

**BEFORE THE TENNESSEE BOARD OF MEDICAL EXAMINERS**

**In The Matter of:**

**ROBERT ALLEN, M.D.**

**License No. 8503**

**Respondent**

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**Case No. 201301288**

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**ORDER OF SUMMARY SUSPENSION**

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This cause came to be heard on the 21<sup>st</sup> day of June, 2013, at a public meeting, before the Tennessee Board of Medical Examiners ("Board"), upon the application of the Tennessee Department of Health, Division of Health Related Boards ("State"), for a summary suspension of Respondent's license pursuant to Tennessee Code Annotated Section ("T.C.A. §") 4-5-320(c). The State presented evidence that the Respondent, Robert Allen ("Respondent") practiced medicine in violation of the provisions of T.C.A. § 63-6-101 *et seq.* The State presented the testimony of Patricia Daugherty, Department of Health Investigator. By the testimony of this individual and through documents submitted to the Board, the State presented evidence showing that Respondent engaged in unprofessional and unethical conduct and is unsafe to practice medicine.

**JURISDICTION**

The Board is responsible for the regulation and supervision of the practice of medicine in the State of Tennessee. T.C.A. § 63-6-101, *et seq.* The Board has the duty and power to revoke, suspend, or otherwise discipline the license of a physician who has violated the provisions of Title 63, Chapter 6, or any substantive rule promulgated under that chapter, or is guilty of unethical or unprofessional conduct. T.C.A. §§ 63-6-214. Under T.C.A. § 4-5-320(c), the Board has the authority to summarily suspend a license if it finds that the public health, safety, or welfare imperatively require emergency action.

## FACTS

1. On June 9, 2013, a Johnson City police officer attempted a traffic stop on a black Chevrolet Avalanche owned by Dr. Robert Allen.
2. According to the officer, Dr. Allen refused to stop the vehicle and was able to elude officers after reaching "dangerously high speeds" in a 30 mph zone.
3. Dr. Allen drove the vehicle to his personal residence and ran inside the home. As Dr. Allen ran into the home, an officer observed that Dr. Allen was wearing a bathrobe and underwear.
4. Dr. Allen emerged from the home clothed and holding an American flag in one hand and a bicycle horn in the other.
5. Dr. Allen was arrested, and his vehicle was searched. A search of the vehicle revealed a loaded weapon, a .38 caliber revolver, 29 grams of marijuana in the center console, a machete sticking from behind the driver's seat, and a strong overpowering smell of marijuana. Dr. Allen did not have a permit for the handgun.
6. Dr. Allen was charged with felony evading, reckless driving, felony Schedule VI drug charges, and prohibited weapons violations.
7. Dr. Allen was initially housed in the Washington County jail on suicide watch. He was granted an OR (own recognizance) bond and admitted into a psychiatric hospital on or around June 12, 2013.
8. A Department of Health investigator, Patricia Daugherty, attempted to interview Dr. Allen on June 11, 2013 at the jail. For her safety, the jail personnel did not allow her to meet with Dr. Allen in the same room, stating that Dr. Allen had been violent on that day. Instead, Ms. Daugherty was placed in one room, and Dr. Allen was placed in another room with a pane of glass separating the Ms. Daugherty and Dr. Allen.

9. As soon as the interview began, Dr. Allen stated that he was not practicing medicine anymore. He stated further that he was on disability. Ms. Daugherty attempted to ask Dr. Allen why he was on disability, and Dr. Allen responded that the reason did not matter and was none of her business.
10. Dr. Allen further stated, "I don't want to practice medicine anymore. I quit!" He then told Ms. Daugherty that he was in the process of closing down his practice. When asked when the closing down of his practice occurred, Dr. Allen said, "Over the weekend."
11. Dr. Allen became very angry. He pressed his face against the glass and said, "I'm done. I'm done with you, the board, and anything you stand for. You got that? You can go back to wherever you came from."
12. In addition to interviewing Dr. Allen, Ms. Daugherty also interviewed Dr. Allen's staff. The consensus from the staff was that Dr. Allen had not been himself for the past few weeks to few months.

### **CONCLUSIONS OF LAW**

The facts listed above are sufficient to establish that Dr. Allen has violated the following statutes or rules which are part of the Act, TENN. CODE ANN. § 63-6-101, *et seq.*, for which disciplinary action by the Board is authorized.

13. The facts stipulated in paragraphs one through 12 constitute a violation of TENN. CODE ANN. § 63-6-214(b)(1) unprofessional, dishonorable or unethical conduct; and
14. The facts stipulated in paragraphs one through 12 constitute a violation of TENN. CODE ANN. §63-6-214(b)(18) engaging in the practice of medicine when mentally or physically unable to safely do so.


## SUSPENSION

In consideration of the evidence presented, and pursuant to the authority granted under T.C.A. § 4-5-320(c), T.C.A. §§ 63-6-214, the Board hereby preliminarily finds that the misconduct of Respondent, **Robert Allen, M.D.**, is so severe that it imperatively requires emergency action in order to protect the public health, safety and welfare prior to the initiation of formal disciplinary charges.

It is therefore **ORDERED** that:

15. Respondent's Tennessee medical license, number 8503 is hereby **SUMMARILY SUSPENDED**;
16. Upon receipt of this Order, Respondent shall cease and desist from practicing medicine in the state of Tennessee;
17. This suspension shall be effective immediately and shall remain in effect until the conclusion of the contested case hearing against Respondent or until otherwise ordered by the Tennessee Board of Medical Examiners;
18. Pursuant to T.C.A. § 4-5-320(d)(1), Respondent may present his version of the facts to the Board at an informal conference on Friday, June 28, 2013 at 3pm (CST), in the Iris Room, First Floor, 227 French Landing Drive, Nashville, Tennessee.
19. The sole issue at the informal conference mentioned above shall be whether the public health, safety or welfare imperatively required emergency action by the Board.

**SO ORDERED**, this 21st day of June, 2013.

  
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Chairperson  
Tennessee Board of Medical Examiners

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Robert Allen, M.D., at

Woodridge Psychiatric Hospital - hand delivered  
to Mary Ann Broyles - receptionist, by hand delivery.

This 2nd day of June, 2013.

Patricia H. Dougherty, Investigator  
CB Plange JCPD (694)