

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Paul Dwayne Collins, M.D.,)	NOTICE OF CHARGES
)	AND ALLEGATIONS;
)	NOTICE OF HEARING
Respondent.)	

The North Carolina Medical Board (hereafter, "Board") has preferred and does hereby prefer the following charges and allegations:

1. The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes.

2. Paul Dwayne Collins, M.D. (hereafter, "Dr. Collins") is a physician first licensed to practice medicine and surgery on January 26, 2005, license number 200500139.

3. During the times relevant herein, Dr. Collins practiced medicine in Pembroke, North Carolina.

4. On January 26, 2005, Dr. Collins entered into a Consent Order with this Board in order to obtain licensure because of Dr. Collins' alcohol dependency, his history of abusing substances, such as marijuana, and because of his multiple arrests for driving while impaired.

5. As part of his Consent Order with the Board, Dr. Collins was to refrain, unless lawfully prescribed for him by someone other than himself, from the use of all mind-or-mood altering substances, including alcohol. Dr. Collins was also required to maintain a contract with the North Carolina Physician Health Program (hereafter "NC PHP").

6. On February 13, 2006, Dr. Collins provided a urine drug screen that tested positive for alcohol. Dr. Collins admitted that on Friday, February 10, 2006, he had consumed three shots of Jack Daniels. Dr. Collins explained that he felt frustrated about his work and let it get to him more than he should have.

7. On March 13, 2006, Dr. Collins voluntarily surrendered his North Carolina medical license.

8. On July 24, 2006, Dr. Collins entered into a second Consent Order (hereafter "second Consent Order") wherein Dr. Collins' medical license was indefinitely suspended because of his continued alcohol abuse.

9. On May 25, 2007, the Board reinstated Dr. Collins' medical license with a Consent Order (hereafter "third Consent Order") upon numerous conditions, including, but not limited to, that unless lawfully prescribed for him by someone other than himself, Dr. Collins shall refrain from the use of all mind-or-mood altering substances.

10. On July 6, 2007, Dr. Collins was at work appearing lethargic, incoherent, glassy-eyed and unresponsive to questions. Consequently, Dr. Collins was taken to and admitted to a local emergency room.

11. It was subsequently learned that Dr. Collins took 150 milligrams of dextromethorphan to help combat a panic attack.

12. As evidenced by the above allegations, Dr. Collins' continued substance abuse constitutes Dr. Collins being unable to practice medicine with reasonable skill and safety to patients by reason of illness, drunkenness, excessive use of alcohol, drugs, chemicals, or any other type of material or by reason of any physical or mental abnormality, within the meaning of N.C. Gen. Stat. § 90-14(a)(5), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, or limit Dr. Collins' license to practice medicine issued by the Board or to deny any application he might make in the future.

13. By violating the terms of his May 25, 2007 Consent Order, as described above, Dr. Collins engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the ethics of the medical profession, irrespective of whether or not a

patient is injured thereby, or the committing of any act contrary to honesty, justice, or good morals, whether the same is committed within or without North Carolina, within the meaning of N.C. Gen. Stat. § 90-14(a)(6), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, or limit Dr. Collins' license to practice medicine issued by the Board or to deny any application he might make in the future.

NOTICE TO DR. COLLINS

Pursuant to N.C. Gen. Stat. § 90-14.2, it is hereby ordered that a hearing on the foregoing Notice of Charges and Allegations will be held before the Board, or a panel thereof, at 8:00 a.m., Wednesday, October 17, 2007, or as soon thereafter as the Board may hear it, at the offices of the Board at 1203 Front Street, Raleigh, North Carolina, to continue until completed. The hearing will be held pursuant to N.C. Gen. Stat. § 150B-40, 41, and 42, and N.C. Gen. Stat. § 90-14.2, 14.4, 14.5, and 14.6. You may appear personally and through counsel, may cross-examine witnesses and present evidence in your own behalf.


You may, if you desire, file written answers to the charges and complaints preferred against you within 30 days after the service of this notice.

Pursuant to N.C. Gen. Stat. § 150B-40(c)(5), it is further ordered that the parties shall arrange a pre-hearing conference at which they shall prepare and sign a stipulation on pre-hearing conference. The pre-hearing stipulation shall be submitted to the undersigned no later than seven days prior to the hearing date.

The right to be present during the hearing of this case, including any such right conferred or implied by N.C. Gen. Stat. § 150B-40(d), shall be deemed waived by a party or his counsel by voluntary absence from the Board's office at a time when it is known that proceedings, including deliberations, are being conducted, or are about to be conducted. In such event, the proceedings, including additional proceedings after the Board has retired to deliberate, may go forward without waiting for the arrival or return of counsel or a party.

This the 31st day of August, 2007.

NORTH CAROLINA MEDICAL BOARD

By: 
H. Arthur McCulloch, M.D.
President