

**BEFORE THE
WYOMING BOARD OF MEDICINE**

FILED

MAY 17 2017

**Wyoming Board
of Medicine**

IN THE MATTER OF THE
VOLUNTARY SUSPENSION OF THE
PHYSICIAN LICENSE OF
MATTHEW V. HOPKINS, M.D.,
WYOMING PHYSICIAN LICENSE
No. 7349A

Complaint No. 946

**ORDER OF GRANTING PETITION FOR VOLUNTARY SUSPENSION OF
MATTHEW V. HOPKINS M.D.,
WYOMING PHYSICIAN LICENSE No. 7349A,
PENDING FURTHER PROCEEDINGS**

THIS MATTER having come before the Wyoming Board of Medicine (“Board”) consisting of Valerie Goen, PA-C; René Hinkle, M.D.; Michael Jording, M.D.; Anne MacGuire, M.D.; and Melinda Poyer, D.O.; during a meeting of the Board on May 17, 2017, to consider a petition for voluntary suspension of Wyoming Physician License No. 7349A, issued by the Board to Matthew V. Hopkins, M.D. (“Dr. Hopkins”) pursuant to the authority and jurisdiction granted to the Board by WYO. STAT. ANN. §§ 33-26-101 to 33-26-703 (“Medical Practice Act”), and the Wyoming Administrative Procedure Act, WYO. STAT. ANN. §§ 16-3-101 to 16-3-115; Kevin Bohnenblust, Board Executive Director, and Connie Schepp, CMBI, Board Investigator, having presented evidence and the case in support of the voluntary suspension of Dr. Hopkins’s Wyoming Physician license; and, following such presentation of evidence, the Board having reviewed the evidence and otherwise being fully advised in the premises hereby finds, concludes, and orders as follows:

I. STATEMENT OF THE CASE

On or about March 14, 2017, Board staff received information concerning Dr. Hopkins which caused them to believe that Dr. Hopkins' possession of a Wyoming Physician License may pose an imminent threat to public health, safety or welfare.

On May 17, 2017, during Executive Session of a meeting of the Board, the Wyoming Board of Medicine's Executive Director and Investigator presented to the Board information concerning Dr. Hopkins and his recent alleged violations of the Wyoming Medical Practice Act and the imminent threat to public health, safety or welfare posed by his continued possession of a Wyoming Physician License pending investigation and resolution of the alleged violations.

II. FINDINGS OF FACT

1. On May 16, 2006, the Board issued Wyoming Physician License No. 7349A to Dr. Hopkins.
2. On October 24, 2009, Dr. Hopkins entered into a Consent Decree with the Board, requiring him to enter into a drug and alcohol monitoring agreement with the Wyoming Professional Assistance Program (WPAP), and to maintain compliance with the terms of the agreement.
3. On July 15, 2011, after documented non-compliance with his WPAP monitoring agreement, Dr. Hopkins entered a new Consent Decree with the Board, which included a stayed six-month suspension of his Wyoming Physician License, and restrictions and conditions on his license.
4. On November 1, 2011, after the Board was notified of Dr. Hopkins' non-compliance with his WPAP monitoring agreement, the stay of the six-month

suspension of his Wyoming Physician License was automatically lifted, and his license was suspended for six months. The suspension ended on April 28, 2012.

5. On July 31, 2015, the Board heard Dr. Hopkins' petition for the removal of all restrictions and conditions on his Wyoming Physician License. The Board granted Dr. Hopkins' petition, and his license was returned to full, unrestricted status.

6. On or about March 14, 2017, Dr. Hopkins was arrested by police in Cody, Wyoming, under suspicion of operating a motor vehicle while under the influence of a controlled substance, resulting in a motor vehicle accident with injuries to another person. *See*, Exhibit "A," hereto.

7. On or about March 16, 2017, Dr. Hopkins was arraigned in Circuit Court in Cody, Wyoming, on the following charges: Aggravated assault and battery, intentionally or knowingly causing bodily injury to another person with a deadly weapon (an automobile), a felony; driving or having control of a vehicle while under the influence of intoxicating liquor or controlled substances (inhaled chemicals), a misdemeanor; and, unlawfully using a toxic substance not manufactured for human consumption or inhalation for the purpose of altering his mental or physical state. *See*, Exhibit "B," hereto.

8. On or about March 28, 2017, Dr. Hopkins sent an e-mail message to the Board Investigator indicating he wished to voluntarily suspend his medical license. *See*, Exhibit "C," hereto.

9. Based on the aforementioned facts and information, the Board is led to find that Dr. Hopkins's continued possession of a Wyoming Physician License poses an imminent and immediate threat to the public health, safety, and welfare of the people of Wyoming that imperatively requires immediate suspension of his Wyoming Physician

License.

10. The Board further finds that Dr. Hopkins' e-mail message of March 28, 2017, indicating his desire to voluntarily suspend his medical license, constitutes a Petition for Voluntary Suspension, as permitted by WYO. STAT. ANN. § 33-26-404(a).

11. The Board finds that the voluntary suspension accepted and ordered herein shall continue until the filing of a formal Petition setting forth in detail the alleged violations of the Wyoming Medical Practice Act by Dr. Hopkins or, in the alternative, the filing of a Petition for reinstatement by Dr. Hopkins pursuant to the procedure set forth in the Board's Rules, and the completion of a contested case hearing on, or other resolution of, said action(s).

III. CONCLUSIONS OF LAW

12. The Wyoming Board of Medicine is the sole and exclusive regulatory licensing agency in the State of Wyoming regarding the practice of medicine and surgery, as provided by the Wyoming Medical Practice Act, WYO. STAT. ANN. §§ 33-26-101, *et seq.*

13. The Board is the duly-authorized administrative agency of the State of Wyoming with statutory authority to regulate the practice of medicine and surgery in the State of Wyoming.

14. The Board has jurisdiction in this matter and over Dr. Hopkins pursuant to WYO. STAT. ANN. § 33-26-401(e).

15. Statutory enactments, such as the Wyoming Medical Practice Act, are presumed to be constitutional. *Hoem v. State*, 756 P.2d 780, 782 (Wyo. 1988).

16. This matter was conducted pursuant to the Wyoming Administrative Procedure Act, WYO. STAT. ANN. §§ 16-3-101, *et seq.*, and the Wyoming Medical Practice

Act, WYO. STAT. ANN. § 33-26-404(a):

33-26-404. Voluntary and mandatory revocation; restriction; suspension.

(a) A licensee may request the board, in writing, to accept the voluntary relinquishment, restriction or suspension of his license. The board may, but shall not be required to accept the relinquished license, grant the request for restriction or suspension, attach conditions to the license or waive the commencement of any proceedings under this article. Removal of a voluntary relinquishment, restriction or suspension is subject to the procedure for reinstatement of a license as provided in this article.

17. The Board concludes that, based on the serious nature of the criminal charges pending against Dr. Hopkins, the public health, safety, and welfare of the people of the State of Wyoming imperatively require that Dr. Hopkins' petition for voluntary suspension of Wyoming Physician License No. 7349A be should be granted, and his licensed thereby be suspended, until the filing of a formal Petition setting forth in detail the alleged violations of the Wyoming Medical Practice Act by Dr. Hopkins, and the completion of a contested case hearing on it or, in the alternative, the filing of a Petition for reinstatement by Dr. Hopkins pursuant to the procedure set forth in the Board's Rules, and the completion of a contested case hearing on, or other resolution of, said action(s).

18. Pursuant to WYO. STAT. ANN. § 33-26-408(c) and Chapter 6, § 3 of the Board's Rules and Regulations, this Order is a public document. Pursuant to WYO. STAT. ANN. § 33-26-408(d), this Order shall be reported to the chief of the medical staff and hospital administrator of each hospital in which Dr. Hopkins has medical staff privileges, a wire service, and to all appropriate agencies, including but not limited to,

the Federation of State Medical Boards, the National Practitioner Data Bank, and other state medical boards.

19. This Order is not a final agency action as WYO. STAT. ANN. § 16-3-113(c) contemplates that there be further proceedings for revocation or other Board action the Board deems appropriate.

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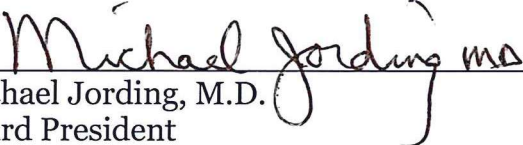
ORDER AND SIGNATURE PAGE FOLLOWS.]

ORDER

IT IS HEREBY ORDERED, based upon the foregoing FINDINGS OF FACT AND CONCLUSIONS OF LAW, that Dr. Hopkins' petition for voluntary suspension of Wyoming Physician License No. 7349A is **GRANTED** and his authority and ability to practice medicine in the State of Wyoming be, and the same hereby are, suspended as of 6:00 p.m. M.D.T., Wednesday, May 17, 2017, and said suspension shall continue pending the filing of a formal Petition setting forth in detail the alleged violations of the Wyoming Medical Practice Act by Dr. Hopkins and the completion of a contested case hearing on it or, in the alternative, the filing of a Petition for reinstatement by Dr. Hopkins pursuant to the procedure set forth in the Board's Rules, and the completion of a contested case hearing on, or other resolution of, said action(s).


DATED this 17th day of May, 2017.

FOR THE BOARD:



Michael Jording, M.D.
Board President

APPROVED AS TO FORM:



Jessica Y. Frint, Esq.
Board Counsel

**CIRCUIT COURT FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING**

Exhibit "A"

Judge Bruce B. Waters

Cody: Park County Courthouse, 1002 Sheridan Ave., Cody, Wyoming 82414 (307) 527-8590
Powell: Park County Annex, 109 West 14th St., Powell, Wyoming 82435 (307) 754-8890

FILED
MAR 16 2017
CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

STATE OF WYOMING,

DOCKET NO. CR-2017-57-COD

Plaintiff,

-vs-

MATTHEW VERNON HOPKINS

ARRAIGNMENT & SENTENCING ORDER

Defendant.

By [Signature] Clerk

I. 6-2-502 aii - Aggravated Assault & Battery w/Deadly Weapon
Charge II. 31-5-233 biiiB - DWUI-Cont Sub-1st in 10 years Citation No. _____
III. 6-9-203 a Unlawful Use of Toxic Substance - Aerosol

Advised of charges and penalty Advised of constitutional rights
Attorney: Waived Retained Appointed Name: p. claf
Plea: GUILTY Finding: GUILTY
NOT GUILTY NOT GUILTY
NO CONTEST DISMISSED
Bond set at \$ 50,000 cash/surety
Conditions of the bond: 555 UNL

The above case has been set for:

Preliminary Hearing 22 day of March, 20 17, at 4:00 A.M., P.M.
Pre-Trial Conference _____ day of _____, 20 _____, at _____ A.M., P.M.
Jury Trial _____ day of _____, 20 _____, at _____ A.M., P.M.
Trial to Court _____ day of _____, 20 _____, at _____ A.M., P.M.

SENTENCE

Fine \$ _____ Public Def Fees \$ _____
Costs \$ _____ Amount Suspended \$ _____
Victim Surcharge \$ _____ TOTAL \$ _____
Jail Time _____ Time Suspended _____
Probation _____ Unsupervised / Supervised _____
Restitution \$ _____
Stay of Execution to _____ day of _____, 20 _____
Conditions of suspension of fine / jail _____

DONE this 16 day of March, 20 17.

[Signature]
COUNTY ATTORNEY

[Signature]
JUDGE

[Signature]
DEFENSE ATTORNEY

[Signature]
DEFENDANT

PARENTAL SIGNATURE

9 Park Co. Law Enforcement Center
ADDRESS

PHONE NUMBER

Cody, Wyo 82414
CITY, STATE, ZIP

STATE OF WYOMING }
COUNTY OF PARK } SS.

IN THE CIRCUIT COURT
FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

STATE OF WYOMING,

Plaintiff,

-vs-

MATTHEW VERNON HOPKINS

Defendant.

DOCKET NO. CR-2017-57-COD

FILED

MAR 16 2017

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

By [Signature] Clerk

BOND CONDITIONS

Bond Amount \$ 50,000 Cash \$ Acceptable Bail Bond \$ Property \$ _____

You must comply with all conditions checked:

- 1. Do not violate any local, state or federal law.
- 2. Keep in contact with your attorney.
- 3. Immediately notify the Circuit Court Clerk at:
 - Cody • 307-527-8590
 - Powell • 307-754-8890
 (If represented by counsel, keeping your attorney notified of your address and phone number complies with this requirement.)
- 4. Appear for all court appearances.
- 5. Do not leave Park County State of Wyoming without permission from the Judge.
- 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
- 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
- 8. Report in person to the Park County Sheriff's Office or the _____ Police Department at least _____ between the hours of _____ .M. and _____ .M.
- 9. Do not have any contact with ANY PERSON LISTED OR MENTIONED IN THE APPROPRIATE PROBATION ORDER
- 10. Do not bother or harass any witness to this matter.
- 11. Other - SIGN A WAIVER OF EXTRADITION
- DO NOT DRUG OR POSSESS ANY MARIJUANA
WHICH FOR ANY REASON
- DO NOT INGEST ANY TOXIC SUBSTANCES
- 12. Reappear before this Court on MAR 22, 2017 at the hour of 4:00 P. M. at the
 - Cody
 - Powell courtroom for:
 - Bench Trial
 - Preliminary Hearing
 - Sentencing
 - Jury Trial
 - Pretrial Conference
 - Revocation Hearing

ANY SINGLE VIOLATION OF CONDITIONS SHALL SUBJECT YOU TO ARREST
AND REVOCATION OF YOUR RELEASE AND BOND

Dated: MAR 16, 2017

[Signature]
Circuit Court Judge / Magistrate

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

IN THE CIRCUIT COURT
FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

Case No. CP-2017-57-COD

STATE OF WYOMING,)
)
) Plaintiff,)
)
 vs.)
)
 Matthew Vernon Hopkins)
)
) Defendant.)

FILED

MAR 16 2017

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING

By [Signature] Clerk

ORDER APPOINTING PUBLIC DEFENSE ATTORNEY

The Court having reviewed and considered Defendant's application for court appointed attorney and the Court determining Defendant qualifies for court appointed counsel per Wyoming Statute §7-6-106 and Rule 44(d) of the Wyoming Rules of Criminal Procedure;

THEREFORE THE COURT ORDERS:

The Office of Wyoming Public Defender is appointed to represent Defendant on the charge(s) filed in the above-captioned case.

On or before March 17, 2017, Defendant shall telephone or personally appear at the administrative office of the Wyoming Public Defender for Park County:

1043 13th Street, Cody
Telephone: 587-9277

The Court reserves ruling on determining whether Defendant:

- Shall pay a monthly reimbursement for court appointed counsel;
- Is an unemancipated minor and whether Defendant's custodial parent or guardian should pay all or part of the costs of Defendant's court appointed counsel;
- Should be ordered to pay the Office of Wyoming Public Defender for court appointed counsel at the conclusion of Defendant's case; and
- Should be ordered in contempt of court for failure to keep his or her attorney informed of his or her postal and residential addresses at all times.

Dated: March 15, 2017

BY THE COURT:

I certify I distributed a true and correct copy of the foregoing this 16 day of Mar, 2017, to the following as indicated:

(M mail; B Clerk's box; H hand delivery; F facsimile)
CA-B; Pub Def - F

[Signature]
Bruce B. Waters
Circuit Court Judge

FILED
10/2/17

MAR 16 2017

Criminal Action No. CP-2017-57-COD

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY

STATEMENT OF YOUR CONSTITUTIONAL RIGHTS
(EN ESPAÑOL AL REVER DE ESTE PAPEL)

You have the following rights:

- 1) The right to be represented by a lawyer - either at your own expense or without cost to you if you qualify as an indigent.
- 2) The right to plead guilty or not guilty, nolo contendere and various other pleas more fully explained below.
- 3) The right to a speedy trial.
- 4) The right to a trial by jury.
- 5) If you are in jail, the right to be released on bail pending trial.
- 6) If you are charged with a felony, the right to a preliminary hearing.
- 7) The right to remain silent, the right to cross-examine witnesses and the right to call witnesses in your own behalf at your will.
- 8) The right to appeal your case.

THESE RIGHTS ARE MORE FULLY EXPLAINED BELOW. IF YOU HAVE ANY QUESTIONS, PLEASE ASK THE JUDGE WHEN YOU ARE BROUGHT INDIVIDUALLY BEFORE HIM.

THE RIGHT TO BE REPRESENTED BY COUNSEL:

You have the right to have a lawyer represent you. If you choose to have a lawyer, advise the Court and all further proceedings will be postponed for a reasonable time until you have had an opportunity to hire your lawyer. If you are without sufficient money or resources with which to hire a lawyer, the Judge, upon proper inquiry to determine if you qualify, will appoint a lawyer to represent you at no cost. However, you may be compelled to contribute toward the cost of your lawyer to the extent of your ability to pay.

THE RIGHT TO ENTER A PLEA, RIGHT TO SPEEDY TRIAL AND TRIAL BY JURY:

You have the right to plead guilty, not guilty by reason of mental illness or deficiency, unfit to proceed by reason of mental illness or deficiency, or nolo contendere. You have the right to have your case tried by a jury. This means that six people from this County, and not the Judge, will decide the facts of the case after listening to both sides. If you want the Judge to decide the case, then you must waive the jury trial in writing with the consent of the State and approval of the Court, and the Judge will decide the matter after listening to both sides. Speedy trial means that the charges against you must be disposed of within a reasonable time, generally 180 days.

THE RIGHT TO BAIL:

If your case is not to be tried today, you have a right to be released on bail. Bail is an amount of money or some condition imposed by the Court which will insure your presence in Court when you are required to be there.

THE RIGHT TO PRELIMINARY HEARING:

In felony cases you may have a hearing before the Court at which the State must show "probable cause" that you committed the crime. If "probable cause" is shown, the Court will transfer your case to the District Court for trial; if not, the charges may be dismissed.

THE RIGHT TO REMAIN SILENT, CROSS-EXAMINE WITNESSES AND CALL WITNESSES IN YOUR OWN BEHALF:

You will be asked to plead to the charges. If you plead "not guilty" and have a trial, either by judge or jury, you will be allowed to ask the witnesses questions in the form of cross-examination. You will be allowed to have witnesses summoned to Court to testify (at the State's expense if you do not have the money), and you will not have to testify unless you want to testify. Before entering a plea, you must understand the nature of the charges against you.

THE RIGHT TO APPEAL:

If you disagree with the decision of the Judge or jury, you have a right to appeal your case on the record to the District Court. If you wish to appeal, you or your lawyer must timely file a NOTICE OF APPEAL with the Court as set forth in the Wyoming Rules of Appellate Procedure for Courts of Limited Jurisdiction and post the required fees and bond. If you have qualified as an indigent, the District Court may waive the fees. If you do not timely file the Notice of Appeal, the appeal is waived and your case is over.

I hereby acknowledge that I have read the foregoing statement of rights and fully understand them.

Dated this _____ day of _____, 20__

Signature of Parent (optional if juvenile)

Signature of Defendant (required)

Print Name of Parent

Print Name of Defendant

IN THE CIRCUIT COURT, FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING (CODY)

STATE OF WYOMING,
Plaintiff,


Criminal Docket No. CR-2017-57-COD

vs.

MATTHEW VERNON HOPKINS,
Defendant.

FILED
MAR 15 2017

FELONY INFORMATION

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Farnsworth, Clerk
By:  Deputy

COMES NOW the State of Wyoming, by and through Leda M. Pojman, Deputy Park County and Prosecuting Attorney, and hereby informs the Court and gives the Court to understand that the above-named Defendant:

Count I: On or about March 14, 2017, in Park County, Wyoming, did commit the offense of aggravated assault and battery, to wit: intentionally or knowingly cause bodily injury to another with a deadly weapon, in violation of Wyoming Statute §6-2-502(a)(ii)(b), a felony, punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count II: On or about March 14, 2017, in Park County, Wyoming, did commit the offense of driving or having control of vehicle while under influence of intoxicating liquor or controlled substances, to wit: did drive or have actual physical control of a motor vehicle while under the influence of a controlled substance to a degree that rendered him incapable of safely driving, in violation of Wyoming Statute §31-5-233(b)(iii)(B), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

Count III: On or about March 14, 2017, in Park County, Wyoming, did commit

the offense of unlawful use of toxic substance, to wit: did inhale or ingest or possess with the purpose to inhale or ingest, for the purpose of altering his mental or physical state, any toxic substance that is not manufactured for human consumption or inhalation, in violation of Wyoming Statute § 6-9-203(a)(d), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

FOR PROBABLE CAUSE: See the Affidavit of Blake Stinson, a Police Officer with the Cody Police Department, attached hereto and incorporated herein by this reference.

WHEREFORE, the undersigned prays that a warrant issue for the arrest of the above-named Defendant.

DATED: March 15th, 2017.

STATE OF WYOMING



LEDA M. POJMAN, WSB #6-3599
Deputy Park County and Prosecuting Attorney

IN THE CIRCUIT COURT, FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING (CODY)

STATE OF WYOMING,
Plaintiff,

vs.

HOPKINS, MATTHEW VERNON,
Defendant.

Criminal Docket No.

FILED

MAR 16 2017

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT
PARK COUNTY, WYOMING
Peggy L. Parnap, Clerk

By *all* Deputy

AFFIDAVIT OF PROBABLE CAUSE

THE UNDERSIGNED, BEING FIRST DULY SWORN UPON OATH,
DEPOSES AND STATES:

1. I, Blake Stinson, am employed by the Cody Police Department as a Police Officer.
2. On Tuesday, March 14, 2017, at approximately 0843 hours, Officers were called to respond to 8th Street near the Sunset House Resturant in reference to a motor vehicle accident with injury. Witnesses on scene advised one of the drivers was impaired.
3. I arrived on scene and observed a silver Chevrolet truck on the right side of the inside, north bound lane. The vehicle had been struck head on by a white Toyota FJ Cruiser that was on the wrong side of the road. Tire tracks were visible on the roadway and it appeared the Toyota had pushed the Chevrolet approximately 15 feet after impact.
4. I photographed the accident scene and contacted several witnesses. Detective Parduba and Officer Gcraghty were on scene and began to collect information for the accident form. I spoke with Jamie Bunker who was the driver of the grey Chevrolet. Jamie advised the other driver who she identified as Matthew Hopkins was passed out when he struck her head on. Jamie advised she had neck and arm pain.
5. I contacted Matthew and he was acting very strange for having just been in a serious accident. Matthew smelled strongly of vomit. I asked Matthew if he hit his head during the accident and he advised he did not. I asked Matthew several other pre questions and he advised he was currently taking Citalopram a prescribed medication. Matthew

provided no information that would affect maneuvers. Matthew had distinct sustained nystagmus at maximum deviation and onset of nystagmus prior to 45 degrees. Matthew had steps off line and steps not heel to toe as well as using his arms for balance during the walk and turn. Matthew raised his arms for balance and touched his foot several times on the one leg stand. I placed Matthew under arrest for driving while under the influence of controlled substance. I placed handcuffs on his wrists behind his backs, checked them for tightness and double locked them. I placed Matthew in the back seat of my patrol car after I searched his person.

6. I returned to Matthew's vehicle and located broken plastic pieces from a dust off container outside the driver's door. I also located several broken pieces of plastic from the same dust off container on the driver's seat. I found the metal dust off can on the passenger side between the door and the seat.

7. I read Matthew Wyoming Implied Consent and he agreed to a blood test. Based on my training and experience as a Peace Officer I knew Matthew was impaired by inhalants and the blood draw needed to be done immediately.

8. The blood draw was completed at the hospital and Matthew was taken to jail. At the Detention Center Matthew advised he was taking Citalopram and Clonazepam, a schedule IV controlled substance.


9. At the Law Enforcement Center I reviewed written statements from Robyn Beadles and Emily Blair. Both witnesses advised Matthew had a can of dust off in his hand as he left the Cody Inn where he was staying. Robyn advised Matthew had taken his child to school and was acting out of it. Robyn and Emily decided to follow Matthew to work because of his behavior. Both witnesses described poor driving and other near collisions between the Cody Inn and the accident location. Robyn's written statement said Matthew was flooring the accelerator and was passed out behind the wheel with the vehicle in drive pushing the other vehicle when she pulled him out of the driver seat. Robyn's written statement also said Matthew had the can of dust off in his hand as she pulled him from the running vehicle.

10. On Wednesday, March 15, 2017, at approximately 1130 hours, I contacted Jamie Bunkcr. Jamie advised she went to the emergency room and had her neck and arms x-rayed due to the pain she was feeling from the accident. Jamie also advised she had shoulder pain when she woke up. Jamie advised she was returning to the emergency room because of the pain she was feeling.

11. All of the above-described events occurred in Park County, Wyoming.

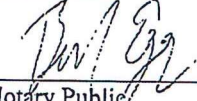
12. The foregoing statement is accurate to the best information available to me as of the date of this Affidavit. Investigation of the matter may not be completed, and the foregoing is not to be construed as a statement of all information pertinent to the charge(s) which may be brought in this matter.

Dated: March 15th, 2017


Blake Stinson

STATE OF WYOMING }
COUNTY OF PARK } ss

The foregoing Affidavit of Probable Cause was sworn to and signed before me personally by [officer's name] on March 15th, 2017.


Notary Public

My commission expires:



Cody doctor charged with aggravated assault for crash

Exhibit "B"

Written by CJ Baker (/news/itemist/user/76-cjbaker)

March 23, 2017 8:51 am

'Huffing and driving' alleged to have caused head-on collision

A Cody psychiatrist is facing a felony charge of aggravated assault after he allegedly inhaled intoxicating vapors, passed out and crashed into an oncoming vehicle last week.



As the Park County Prosecuting Attorney's Office describes the March 14 crash, Matthew V. Hopkins "intentionally or knowingly cause[d] bodily injury to another with a deadly weapon" — with the weapon being his vehicle.

There is no suggestion in charging documents that Hopkins purposefully drove into the other driver on Cody's 8th Street, but at a court hearing last week, a deputy prosecutor said the doctor should have known the dangers of huffing toxic chemicals and driving. (/media/k2/items/cache/ff6d4c5058345cb0356e0da0 Matthew Hopkins)

It was the second time in four months that Hopkins, 49, has been charged with driving while under the influence; in a November incident, Hopkins is alleged to have clipped a parked vehicle while drunk.

Hopkins had been operating a solo practice called Integrated Psychiatric Solutions, but he said in circuit court that "it's closed down now because of this."

Hopkins added that he was planning to take a job in Vermont, but the offer was rescinded because of the DUI charge from November, "so I am unemployed," he said.

Hopkins — whose specialties include addiction psychiatry — has previously run into trouble with medical licensing boards for struggles with addiction. That trouble dates back to 2003, when his medical license in New Hampshire was suspended after he was caught writing fake prescriptions for Adderall to himself. At that time, he also admitted to a drinking problem and was enlisted in a recovery program for doctors.

Hopkins later moved to Cody and, at the direction of the Wyoming Board of Medicine, was placed in a similar program here. Noncompliance with that Wyoming Professional Assistance Program led to a six-month suspension of Hopkins' medical license in 2011, board records show, but his privileges to practice medicine were fully restored in July 2015.

In court last week, Hopkins indicated he relapsed into addiction in recent months.

His court-appointed defense attorney, Bill Simpson, noted that Hopkins' father died abruptly in September.

"I understand there was a 'relapse,' for lack of a better term, and this [recent arrest] appears to be a continuation of some of those issues, would that be correct?" Simpson asked.

"Yes," Hopkins agreed.

He also said he understood the gravity of the charges.

On Wednesday, Hopkins waived his right to a preliminary hearing — allowing the case to advance to district court, where he'll next enter a plea. Over the objection of prosecutors, Circuit Court Judge Bruce Waters agreed to lower Hopkins' bond to \$20,000 cash or surety; he made bail and was released from jail on Wednesday, pending further proceedings.

Judge Waters had initially set Hopkins' bond at \$50,000 cash or surety at last week's hearing.

"It's a problem, and it's a serious problem," Waters said of huffing and driving. "And especially when somebody who's just driving down the street, minding their own business, gets clobbered head-on. That poses a danger to the public.

"So, even though I understand the professional career, the professional side of this thing, I've got to keep in mind public safety issues as well," Waters said.

According to an affidavit from Cody Police Officer Blake Stinson, filed in support of the charges, witnesses saw Hopkins' Toyota FJ Cruiser cross over to the wrong side of the road and crash into a Chevy truck. The other woman's truck was knocked 15 feet backwards, Stinson wrote. It was around 8:45 a.m. on March 14.

The woman told police that Hopkins was passed out when he hit her. Two other witnesses had been following Hopkins — concerned about the way he'd been acting — and said they'd watched him nearly crash before he hit the truck. One of those witnesses told police she found Hopkins passed out behind the wheel, with his foot "flooring the accelerator" and a can of Dust-Off in his hand, Stinson wrote.

Dust-Off is compressed gas that's sometimes referred to as "canned air." It's meant for cleaning, but the chemical it contains can be inhaled for a kind of euphoric high; labels on cans of Dust-Off warn that misusing the product and deliberately inhaling it can be fatal.

Simpson had argued for a \$20,000 surety bond while Deputy Park County Prosecuting Attorney Leda Pojman argued for bond to be set at \$150,000 cash.

"Although on its face that seems like a lot of money, it's not in this circumstance, your honor," Pojman said of the \$150,000 figure, calling Hopkins "an extreme danger to society, not just a danger."

"First of all, he's on probation [sic] for DUI, and what does he do? He allegedly goes out and does this: One of the most dangerous things you can do, your honor, huff and drive — and the doctor should know that," Pojman said.

She said Hopkins had "no regard" for the law or his bond conditions, "can't be trusted" and is an "extreme flight risk."

Simpson said the assertion that Hopkins is a flight risk was "sheer conjecture and speculation without any foundation," noting Hopkins has spent many years in Cody and has a wife and child there. Simpson suggested that, if allowed to go free on bond, a 24/7 ankle monitor could ensure that Hopkins stays sober.

"He has had some personal issues that have come down very fast and heavy, and obviously the allegations are such that they do need to be dealt with," Simpson said. He said that's included "some very difficult financial circumstances."

In addition to the aggravated assault charge, Hopkins is also charged with misdemeanor counts of driving while under the influence of a controlled substance and unlawful use of a toxic substance for last week's crash.

In the prior case from Nov. 13, Hopkins is charged with five misdemeanor counts: driving while under the influence of alcohol and controlled substances, leaving the scene of a crash, having an open container of alcohol in a vehicle, no proof of auto insurance and backing without caution.

A witness reported seeing Hopkins' Cruiser back into a parked, unattended vehicle at Walgreen's, shortly before noon; the male driver — alleged to be Hopkins — stopped, tried to wipe off the paint and left.

The witness caught the license plate number for Hopkins' vehicle, prompting a Park County Sheriff's deputy and officer Stinson to check his home in rural Cody. The peace officers reportedly found Hopkins acting strangely and found an open bottle of vodka in the Toyota.

Hopkins denied being drunk, but acknowledged having consumed alcohol earlier in the day and said he'd taken three prescriptions that morning, Stinson wrote in a different affidavit.

"All three drugs have warnings about driving while using the medication and listing possible negative interactions and increased risk of side effects when combined with alcohol," Stinson wrote.

Hopkins failed sobriety tests and was arrested, registering a 0.102 percent blood alcohol level at the jail; under state law, a person is considered drunk when their alcohol blood content is at or above 0.08 percent.

Hopkins pleaded not guilty to the charges. Simpson filed a motion to have the case dismissed for lack of evidence in late November — arguing in part that police couldn't prove Hopkins was the driver of the vehicle or when he drank the alcohol — but earlier this month, the case was scheduled for a change of plea hearing in May.

Editor's note: This version removes incorrect information stating that prosecutors agreed to a bond reduction on Wednesday; in fact, they objected.

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3/28/2017

State of Wyoming Mail - Voluntary suspension of medical license



Connie Schepp <connie.schepp@wyo.gov>

Voluntary suspension of medical license

Exhibit "C"

1 message

Matt Hopkins [REDACTED]
To: connie.schepp@wyo.gov

Tue, Mar 28, 2017 at 11:08 AM

Dear Ms. Schepp,

At the advice of Bill Hibbler I am writing you this email to inform you that yes I am agreeing to voluntarily suspend my medical license.

I would also like to inform you that I have had a very recent home address change. My new home address is:

[REDACTED]

And of course my cellphone number is still the same if you need to reach me that way:

[REDACTED]

Please let me know if there is any additional information you need and I will get it to you ASAP.

Thank You,
Matt Hopkins, M.D.