

STATE OF INDIANA,

Petitioner,

v.

GERALD ANTHONY GRIFFIN, M.D.,
holder of Indiana physician's
license no. 30693,

Respondent.

FILED
MAY 23 1990
HEALTH PROFESSIONS
BUREAU

FINDINGS OF FACT AND ORDER

An administrative hearing was held before the Medical Licensing Board of Indiana (hereinafter "Board") on the 19th day of April, 1990 in the Board Room of the Health Professions Bureau located at One American Square, Suite 1020, Indianapolis, Indiana concerning Gerald Anthony Griffin's (hereinafter "Respondent") license to practice medicine in the State of Indiana.

The State of Indiana was represented by Stephen C. McNutt, Deputy Attorney General. Respondent appeared in person and was represented by William S. Keown.

A settlement conference was held on April 19, 1990 by the parties, through counsel, and Board member, Ronald E. Elberger, resulting in a proposed settlement.

The Board, having considered the Complaint, the proposed settlement, evidentiary exhibits and having taken official notice of its file, by a vote of 4-1, now issues the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, who resides in Indianapolis, Indiana, is a duly licensed physician holding Indiana physician's probationary license number 01030693.

2. The Complaint and Notice of Hearing was properly mailed to and received by Respondent pursuant to the notice provisions of IC 4-21.5-3-8 and IC 4-21.5-3-20.

3. Respondent's probationary license was suspended on an emergency basis on August 3, 1989 and remains suspended.

4. Respondent's medical license was initially suspended on June 4, 1986 for the diversion and use of scheduled controlled substances.

5. On December 17, 1986, Respondent was issued a probationary license to practice medicine.

6. From June 28, 1989 through June 30, 1989, Respondent ingested between five and six grams of cocaine he diverted from his employer.

7. From July 8, 1989 through July 10, 1989, Respondent ingested approximately ten grams of cocaine, five hundred milligrams of Demerol, eight hundred micrograms of Fentanyl and eight tablets of Tylenol #3 with codeine which he diverted from his employer.

8. Respondent staged a fake burglary on July 9, 1989 to conceal his diversion of schedule drugs.

9. The Board has jurisdiction to hear this case and take disciplinary action against Respondent.

10. Pursuant to IC 4-21.5-3-27, the Board finds that Respondent's conduct constitutes continuing to practice although he has become unfit to practice due to addiction to, abuse of or severe dependency upon drugs in violation of IC 25-1-9-4(a)(4)(D); Respondent diverted a legend drug in violation of IC 25-1-9-4(a)(8)(A); and Respondent has knowingly violated the provisions of IC 25-1-9-9(a)(5)(D) by violating the terms of his probationary license to practice medicine which constitutes a violation of IC 25-1-9-4(a)(3).

11. The Board finds that the violations referred to above warrant the imposition of disciplinary sanctions against Respondent.

ORDER

Based upon the foregoing Findings of Fact, the Board issues the following Order:

1. Respondent's license to practice medicine in the State of Indiana is placed on indefinite suspension.

2. Respondent may not petition the Board for an order

reinstating his license to practice medicine prior to August 3, 1991.

3. Respondent shall enter into and comply with the terms of a contract with the Physician Peer Review Committee of the Marion County Medical Society. Said contract is attached to this Order and the terms of the contract are incorporated and made a part of this Order.

4. Respondent shall complete thirty hours per year of continuing medical education during his period of suspension.

5. Respondent shall pay costs in the amount of \$597.00 within one year of the receipt of this Order.

MEDICAL LICENSING BOARD
OF INDIANA

By:


Ronald E. Elberger
Consumer Member

cc: Gerald Anthony Griffin
1131 Canterbury Square South
Indianapolis, Indiana 46260
Sent Certified Mail No.: P 746 801 936
Return Receipt Requested.

William S. Keown
KRIEG, DEVAULT, ALEXANDER & CAPEHART
2800 Indiana National Bank Tower
One Indiana Square
Indianapolis, Indiana 46204

Stephen C. McNutt
Deputy Attorney General
Office of Attorney General
219 State House
Indianapolis, Indiana 46204

SCM/dcm:8314S

PS Form 3800, June 1985

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
MC13 (See Reverse) *MC*

Postmark or Date

Medicaid

STATE OF INDIANA
MAY 24 1990
CENTRAL MAIL SERVICE

Return Receipt showing to whom, Date, and Address of Delivery

TOTAL Postage and Fees \$

Postmark or Date

PS Form 3811, Apr. 1989 * U.S.G.P.O. 1989-238-815

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional services requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: *Guard A. Griffin*
1131 Oakbury Ln. West
Indianapolis, IN 46202

4. Signature - Addressee: *Guard A. Griffin*
Signature - Agent: *Guard A. Griffin*

7. Date of Delivery

8. Address - Addressee (Check box(es) for additional services requested and fee paid)

9. Always obtain signature of addressee or agent and DATE DELIVERED

10. Type of Service: ☒ Certified ☐ Registered ☐ Insured ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

11. Article Number: *P 746 S01 936*

12. INDIANA BR. MAY 29 1990

DOMESTIC RETURN RECEIPT