

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
SOFJAN LAMID, M.D.	:	91 MED 464
RESPONDENT.	:	

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Sofjan Lamid, M.D.
3837 Sue Ker Drive
Harvey, LA 70058

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Sofjan Lamid, is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 18683.

2. The Respondent did, on June 20, 1991, have discipline imposed upon him by the Louisiana State Board of Medical Examiners, as appears in the attached Decision.

CONCLUSIONS OF LAW

3. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to § 448.02(2), Wis. Stats.

4. The Board is authorized to enter into the attached Stipulation pursuant to § 227.44(5), Wis. Stats.

5. The conduct described in paragraph 2, above, violated § Med 10.02(2)(q), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the license of respondent to practice medicine and surgery is hereby LIMITED until September 1, 1996, in the following respects:

a. Respondent shall not possess or apply for a DEA registration or other authorization to prescribe controlled substances, nor shall he prescribe or attempt to prescribe, dispense or attempt to dispense, or possess or attempt to possess, directly or indirectly, any controlled substance, except that he may possess a controlled substance which has been prescribed for his use for a legitimate medical purpose by another authorized practitioner.

b. Respondent shall undertake not less than 50 hours of continuing medical education annually, and receive during each year the American Medical Association Recognition Award.

c. Respondent shall take and pass the SPEX examination, unless he has done so after June 20, 1991.

Final Order
Page 3

d. Respondent shall comply with all conditions of probation imposed upon him and his licensure by the Louisiana State Board of Medical Examiners.

Dated this 26 day of March, 1992.

WISCONSIN MEDICAL EXAMINING BOARD

by: B. Gm Newaser
a member of the Board
Secretary

akt

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
SOFJAN LAMID, M.D.	:	
Respondent.	:	91 MED 464

It is hereby stipulated between the above Respondent, personally on his own behalf, and the Department of Regulation and Licensing, Division of Enforcement by its undersigned attorney as follows:

1. This Stipulation is entered into as a result of a pending investigation of licensure of Respondent by the Division of Enforcement. Respondent consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Respondent is aware and understands his rights with respect to disciplinary proceedings, including the right to a statement of the allegations against him; a right to a hearing at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel attendance of witnesses by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Board.
4. Respondent is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to execution of this Stipulation.
5. With respect to the attached Final Decision and Order, Respondent admits the facts set forth in the Findings of Fact, and further agrees that the Board may reach the conclusions set forth in the Conclusions of Law, and may enter the Order.

6. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

7. If the Board accepts the terms of this Stipulation, the parties to this Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

8 Respondent agrees that an attorney for the Division of Enforcement may appear at any deliberative meeting of the Board, in open or closed session, without the presence of Respondent or Respondent's attorney, with respect to this Stipulation but that appearance is limited to statements solely in support of this Stipulation, and to answering questions asked by the Board and its staff, and for no other purpose.

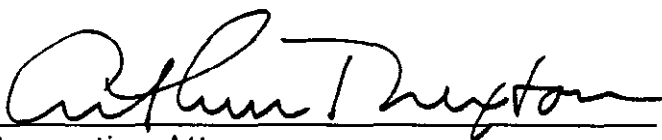
9. The Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

10. Respondent is informed that should the board adopt this stipulation, the board's final decision and order adopting the terms of the stipulation shall be published in the Monthly Disciplinary Report issued by the department, and a summary of the order adopting the terms of the stipulation shall be published in the Wisconsin Regulatory Digest issued semiannually by the department, all of which is standard Department policy and in no way specially directed at Respondent.



Respondent

3/12-92
Date



Prosecuting Attorney
Division of Enforcement

3-18-92
Date

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



830 Union Street, Suite 100
Telephone: (504) 524-6763
FAX (504) 568-8893
New Orleans, LA 70112-1499

-----X

	:	No. 90-A-007
In The Matter Of	:	
SOFJAN LAMID, M.D.	:	DECISION
Certificate No. 900003	:	_____
Respondent.	:	

-----X

An administrative hearing was convened before the Louisiana State Board of Medical Examiners (the Board) on Thursday, February 21, 1991, with additional testimony being held on April 11, 1991, to adjudicate alleged violations of the Louisiana Medical Practice Act by Sofjan Lamid, M.D. (the Respondent). Present representing the Board was a quorum of its membership including Drs. Richard M. Nunnally, Gerald R. LaNasa, Keith C. Ferdinand, F.P. Bordelon, Jr., Ike Muslow, and Bernard L. Kaplan with Dr. Kaplan presiding. (Dr. Muslow was not present on April 11, 1991, but reviewed the transcript of the testimony taken on that day). Also present were the Respondent represented by Mr. James A. McPherson, Attorney at Law; Mr. James J. Thornton, Independent Counsel for the Board; and Mr. Mark C. Surprenant, Attorney at Law, representing the Board. Dr. Elmo Laborde as Investigating Officer, took no part in the proceedings or the decision.

After consideration of the testimony of Drs. Donald Sanders Adams and Laxman S. Kewalramani as well as Respondent; the introduction of medical records representing Respondent's medical treatment of certain designated patients; and arguments of counsels, the Board rendered the following findings of fact and conclusions of law.

Findings of Fact

1. Respondent was, at all times pertinent to the allegations contained in the Administrative Complaint, licensed by the Board to practice medicine in the State of Louisiana as evidenced by Certificate No. 900003.

2. At all times pertinent to the allegations contained in the Administrative Complaint, Respondent was engaged in the practice of medicine principally in the New Orleans, Louisiana area.

3. On March 12, 1988, Respondent undertook to treat Mr. B. who complained of residual injuries from an accident that occurred in 1983. On that visit, Respondent prescribed 40 Vicodin tablets and 20 Seconal 100 mg; on March 19, 1988, Respondent prescribed 60 Percodan and 40 Valium 10 mg tablets. Mr. B. reported the loss of his Percodan and claimed his Valium was stolen. On that visit Respondent issued prescriptions for 15 Vicodin and 15 Diazepam 10 mg. Between March 12, 1988 and February 2, 1989, Respondent prescribed for Mr. B. 55 doses of Vicodin, 102 doses of Percodan, 460 doses of Diazepam 10 mg, 499 doses of Halcion, 15 doses of Ativan, 839 doses of Darvon N-100, 104 doses of Seconal 100 mg, 65 doses of Firoinal No. 3, and 170 doses of Tylenol No. 3. This represents 2309 doses of controlled drugs in an eleven month period. The medical record of Mr. B. filed in evidence contained notations which confirm Respondent advised Mr. B. of the addictive effects of the drugs he was taking but continued prescribing the drugs for him.

4. Sometime in 1987 Respondent undertook to treat Mr. F., a paraplegic owing to a 1982 gunshot wound to his spine. Mr. F. complained of moderate to severe back pain. Between September 26, 1987 and October 5, 1989, a two year period, Respondent issued 46 prescriptions for controlled substances consisting of 1,010 doses of Darvon N-100; 1040 doses of Diazepam 10 mg; 30 doses of Tylenol No. 3; 120 doses of Wygesic; 30 doses of Clonidine .1 mg; and 110 doses of Xanax. As early as January, 1987, Respondent was issuing prescriptions to Mr. F. for controlled substances although this is not evidenced in Respondent's records.

5. On November 7, 1987, Respondent undertook to treat Mr. J., who complained of arthritic back, neck, knee and hip pain. Between November, 1987, and October, 1989, roughly a two year period, Respondent issued to Mr. J. prescriptions for 1,230 doses of Darvon N-100; 160 doses of Wygesic; 70 doses of Diazepam 5 mg; 760 doses of Diazepam 10 mg; 40 doses of Xanax .05 mg; and 240 doses of Tylenol No. 3. Despite notations in Mr. J.'s records on January 2, 1988, and April 2, 1988, that the patient was advised of the addictive potentials of the medications, Respondent continued to prescribe the same medication.

6. On January 16, 1988, Respondent undertook to treat Ms. J., who complained of pain in knees, back, and legs. Respondent made a diagnosis of degenerative lumbar disc disease, osteoarthritis and anxiety reactions. Between January 16, 1988, and January 21, 1989, a 12 month period, Respondent prescribed for Ms. J. 280 doses of Darvocet N-100; 480 doses of Darvon N-100; 80 doses of Diazepam 5 mg; 560 of Diazepam 10 mg; and 290 doses of Tylenol No. 3. Respondent's records reflect the issuance of prescriptions for 1,610 doses of controlled substance during a twelve month period.

7. Respondent issued prescriptions for controlled substances to Mr. K. as early as October 16, 1986. Nevertheless, Respondent's records indicate that he began treating Mr. K. on October 10, 1987. The evidence introduced shows that Respondent issued a prescription for Dilaudid 4 mg tablets to Mr. K. on each of the following dates: October 16, 1986; November 21, 1986; December 16, 1986; and February 13, 1987. None of these prescriptions is reflected in the office records of Respondent. Respondent's records indicate that on six occasions, he issued prescriptions for Talwin-NX concurrently with prescriptions for Pyribenzamine 50 mg. This combination of drugs is commonly referred to in street language as "Ts and Blues". Respondent's records indicate that Mr. K. first appeared in his office on October 10, 1987, complaining of severe continuous pain in his upper back with quadreplegia as the result of a stab wound sustained in 1965. During the period between October 10, 1987, and February 3, 1989, a period of twenty-eight months, Respondent issued a total of 42 prescriptions for controlled substances including 1,630 of Talwin-NX and 1,135 doses of Diazepam 10 mg. It was during the same period that Respondent prescribed 500 doses of Pyribenzamine 50 mg along with the prescriptions for Talwin-NX.

8. Respondent's records show that he undertook to treat Mr. S. on October 24, 1987, who complained of pain in the neck and jaw, with left TMJ syndrome. Mr. S. also reported suffering from flashbacks and depression. Between November 7, 1987, and January 12, 1989, a period of fourteen months, Respondent issued 37 prescriptions for controlled substances including 110 doses of Percocet; 40 doses of Percodan; 640 doses of Diazepam 10 mg; and 570 doses of Vicodin, totaling in all some 1,360 doses of controlled substances.

9. Respondent's records show that he undertook to treat Ms. M. on December 12, 1987. Ms. M. reported that she had been in an automobile accident the previous night and complained of pain in her neck, back and nose. Respondent also noted an anxiety reaction. Respondent's records show that from December 12, 1987, to January 26, 1989, a thirteen month period, Ms. M. reported injuries sustained in a motor vehicle accident, injuries sustained in a fall in her bathroom, and injuries suffered when hit by a car while riding her bicycle. During this period Respondent issued 65 prescriptions for controlled substances to Ms. M. including 50 doses of Dalmane 30 mg; 65 doses of Seconal 100 mg; 840 doses of Diazepam 10 mg; 85 doses of Tylenol No. 3; 120 doses of Tylox; 525 doses of Tylenol No. 4; 270 doses of Percocet; 50 doses of Halcion .25; and 10 doses of Zanax .25 mg. On July 30, 1988, Respondent issued to Ms. M. prescriptions for 15 Dalmane 30 mg; 40 Diazepam 10 mg; and 40 Percocet. On August 4, 1988, Ms. M. reported that she had been robbed and had lost all of her medications. On that occasion Respondent prescribed 10 Dalmane 30 mg; 30 Diazepam 10 mg; and 30 Percocet. On September 3, 1988, Ms. M. reported that she had lost all her medications. Over the entire period of treatment, some thirteen months, Respondent's records show that he prescribed to Ms. M. 1,835 doses of controlled substances.

10. Respondent undertook to treat Mr. M. February 6, 1988. Mr. M.'s lower extremities were paralyzed as a result of a gunshot wound which he received in 1987. He was diagnosed by Respondent as having spasticity and a neurogenic bladder. During the period between February 6, 1988, and January 20, 1989, an eleven month period, Respondent issued prescriptions to Mr. M. for 840 dosages of Valium 10 mg; 280 doses of Darvocet N-100; 130 doses of Dalmane 30 mg; 15 doses of Tylenol No. 3; and 40 doses of Wygesic tablets. Respondent's records show that on August 13, 1988, a notation was made that "Patient changed Valium to 80 from 60 per Walgreen's pharmacy." On August 18, 1988, a second notation appears specifying that the patient apologized and promised not to do it again and a prescription for an additional 30 Valium 10 mg was issued on that date. On March 4, 1989, and March 25, 1989, Respondent changed Mr. M. medication for spasticity and sleep to Lioresal 10 mg and Vistaril 25 mg. When Mr. M.'s medications were changed to non-controlled substances he did not return to Respondent for treatment.

11. Respondent wrote prescriptions for controlled substances for Ms. P. as early as October 16, 1986, although his records show that he undertook to treat her initially on September 5, 1987. Respondent entered under "Impressions" in his office records that Ms. P. was suffering from diabetes mellitus, diabetic neuropathy, cervical spondylosis and a degenerative disc of the lumbar spine. Between September 25, 1987, and February 2, 1989, a 17 month period, Respondent issued to Ms. P. 71 prescriptions for Percodan for a total of 1,250 doses. Additionally during the same period Respondent issued prescriptions to Ms. P. for 45 Fiorinal tablets; 30 Talwin-NX; 20 Vicodin, 50 Valium 10 mg; 20 Wygesic tablets; and 30 Darvocet N-100. Notations in Respondent's records reflect that Ms. P. claimed that "Percodan is the only thing that works". Respondent's records further show that Ms. P. was advised of the addictive potential of Percodan and that Ms. P. would be weaned off the medication. Nevertheless, prescriptions for Percodan were issued for an additional 16 months through February 12, 1989.

12. Respondent undertook to treat Ms. S. on September 22, 1988. Ms. S. complained of an accident at work in which she had injured her low back, neck and shoulder blades. During the period from September 22, 1988, and October 19, 1989, a thirteen month period, Respondent issued to her prescriptions for 554 doses of Tylenol No. 3; 170 doses of Vicodin; 30 doses of Halcion .25 mg; 40 doses of Tylenol No. 2; 110 doses of Valium; 15 doses Xanax .5 mg; 40 doses of Wygesic tablets and 15 doses of Restoril .30 mg.

Conclusions of Law

1. Respondent is guilty of prescribing practices that in amount, frequency and duration were in excess of any legitimate medical justification and in contravention of the known warnings, dangers, and contraindications pertaining to the medications. Respondent is, therefore, guilty of the violations charged in Paragraph 13 of the Administrative Complaint in that he violated provisions of

the Louisiana Medical Practice Act. Louisiana Revised Statutes, Title 37, Section 1285(A)(6).

2. Respondent is guilty of prescribing controlled substances without medical justification and in contravention of the known warnings, dangers, and contraindications of the medications, and, therefore, engaged in continuing and recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in Louisiana. Respondent is therefore guilty of the violations charged in Paragraph 14 of the Administrative Complaint in that he violated provisions of the Louisiana Medical Practice Act. Louisiana Revised Statutes; Title 37, Section 1285 (A)(14).

3. Respondent's prescribing of controlled substances without medical justification, as set out in the "Findings of Facts" portion of this decision evidences professional and medical incompetency which constitutes a violation of the Medical Practice Act. Louisiana Revised Statutes, Title 37, Section 1285 (A)(12). Respondent is guilty of the violations charged in Paragraph 15 of the Administrative Complaint.

Decision

Considering the foregoing: **IT IS ORDERED** that:

1. Respondent's license to practice medicine in the State of Louisiana is suspended for 30 days, commencing August 1, 1991.

2. Respondent is placed on five years probation, beginning September 1, 1991. As a condition of his probation, Respondent shall within six months from August 1, 1991, attend a mini residency on the proper prescribing of controlled dangerous substances sponsored by the University of Medicine and Dentistry of New Jersey (or an alternative course or seminar approved by the Louisiana Board). Respondent shall provide the Board with a written report of what he learned at the course or seminar.

3. Respondent shall for life surrender his DEA permit for prescription and dispensation of controlled drugs.

4. Respondent shall make a personal appearance before the Board, to be scheduled by the Board at Respondent's request, on or approximately at the time of the termination of his probation.

5. During the period of his probation, Respondent shall undertake not less than 50 hours of continuing medical education annually and receive during each year of his probation the American Medical Association Recognition Award.

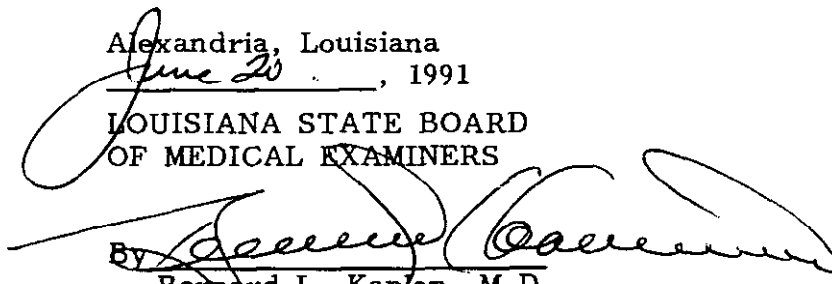
6. In six months from August 1, 1991, Respondent shall undertake and successfully complete the SPEX examination.

7. Respondent shall pay all costs of this proceedings, not to exceed \$5,000.00.

8. Any violation of any of the conditions and limitations on Respondent's medical practice, as set out above, shall be deemed by the Board sufficient cause for the suspension or revocation of Respondent's medical license.

Alexandria, Louisiana
June 20, 1991

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By 
Bernard L. Kaplan, M.D.
Vice-President


CERTIFIED TRUE COPY

Mrs. Delmar Rorison, Executive Director
Louisiana State Board of Medical Examiners

Date 6/28/91

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Medical Examining Board

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Medical Examining Board.

The date of mailing of this decision is April, 1 1992.