

BEFORE THE MINNESOTA  
BOARD OF MEDICAL PRACTICE



In the Matter of the  
Medical License of  
Richard O. Walker, MD

Date of Birth: 1-8-55  
License Number: 29,008

STIPULATION  
AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Richard O. Walker, MD (hereinafter "Respondent"), and the Minnesota Board of Medical Practice (hereinafter "Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota;

**FACTS**

2. For the purpose of this stipulation, the Board may consider the following facts as true:

a. On one or more occasions Respondent prescribed Tussionex for himself. In 1988, Respondent consumed alcohol after using Tussionex;

b. On February 16, 1989, Physicians Serving Physicians and Respondent's wife initiated an intervention which included hospital staff. Respondent's spouse pointed out Respondent's inefficiency and his decision-making problems;

c. Respondent underwent a chemical dependency evaluation at St. Mary's Hospital, Minneapolis, Minnesota. Treatment was recommended after the evaluation;

d. On March 6, 1989, Respondent began the evening outpatient program at St. Cloud Hospital, St. Cloud, Minnesota. When Respondent completed the program on April 11, 1989, his discharge summary indicated:

1) Respondent began using alcohol when he was between the ages of 16 and 19 and at times became intoxicated;

2) Respondent indicated that his chemical use interfered in all areas of his life, including his family and employment.

#### **STATUTES**

3. The Board views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(l) and (r) (1990) and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action;

#### **REMEDY**

4. Upon this stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order conditioning and restricting Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent shall not prescribe or self-administer any controlled substances for his own use. If a medical situation arises which requires the need for a controlled substance to be administered to Respondent, the controlled substance must be prescribed and/or administered by another physician or dentist who has first been informed of Respondent's chemical dependency;

b. Respondent shall abstain completely from alcohol and all mood-altering chemicals unless they are prescribed by a treating physician or dentist who has been informed of Respondent's drug use history;

c. Respondent shall attend Alcoholics Anonymous meetings on a weekly basis. Quarterly reports shall be submitted to the Board from Respondent's Alcoholics Anonymous sponsor(s) regarding his attendance and progress;

d. Respondent shall attend Physicians Serving Physicians on a monthly basis. Quarterly reports shall be submitted to the Board from Respondent's Physicians Serving Physicians sponsor(s) regarding his attendance and progress;

e. Respondent shall make arrangements with a supervising physician approved by the Board to order, without notice, blood and urine tests of Respondent on a random basis, but no less frequently than twice a month. The blood and urine screens shall be:

- 1) Observed in their drawing;
- 2) Handled through legal chain of custody methods;
- 3) Paid for by Respondent.

The biological fluid testing shall take place at Hennepin County Medical Center, 701 Park Avenue South, Minneapolis, Minnesota 55415, and shall screen for opiates, cocaine, barbiturates, amphetamines, benzodiazepines, marijuana, and other drugs of abuse, including alcohol. If the blood and urine testing is to be completed through the mail, the drug screening tests used must be those obtained from Hennepin County Medical Center. All blood and urine tests processed through the mail must be directed to the attention of Calvin Bandt, MD, at Hennepin County Medical Center;

f. The supervising physician shall meet with Respondent on a monthly basis to review his progress under the terms of this Stipulation And Order and report to the Board the results of those tests and quality of Respondent's medical practice on at least a quarterly basis and immediately upon becoming aware of any evidence from these tests or otherwise that Respondent has used opiates, cocaine, barbiturates, amphetamines, benzodiazepines, marijuana, and other drugs of abuse, including alcohol;

g. Respondent shall meet on a quarterly basis with a designated Board member. Such meetings shall take place at a time mutually convenient to Respondent and the designated Board member. It shall be Respondent's obligation to contact the designated Board member to arrange each of the quarterly meetings. The purpose of such meetings shall be to review Respondent's progress under the terms of this Stipulation And Order.

h. Respondent shall continue in psychotherapy with the therapist he is currently seeing. Respondent consents to the therapist's submitting quarterly reports to the Board from Respondent's therapist addressing Respondent's compliance with treatment recommendations, any modification of the treatment plan, Respondent's termination of treatment and the reason for termination, and the therapist's opinion of Respondent's need for continued treatment.

5. Respondent understands that if he eats small amounts of poppyseeds or food containing poppyseeds which results in the ingestion of sufficient opiate compound to give a positive test for those drugs, the Board will not accept eating such food as an explanation for the presence of drugs in a blood or urine test;

6. Within ten days of the date of this order, Respondent shall provide the Board with a list of all hospitals at which Respondent currently has medical privileges. The information shall be sent to Richard L. Auld, Board of Medical Practice, Suite 106, 2700 University Avenue West, St. Paul, Minnesota 55114;

7. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the license of Respondent to practice medicine and surgery in the State of Minnesota shall be suspended immediately upon written notice by the Board to Respondent, such a suspension to remain in full force and effect until Respondent petitions the Board to terminate the suspension after a hearing. Nothing contained herein shall prevent the Board from revoking or suspending Respondent's license to practice medicine and surgery in the State of Minnesota after any such hearing;



8. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto;


9. In the event Respondent should leave Minnesota to reside or practice outside the state, Respondent shall promptly notify the Board in writing of the new location as well as the dates of departure and return. Periods of residency or practice outside of Minnesota will not apply to the reduction of any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice medicine;

10. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter and has been represented by Bobbie L. Sarff;

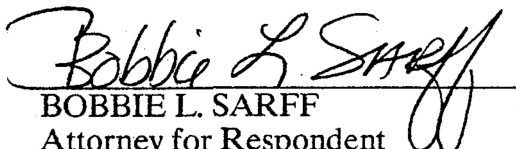
11. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein;

12. Respondent hereby acknowledges that he has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.


Dated: 05/18, 1992.

  
RICHARD O. WALKER, MD  
Respondent

3651 Black Bear Road Southeast  
Brainerd, Minnesota 56401

  
BOBBIE L. SARFF  
Attorney for Respondent

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PO Box 712  
Brainerd, Minnesota 56401  
Telephone: (218) 829-1719

  
LINDA F. CLOSE  
Attorney for Board

500 Capitol Office Building  
525 Park Street  
St. Paul, Minnesota 55103  
Telephone: (612) 297-2040

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the Board this 22 day of June, 1992.

MINNESOTA BOARD OF  
MEDICAL PRACTICE

By: 

Re: In the Matter of the Medical License  
Richard O. Walker, MD  
Date of Birth: 1/8/55  
License Number: 29,008

STATE OF MINNESOTA)  
                                  ) ss.  
COUNTY OF RAMSEY )

KATHLEEN T. SCHLANGEN, being first duly sworn, hereby deposes and says:

That at the City of Saint Paul on June 24, 1992, she served the attached Stipulation and Order, by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

Bobbie L. Sarff  
Attorney at Law  
510 Maple Street  
P.O. Box 712  
Brainerd, MN 56401

*Kathleen T. Schlangen*

Subscribed and Sworn to before me  
this 24th day of June, 1992.

*Jane Hagedorn*  
\_\_\_\_\_  
NOTARY PUBLIC

