BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2012 MLB 0001

IN THE MATTER OF THE LICENSE OF)
CHARLES JOSEPH WHALEN, M.D.)
LICENSE NUMBER: 01051941A)

FILED
JUN 03 2013
Indiana Professional Licensing Agency

ORDER GRANTING PERMISSION TO APPLY TO DRUG ENFORCEMENT ADMINISTRATION

A hearing having been held on May 23, 2013, in the Indiana Government Center South Buildling, 402 West Washington Street, Room W064, Indianapolis, Indiana, on Charles Joseph Whalen, M.D.'s ("Respondent") request for the permission of the Medical Licensing Board of Indiana ("Board') to apply to the Drug Enforcement Administration ("DEA") for controlled substances privileges, the Board, being duly advised, states the following by a vote of 7-0-0:

1. In its Order Accepting Proposed Settlement Agreement issued on June 6, 2012, the Board placed the Respondent on indefinite probation with no right to petition for withdrawal of the probation for two (2) years. Various probationary requirements were imposed one of which is Paragraph H which states:

> The Respondent shall not apply to the Drug Enforcement Administration for controlled substances privileges without notifying the Board and receiving the Board's permission.

2. The Respondent has progressed sufficiently to be allowed to apply to the Drug Enforcement Administration for controlled substances privileges. His sobriety date was stated to be January 7, 2012, and he has been compliant in the felony diversion program which he is scheduled to complete in August 2013. The Indiana State Medical Association Physician's Assistance Program is supportive of his request and reports that he had been fully compliant with his contract with that organization.

3. The Respondent shall be allowed to apply to the Drug Enforcement Administration and therefore permission is hereby given under Paragraph H of the Order Accepting Proposed Settlement Agreement issued on June 6, 2012.

SO ORDERED this 31 day of June, 2013.

MEDICAL LICENSING BOARD OF INDIANA

By: Stephen Huddleston (KK)
Stephen L. Huddleston
President

CERTIFICATE OF SERVICE

I certify that a copy of the "Order Granting Permission to Apply to Drug Enforcement Administration" has been duly served upon:

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Explanation of Service Methods
Personal Service: by delivering a true copy of the aforesaid document(s) personally.
Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.
Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.