



Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

October 12, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Gaston Loomis, M.D.
Southwest Georgia Pain & Stress Center
125 Park Avenue
P.O. Box 25
Thomasville, Georgia 31799-0025

RE: License No. 133770
Effective Date: 10/19/94

Dear Dr. Loomis:

Enclosed please find Order #BPMC 94-214 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER :
OF : ORDER
GASTON P. LOOMIS, M.D. : OPMC 94-214
:

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Upon the Application of GASTON P. LOOMIS, M.D. (Respondent) to Surrender his license as a physician in the State of New York, which Application is made a part hereof, it is

ORDERED, that the Application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall take effect as of the date of the personal service of this Order upon Respondent, upon receipt by Respondent of this Order via certified mail, or seven days after mailing of this Order via certified mail, whichever is earliest.

SO ORDERED,

DATED: 5 October 1994

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
GASTON P. LOOMIS, M.D. : LICENSE

-----X

STATE OF GEORGIA)

ss.:

COUNTY OF Thomas)

GASTON P. LOOMIS, M.D. being duly sworn, deposes and says:

1. I was licensed to practice medicine as a physician in the State of New York on March 17, 1978 having been issued License No. 133770 by the New York State Education Department. I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.
2. I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct. A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as "Exhibit A."
3. I hereby admit guilt to the one specification of

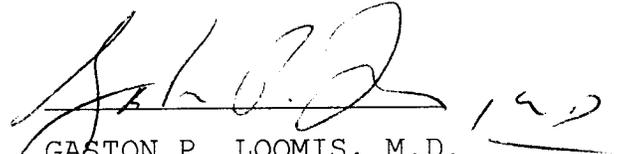
professional misconduct set forth in the Statement of Charges.

4. I hereby make this Application to the State Board for Professional Medical Conduct and request that it be granted.

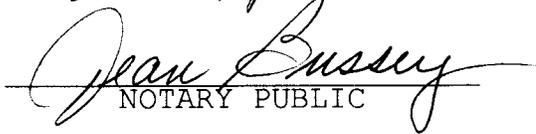
5. I understand that, in the event that the Application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such Application shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

6. I agree that in the event the State Board for Professional Medical Conduct grants my Application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

7. I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.


GASTON P. LOOMIS, M.D.
Respondent

Sworn to before me this
27th day of September, 1994


NOTARY PUBLIC



STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

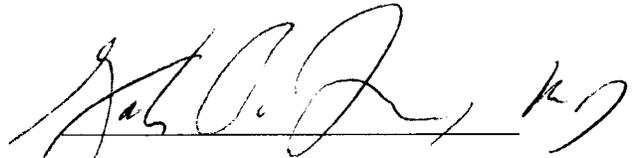
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IN THE MATTER : APPLICATION TO
TO : SURRENDER
GASTON P. LOOMIS, M.D. : LICENSE

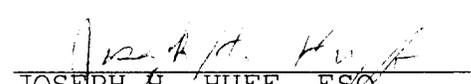
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The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 9/26, 1994


GASTON P. LOOMIS, M.D.
Respondent

Date: 9/26, 1994


JOSEPH H. HUFF, ESQ.
Attorney for Respondent

Date: 9/29, 1994

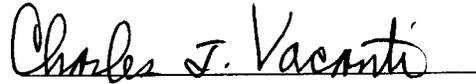

E. MARTA SACHEY
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Sept. 30, 1994



KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 5 October, 1994



CHARLES J. VACANTI, M.D.
Chairperson, State Board
for Professional Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : STATEMENT
OF : OF
GASTON P. LOOMIS, M.D. : CHARGES

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GASTON P. LOOMIS, M.D. the Respondent, was authorized to practice medicine in New York State on March 17, 1978 by the issuance of license number 133770 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine in New York State.

FACTUAL ALLEGATIONS

1. The State of Georgia Composite State Board of Medical Examiners, by Order dated February 25, 1994 pursuant to a Consent Order entered into with Respondent, inter alia:
 - Restricted Respondent's ability to prescribe, dispense, order or possess controlled substances except Schedule IV substances and the Schedule II substances Ritalin, Cylert and Dexedrine;
 - Required Respondent to maintain for inspection in his office a separate daily log of all controlled substances Respondent prescribes, administers or dispenses;

- Placed Respondent on probation for five years;
- Required Respondent to successfully complete a mini-residency entitled "The Proper Prescribing of Controlled Dangerous Substances;"
- Required Respondent to allow the inspection of his records and logs by the Georgia Board and to be available for personal interviews with representatives of the Georgia Board;
- Required Respondent to designate a supervising physician, acceptable to the Georgia Board, with whom Respondent shall regularly consult on the management and prescribing for patients and who shall provide quarterly reports to the Georgia Board.

2. The conduct underlying the Georgia Board's imposition of disciplinary action upon Respondent consisted of the repeated prescribing of controlled substances to fourteen patients which failed to conform to the minimal standards of acceptable and prevailing medical practices in that the drug quantities and frequency of prescription were not based on generally accepted and approved indications, with proper precautions to avoid adverse physical reactions, habituation, and addiction; which prescribing was for other than legitimate medical purpose; which prescribing was for habitual drug users in the absence of substantial medical justification; and, in connection with such prescribing, the failure to

maintain records adequate to furnish documentary evidence of the course of the patients' medical evaluation, treatment, and response and appropriate for the prescription of Schedule II drugs in violation of, inter alia, O.C.G.A. §43-34-37(a)(f), §43-1-19(a)(6), §16-13-41(f) and Board Rule 360-2-.09(d); (e), (f) 1, 2, 3.

3. The conduct underlying the Georgia Board's imposition of disciplinary action upon Respondent would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(3) [practicing with negligence on more than one occasion] and/or §6530(32) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient] (McKinney Supp. 1994).

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994) by reason of having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another

state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for license or the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges the facts in Paragraphs 1 through 3.

DATE: *August 24*, 1994
Albany, New York



PETER D. VAN BUREN
Deputy Counsel
Bureau Professional
Medical Conduct