board or its representative shall have the authority to order the Respondent to undergo random drug/alcohol urine or blood screen analysis at the Respondent's expense.

(j) At any time during the period of probation, the Board shall also have the authority to order the Respondent to undergo a physical or mental evaluation by physicians designated by the Board.

(k) The Medical Coordinator or another representative of the Board shall periodically review and inspect, at any reasonable time designated by the representative, the Respondent's office, hospital or nursing home records and any required logs, as deemed necessary. The Respondent shall have the right to be present during such inspection of records, and the rights of privacy and confidentiality of patients shall be

maintained. The Respondent shall be available, upon reasonable notice, for personal interviews with the Medical Coordinator or other representative of the Board. Failure of the Respondent to be reasonably available for inspection of his records or for personal interviews with a Board representative shall be considered a violation of this Consent Order.

(1) The Respondent shall supply a copy of this Consent Order, once approved and docketed, within 10 days from receipt by Respondent, to each hospital or other institution in Georgia where he maintains staff privileges of any kind, and to any person with whom Respondent is associated in practice or for whom Respondent is employed as a physician in the State of Georgia. Respondent shall also be required to disclose the existence of and provide a copy of this Consent Order in connection with any future application for institutional appointment, associated practice or employment as a physician in the State of Georgia while this Consent Order is in effect.

(m) In the event the Respondent should leave the State of Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside of Georgia will not apply to the reduction of the Respondent's probationary period, unless otherwise authorized by the Board under such conditions as the Board deems acceptable. The Respondent shall advise the Board of any change in his practice status and address of record.

(n) The Respondent shall abide by all State and Federal laws regulating the practice of medicine or relating to drugs, the Rules and Regulations of the Composite State Board of Medical Examiners, and the terms of this Consent Order and probation. If the Respondent shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports submitted to the Board that the Respondent is otherwise unable to practice medicine with reasonable skill and safety to patients, the Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing, and if revoked the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement. Respondent hereby agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of the Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(o) At reasonable intervals, but no earlier than the fifth anniversary of the effective date of this Consent Order, the Respondent may petition for termination of this probation by certifying under oath before a notary public that the

Respondent has complied with all conditions of probation. The Composite State Board of Medical Examiners shall be authorized to review and evaluate the practice of the Respondent prior to lifting the probation. At such time, the Board shall be authorized to restore all rights and privileges incident to the license of the Respondent, unless it maintains or imposes additional restrictions or conditions as the Board deems appropriate, based upon the information presented to it pursuant to this Consent Order or otherwise available to the Board. The Board shall notify Respondent of its intent to maintain or impose such restrictions or conditions and the Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. This Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has terminated.

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a public reprimand to the Respondent for his conduct.

3.

In addition to and in conjunction with any other sanction contained herein, Respondent shall pay a fine of \$2000.00, payable by certified check to the Board, no later than sixty (60) days from the effective date of this Consent Order.

4.

This Consent Order, if accepted by the Composite State Board of Medical Examiners, shall in no way be construed as condoning the Respondent's conduct, and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

5.

Respondent, Howard Alan Reisman, M.D., acknowledges that he is represented by counsel in this matter, that he has read this Consent Order and has discussed it with counsel. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order. Respondent understands that this Consent Order will not become effective until approved by the Composite State Board of Medical Examiners and docketed by the Joint Secretary. It is hereby understood that the docketing date will be the effective date of this Consent Order. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved and docketed, shall constitute a public record which may be disseminated as a disciplinary action of the Board. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate

this matter. Respondent consents to the terms of discipline contained herein.

Approved, this 11th day of May, 1989.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

BY: *Thomas J. Busey, Jr.*
THOMAS J. BUSEY, JR., M.D.
President

(BOARD SEAL)

ATTEST: *William G. Miller, Jr.*
WILLIAM G. MILLER, JR.
Joint Secretary
State Examining Boards

Consented to:

Howard Alan Reisman
HOWARD ALAN REISMAN, M.D.
Respondent

George M. Fox
GEORGE M. FOX
Attorney for Respondent

Pamela D. Adler
PAMELA D. ADLER
Attorney for Respondent

Witness of Respondent's signature:

Sworn to and subscribed before me, this 17th day of April, 1989.

Vicki L. Phillips

NOTARY PUBLIC

My commission expires:

Notary Public, Gwinnett County, Georgia
My Commission Expires March 8, 1992

MONITORING AND SUPERVISING PHYSICIAN STATEMENT

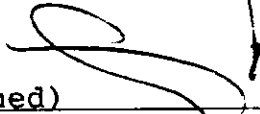
The undersigned supervising and monitoring physicians acknowledge that they have read the attached Consent Order and agree to serve as Applicant's supervising and monitoring physicians.

Sworn to and subscribed before me this 17th day of April, 1989.

Judy M. Casdon
NOTARY PUBLIC

My commission expires:

Notary Public, Cobb County, Georgia
My Commission Expires April 4, 1992

(Signed) 


Name: Stephen F. Gordon, M.D.
Supervising (Workplace) Physician
Address: Suite 300, 960 Johnson Ferry Rd
Atlanta, GA 30342
Telephone: 256-9043

Sworn to and subscribed before me this 17th day of April, 1989.

Judy M. Casdon
NOTARY PUBLIC

My commission expires:

Notary Public, Cobb County, Georgia
My Commission Expires April 4, 1992

(Signed) 

Name: Alan Rucket, M.D.
Alternate Supervising Physician
Address: 5675 Peachtree Dunwoody Rd, Ste 50.
Atlanta, GA 30342
Telephone: 252-3769

Sworn to and subscribed before me, this 17th day of April, 1989.

Michelle M. Hale
NOTARY PUBLIC

My commission expires:

Notary Public, DeKalb County, Georgia
My Commission Expires Dec. 17, 1989

(Signed) 

Name: Paul H. Earley, M.D.
Monitoring Physician
Address: 1996 Cliff Valley Way, Suite 104
Atlanta, Georgia 30329
Telephone: 636-2766

DEC 4 1991

DOCKET NUMBER

89-118

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
STATE OF GEORGIA

IN THE MATTER OF:	*	DOCKET NO. 89-118
HOWARD ALAN REISMAN, M.D.,	*	AG NO. 94427-88-EPH
License No. 21428,	*	
Respondent.	*	
	*	
	*	

ORDER MODIFYING TERMS

The Consent Order entered in this matter on May 12, 1989, is hereby modified as follows:

Paragraph (i) (B) is modified to relieve supervising physician from co-signing prescriptions. Respondent remains under other conditions as outlined in Paragraph (1) page 6 of Consent Order entered May 12, 1989.

This 4th day of December, 1991.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

MARJORIE E. LUCAS
President

(BOARD SEAL) ATTEST:

William G. Miller, Jr.
WILLIAM G. MILLER, JR. JOINT SECRETARY
State Examining Boards