

LICENSE NO. H-4172

IN THE MATTER OF

THE LICENSE OF

BRYAN EDWARD BLEDSOE, D.O.

BEFORE THE

TEXAS MEDICAL BOARD

ORDER GRANTING TERMINATION

On the 30 day of November, 2007, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Bryan Edward Bledsoe, D.O. ("Respondent").

On November 19, 2007, Respondent appeared through counsel, Kenda Dalrymple, before Representatives of the Board to petition the Board for termination of an Agreed Order ("Order") entered on March 28, 2003, a copy of which is attached hereto and incorporated herein, pertaining to Respondent's Texas medical license No. H-4172, and to address issues related to Respondent's compliance with the terms and conditions of the Order. The Board's representatives were Charles E. Oswalt, III, M.D., a member of the Board and David Baucom, a member of the District Review Committee. Katie Johnsonius represented Board staff.

Upon the recommendation of the Board's representatives, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order.

FINDINGS OF FACT

The Board finds that:

A. Prior Disciplinary History:

1. On April 10, 1999, Respondent and the Board entered into a Confidential Nonpublic Agreed Rehabilitation Order, whereby Respondent's license was restricted for five years under certain terms and conditions, based on his self-report of abuse of opiates.
2. On September 7, 2001, following a relapse, Respondent's Texas medical license was suspended until he was able to demonstrate no fewer than six months of sobriety, and

provided sufficient evidence that Respondent was physically, mentally, and otherwise competent to safely practice medicine.

3. On April 17, 2002, the Board received a letter from Respondent, making a formal request to begin termination of his suspension. On July 22, 2002, he sent a follow-up request. His termination request was scheduled for an ISC on October 18, 2002. On that date, the Board representatives found him in compliance with the terms and conditions of the Agreed Order suspending his license. They recommended lifting the suspension and an Agreed Order containing terms and conditions. The proposed Order sent by the Board's staff attorney in December 2002 contained a number of errors and mistakes, including a statement that Respondent's license was revoked. Respondent was unsuccessful in getting those errors corrected. On January 31, 2003, attorney Kenda Dalrymple, who had recently been retained by Respondent, submitted a proposal regarding the Agreed Order, and the Respondent signed the Agreed Order on February 3, 2003.
4. On March 28, 2003, the Agreed Order was signed by the Board President. Thus, it was nearly a year between the time that Respondent requested a termination of suspension, and the time that it was entered.
5. The 2003 Agreed Order contained terms and conditions as listed below.

B. Status of Compliance with current Order as of September 5, 2002:

1. Respondent has served four years and eight months of his ten-year Order.
2. Respondent has had six years of documented sobriety, and has not been in the active practice of medicine during that time. He has no intent to return to an active clinical practice. He writes textbooks, and teaches Emergency Medicine, and he travels frequently to speak at EMS and medical conferences. He has been complaint with the demands of drug testing in spite of his frequent travels over the years, but his travel schedule is becoming more demanding. Most important, Respondent requested termination so that he can get re-certified in emergency medicine, which is essential for his continued professional gravitas as a teacher, speaker, and writer.
3. Respondent is in compliance with the terms and conditions of the Order, those being:

- a. "Respondent shall abstain from the consumption of alcohol, dangerous drugs, or controlled substances." Respondent has maintained his sobriety.
- b. "Respondent shall undergo a complete examination and shall undergo continuing care and treatment by the approved physician, and shall request in writing that the approved physician provide written periodic reports to the Board." Respondent has continued treatment as recommended by a Board approved physician, and reports have been appropriately submitted.
- c. "The Respondent shall continue to participate in the activities and programs of Alcoholics Anonymous (AA), and shall maintain documentation and make such documentation available to the Board staff upon request." Respondent is in compliance with this condition of the Order.
- d. "Respondent shall continue to participate in the activities of a county or state medical society committee on physician health and rehabilitation, including participation in weekly meetings, if any." Respondent is in compliance with this condition of the Order.
- e. "Separate from patient records, Respondent shall maintain a file consisting of a copy of every prescription written by Respondent for dangerous drugs with addictive potential or potential for abuse by date issued. This file of prescription copies shall be available for inspection by representatives of the Board during regular office hours without notice. Respondent shall not telephone to a pharmacy any prescription or refill of such drugs." Respondent has not engaged in the active practice of medicine since the 2003 Order was entered.
- f. "Respondent shall not treat or otherwise serve as a physician for Respondent's immediate family, and Respondent shall not prescribe, dispense, administer or authorize controlled substances, dangerous drugs with addictive potential or potential for abuse, or alcohol to Respondent or Respondent's immediate family." Respondent has been found to be in compliance with this condition of the Order.
- g. "Respondent shall maintain adequate medical records on all patient office visits, consultations, surgeries performed, drugs provided, and treatment rendered by Respondent. Respondent shall make all patient medical records available for inspection and copying upon the oral or written request of (an agent of the

Board.” Respondent has not engaged in the active practice of medicine since the 2003 Order was entered.

h. “Respondent shall obtain at least 50 hours per year of Continuing Medical Education (CME) approved for Category I credits by the American Medical Association or by the American Osteopathic Association.” Respondent is in compliance with this condition of the Order.

C. Recommendation: Based on the above Findings of Facts and information available at the hearing on November 19, 2007, the Board’s Representatives recommended that Respondent’s petition for termination be granted.

#### CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction over this matter and Respondent pursuant to the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the “Act”).
2. 22 TEX. ADMIN. CODE §187.43 authorizes the Board to consider petitions for termination of Agreed Orders and Disciplinary Orders.

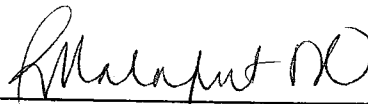
#### ORDER

Based on the available information, the above Findings of Fact and Conclusions of Law, and the recommendation of the Board’s Representatives, the Board ORDERS that Respondent’s petition for termination is hereby granted.

The Order and probation are hereby TERMINATED.

THIS ORDER IS A PUBLIC RECORD.

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 30 day of November, 2007.



Roberta M. Kalafut, D.O., President  
Texas Medical Board