

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
David E. Adson, M.D.

Date of Birth: 4-20-52
License Number: 27,588

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between David E. Adson, M.D. ("Respondent"), and the Minnesota Board of Medical Practice ("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 the first day of Respondent's orientation into the Psychiatry Residency Training Program at the University of Minnesota, the program director smelled the odor of alcohol on Respondent.

b. In approximately mid-July, three fellow residents smelled the odor of alcohol on Respondent and observed Respondent to be tired and hungover.

c. On July 26, 1993, the program director met with Respondent about these signs of an alcohol abuse problem. During the meeting, Respondent was defensive, but admitted that he had been drinking. Respondent's excuses for drinking alcohol included boredom with the family practice setting he had been in, and drinking late into the night while consoling his girlfriend whose relative had died. Respondent denied drinking while working and said that the odor the staff smelled was the odor of alcohol he had drunk the night before.

d. On October 18, 1993, several staff observed Respondent acting lethargic and observed the odor of alcohol on Respondent in the morning while he was doing his rotation at the VA Chemical Dependency Unit.

e. On October 18, 1993, the chief of psychiatry at the VA spoke with Respondent and advised him to undergo a chemical dependency evaluation.

f. On October 27, 1993, Respondent underwent a chemical dependency evaluation at the Mayo Clinic. The evaluation was completed on October 28, 1993, and it was recommended that Respondent enter an inpatient treatment program.

g. On November 8, 1993, Respondent entered the Mayo Clinic Inpatient Addiction Program ("IAP") and was discharged on November 24, 1993. During the IAP, it was learned that:

1) Respondent had participated in an outpatient program at Abbott Northwestern Hospital following his second DWI four and one-half years ago;

2) Respondent claimed to have been sober for six months thereafter with an Alcoholics Anonymous program and a physician support group;

3) Symptoms of Respondent's alcoholism included loss of control, increased tolerance, blackouts, relief use, depressed mood and remorse after drinking, solitary use, inability to abstain, reproof by friends and family, attempts to protect his supply, preoccupation, legal problems, guilt and remorse, failed attempts to stop and failed outpatient treatment;

4) Respondent has a history of polysubstance abuse, including cannabis, cocaine and amphetamines. Respondent also has used benzodiazepines as recently as one year ago. Respondent used amphetamines only during high school and used cannabis and cocaine sporadically while drinking. His last use of cocaine was two years ago. His two DWI's were eight and five years ago and there were no charges pending at the time of his treatment at the Mayo Clinic.

h. Respondent's condition at the time of discharge was "stable."

i. Respondent's Discharge Diagnoses included:

Axis I: Alcohol dependence, nicotine dependence, history of polydrug abuse;

Axis IV: Stressors 2

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) (1992) 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 obtain a treating physician, approved in advance by the Complaint Review Committee or its designee, to monitor and/or manage all medical or other care provided to Respondent by all health care professionals. Respondent shall provide all necessary records releases to enable Respondent's health care professionals to communicate with the treating physician pursuant to this paragraph. The treating physician shall provide quarterly reports to the Board summarizing medical or other care provided to Respondent and addressing Respondent's progress under any terms of this Stipulation and Order relating to Respondent's health status and recovery.

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

c. Respondent shall not prescribe or administer any prescription drug or drug sample for Respondent's own use or for Respondent's family members' use.

d. Respondent shall be subject, without notice, to unannounced blood and urine tests at the request of Board staff or other Board designee at least nine times per quarter.

Blood and urine screens may be requested at any time. Respondent shall provide the requested sample within the time frame directed. The blood and urine screens shall be:

- 1) Collected and tested consistent with protocols established by a Board-designated laboratory;
- 2) Handled through legal chain of custody methods;
- 3) Paid for by Respondent.

e. The biological fluid collection and testing shall take place at a Board-designated laboratory as directed by the Board or its designee. Testing shall screen for opiates, cocaine, barbiturates, amphetamines, benzodiazepines, marijuana, and other drugs of abuse, including alcohol. The laboratory will provide test results directly to the Board and Respondent's treating physician. Ingestion of poppyseeds will not be accepted as a reason for a positive drug screen.

f. Respondent shall attend meetings of a self-help program such as AA or NA in support of abstinence at least eight times per month. Quarterly reports shall be submitted to the Board from Respondent's designated sponsor(s) regarding attendance and participation.

g. Respondent shall attend monthly meetings of a professional support group such as PSP approved in advance by the Complaint Review Committee or its designee. Quarterly reports shall be submitted to the Board from Respondent's designated sponsor(s) regarding Respondent's attendance and participation.

h. Respondent shall provide to the Board and the treating physician a copy of any treatment or aftercare plan which is in effect at the time of execution of this Stipulation and Order or which is modified or becomes effective during the time Respondent is subject to this Stipulation and Order. The treatment or aftercare plan and any modifications to it shall be approved by the treating physician and shall include at least the following:

- 1) The treatment or aftercare plan activities;
- 2) The name, address, and telephone number for each provider of treatment or aftercare services.

i. The terms of any such treatment or aftercare plan or approved modification thereto, to the extent not superseded by this order, are herewith incorporated by reference. Failure to follow the plan or approved modification shall constitute violation of this order.

j. Upon request by the Board, Respondent shall sign releases authorizing the Board to obtain Respondent's medical, mental health or chemical abuse/dependency records from any treating professional or facility.

k. Respondent shall identify a work quality assessor who shall provide quarterly reports to the Board and to the treating physician regarding Respondent's overall work performance.

l. Respondent and a designated Board member or designee shall meet on a quarterly basis. It shall be Respondent's obligation to contact the designated Board member to arrange each of the meetings. The purpose of such meetings shall be to review Respondent's progress under the terms of this Stipulation and Order.

m. After three years from the date of this Order, Respondent may petition the Complaint Review Committee to modify the terms of this paragraph 4, subparagraphs a-l. Respondent shall provide the Committee with documentation of compliance with the Order. The Committee, at its discretion and in consultation with the treating physician, may reduce the frequency of meetings, reports and biological fluid screens required by this Order.

n. This Stipulation and Order will remain in effect for a minimum of four years from the date of this Order. At the end of this period, Respondent may petition for reinstatement upon proof satisfactory to the Board of four years of documented, uninterrupted recovery. Upon hearing the petition, the Board may continue, modify or remove the conditions set out herein.

o. Upon Board approval of this Stipulation and Order, Respondent shall provide the Board with the addresses and telephone numbers of Respondent's residence and all work sites. Within seven (7) days of any change, Respondent shall provide the Board with new address and telephone number information.

5. 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 and a list of all states in which Respondent is licensed or has applied for licensure. The information shall be sent to the Board of Medical Practice, Suite 106, 2700 University Avenue West, St. Paul, Minnesota 55114.

6. It is Respondent's responsibility to ensure that all reports required to be filed with the Board pursuant to this Stipulation and Order are timely filed by those preparing the reports. 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. The suspension shall remain in full force and effect until the Board terminates the suspension following a hearing on Respondent's petition to terminate. 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.

7. 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.

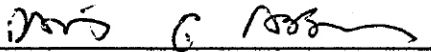
8. In the event Respondent should leave Minnesota to reside or practice outside the state, Respondent shall promptly notify the Board in writing of the new location as well as the dates of departure and return. Periods of residency or practice outside of Minnesota will not apply to the reduction of any 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.

9. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter and has so chosen to be so represented.

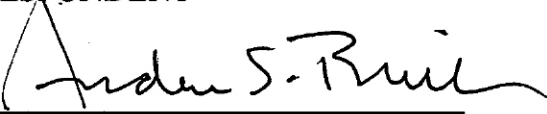
10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

11. 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: July 11, 1994

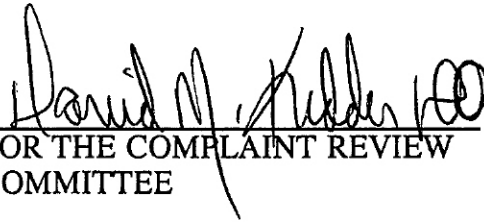


DAVID E. ADSON, M.D.
RESPONDENT

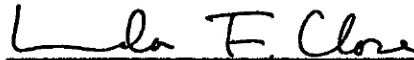


ANDREW S. BIRRELL
Attorney for Respondent

Meshbeshier, Birrell & Dunlap
2450 Park Avenue
Minneapolis, MN 55404
Telephone: (612) 871-7000



FOR THE COMPLAINT REVIEW
COMMITTEE



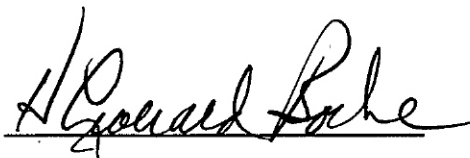
LINDA F. CLOSE
Attorney for Board

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 16 day of July, 1994.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 

AFFIDAVIT OF SERVICE BY MAIL

**RE: In the Matter of the Medical License of David E. Adson, M.D.
License No. 27,588**

**STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)**

Cynthia Ransom, being first duly sworn, hereby deposes and says:


That at the City of Saint Paul on July 20, 1994, she served the attached STIPULATION AND ORDER, by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

Andrew S. Birrell
Meshbesher, Birrell & Dunlop
2450 Park Avenue
Minneapolis MN 55404

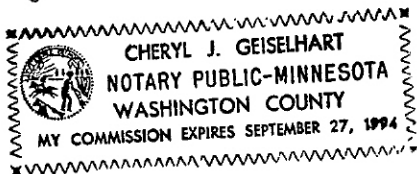


Cynthia O. Ransom

Subscribed and sworn to before me
this 20th day of July, 1994.



NOTARY PUBLIC



**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
David E. Adson, M.D.
Date of Birth: 4/20/52
License Number: 27,588

**COMMITTEE ORDER
AMENDING THE BOARD'S
STIPULATION AND ORDER**

FACTS

1. During all times herein, David E. Adson, M.D. ("Respondent") has been and now is subject to the jurisdiction of the Minnesota Board of Medical Practice ("Board") from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. On July 16, 1994, the Board issued to Respondent a Stipulation and Order conditioning and restricting his medical license based on chemical dependency.

3. By letter dated May 2, 1997, Respondent petitioned the Committee for a reduction in the frequency of meetings and biological fluid screens required by his Stipulation and Order.

4. The Complaint Review Committee having convened on June 20, 1997, to review and consider the above-referenced matter, issues the following:

ORDER

5. IT IS HEREBY ORDERED that paragraph 4.d. and f. of the Stipulation and Order, dated July 16, 1994, is amended to reduce:

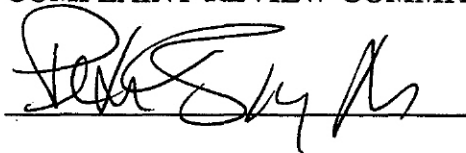
a. The minimum number of required biological fluid screens from nine to six screens per quarter;

b. The minimum number of required AA/NA meetings shall be reduced from eight meetings per month to one meeting per week.

The remainder of the conditions and restrictions placed on Respondent's license, pursuant to the July 16, 1994 Stipulation and Order, shall remain in full force and effect.

6. IT IS FURTHER ORDERED that this Order of the Committee Amending the Board's Stipulation and Order, dated July 16, 1994, is hereby adopted and implemented this 14th day of July, 1997.

MINNESOTA BOARD OF
MEDICAL PRACTICE
COMPLAINT REVIEW COMMITTEE



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AFFIDAVIT OF SERVICE BY MAIL

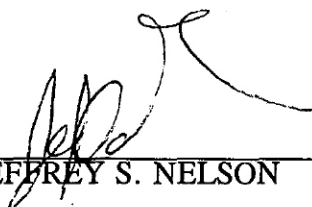
**Re: In the Matter of the Medical License of David E. Adson, M.D.
License No. 27,588**

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Jeffrey S. Nelson, being first duly sworn, hereby deposes and says:


That at the City of St. Paul on July 18, 1997, he served the attached **Committee Order Amending the Board's Stipulation and Order** by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

David E. Adson, M.D.
1072 - 24th Avenue S.E.
Minneapolis, Minnesota 55414-2633

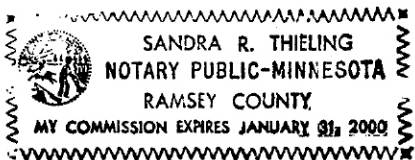


JEFFREY S. NELSON

Subscribed and Sworn to before me
this 18th day of July, 1997.



NOTARY PUBLIC



**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
David E. Adson, M.D.

Date of Birth: 4/20/52
License Number: 27,588

**ORDER OF
UNCONDITIONAL LICENSE**

The Minnesota Board of Medical Practice ("Board") having convened on April 14, 1998, to review the petition of David E. Adson, M.D. ("Respondent"), for reinstatement of an unconditional license to practice medicine and surgery makes the following:

FINDINGS OF FACT

1. Respondent has been subject to board monitoring pursuant to a Stipulation and Order, dated July 16, 1994 and a Committee Order Amending the Board's Stipulation and Order dated July 14, 1997. These orders were based on Respondent's history of chemical dependency.

2. The Board has received periodic reports from Respondent's treating physician, AA sponsor, PSP sponsor, designated Board member and work quality assessor. The reports support the conclusion that Respondent has successfully maintained four years of uninterrupted recovery.

Based on the foregoing, the Board concludes that Respondent has complied with and fulfilled the Order issued by the Board on July 16, 1994 and the Committee Order Amending the Board's Stipulation and Order dated July 14, 1997, and hereby issues the following:

ORDER

IT IS HEREBY ORDERED that an unconditional license to practice medicine and surgery in the State of Minnesota be conferred upon Respondent, such license to carry all duties, benefits, responsibilities, and privileges inherent therein through Minnesota statute and rule.

Dated: March 14, 1998

STATE OF MINNESOTA

BOARD OF MEDICAL PRACTICE

Robert D. [Signature]

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AFFIDAVIT OF SERVICE BY MAIL

**Re: In the Matter of the Medical License of David E. Adson, M.D.
License No. 27,588**

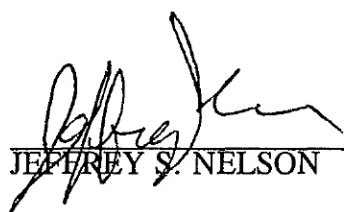
STATE OF MINNESOTA)
) ss.

COUNTY OF RAMSEY)

JEFFREY S. NELSON, being first duly sworn, hereby deposes and says:

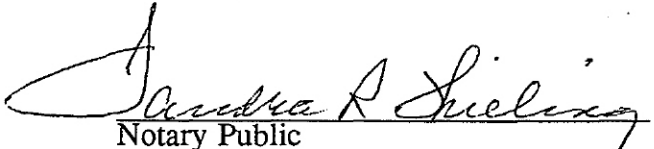
That at the City of St. Paul, County of Ramsey, State of Minnesota, on March 16, 1998, he served the attached **Order of Unconditional License** by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with first-class postage prepaid, and addressed to:

DAVID E ADSON MD
1072 - 24TH AVE SE
MPLS MN 55414-2633



JEFFREY S. NELSON

Subscribed and Sworn to before me
this 16th day of March, 1998.



Notary Public

