

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF PHARMACY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

LARRY H. REID, D.O.  
Controlled Substance License No. 53-15-170272,

File No. 53-19-155002

Respondent.

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ORDER OF SUMMARY SUSPENSION

The Department filed an *Administrative Complaint* against Respondent as provided by the Public Health Code, MCL 333.1101 *et seq*, the rules promulgated under the Code, and the Administrative Procedures Act, MCL 24.201 *et seq*.

After careful consideration and after consultation with the Chairperson of the Board of Pharmacy pursuant to MCL 333.7314(2), the Department finds that the public health and safety requires emergency action.

Therefore, IT IS ORDERED that Respondent's controlled substance license is SUMMARILY SUSPENDED, commencing the date this *Order* is served.

Under Mich Admin Code, R 792.10702, Respondent may petition for the dissolution of this *Order* by filing a document clearly titled **Petition for Dissolution of Summary Suspension** with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

MICHIGAN DEPARTMENT OF  
LICENSING AND REGULATORY AFFAIRS

Dated: 04/03/19

  
By: Cheryl Wykoff Pezon, Director  
Bureau of Professional Licensing

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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Respondent Larry H. Reid, D.O. as follows:

1. The Michigan Board of Pharmacy is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* The Board's Disciplinary Subcommittee is empowered to discipline licensees for Code violations.
2. The Board administers the controlled substance provisions in Article 7 of the Code, MCL 333.7101 - .7545, and is empowered to discipline licensees for Article 7 violations under MCL 333.7311.
3. MCL 333.7333(1) provides that good faith prescribing occurs in the regular course of professional treatment to or for an individual who is under the treatment by the practitioner for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided in Article 7.

4. After consultation with the Board Chairperson, the Department found that the public health and safety requires emergency action. Therefore, pursuant to MCL 333.7314(2), the Department summarily suspended Respondent's controlled substance license, effective on the date the accompanying Order of Summary Suspension was served.

5. Respondent holds a current Michigan license to practice osteopathic medicine and surgery<sup>1</sup> and has a current controlled substance license.

6. For historical purposes, the following events occurred:

- a. On October 17, 2017, the Department issued an Administrative Complaint against Respondent for failing to complete required continuing education. Respondent failed to respond, and the complaint was forwarded to the Board of Osteopathic Medicine and Surgery's DSC for imposition of a sanction.
- b. On December 18, 2018, the Board of Osteopathic Medicine and Surgery's DSC executed a Final Order which placed Respondent on probation for a minimum period of one day, not to exceed one year, until he completed a minimum of 51 hours of continuing education. Respondent was also required to pay a fine of \$3,050.00 within 60 days of the effective date of the Order. The Order allowed for a minimum one-day suspension for failure to comply.
- c. On March 25, 2019, the Department suspended Respondent's professional license for failing to timely pay his fine. Respondent's controlled substance license entered a lapsed status on the same day, pursuant to MCL 333.7311(6).
- d. On April 2, 2019, Respondent's professional license was reinstated and his controlled substance license became active after he paid the required fine.

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<sup>1</sup> The Department has also filed an Administrative Complaint against Respondent's professional license before the Board of Osteopathic Medicine and Surgery Disciplinary Subcommittee for the conduct alleged here: *Larry H. Reid, D.O.*, No. 51-18-153169.

7. Alprazolam (e.g. Xanax), a schedule 4 controlled substance, is a benzodiazepine used to treat anxiety disorders and panic disorder. Alprazolam is a commonly abused and diverted drug, particularly in its 1 mg and 2 mg dosages.

8. Hydrocodone is an opioid. Hydrocodone combination products (e.g., Norco), are Schedule 2 controlled substances due to their high potential for abuse.

9. Oxycodone and oxycodone combination products are opioid schedule 2 controlled substances. These medications are used to treat pain and are commonly abused and diverted.

10. Oxymorphone, a schedule 2 controlled substance, is an opioid used to treat pain, and is a commonly abused and diverted drug. Oxymorphone 40 mg is the most commonly abused and diverted strength of oxymorphone.

11. The Centers for Disease Control and Prevention (CDC) guidelines for opioid prescribing direct providers to avoid prescribing opioid pain medication and benzodiazepines concurrently whenever possible.

12. The CDC's guidelines for opioid prescribing direct providers to use "extra precautions" when prescribing opioids with a daily morphine milligram equivalent (MME) of 50 or more. Those guidelines also direct providers to "avoid or carefully justify" increasing dosage to a daily MME of 90 or more.

13. In or around September 2018, Department staff reviewed MAPS<sup>2</sup> data which indicated that Respondent was the top-ranked prescriber of oxymorphone

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<sup>2</sup> Michigan Automated Prescription System, the State of Michigan's prescription drug monitoring program, which gathers data on controlled substances dispensed in Michigan.

40 mg in the State of Michigan in 2017 and the first two quarters of 2018. Respondent also ranked highly in prescribing oxycodone 30 mg.

14. Department staff reviewed MAPS data between September 27, 2017 and September 27, 2018 and found the following:

- a. Over 93% of controlled substance prescriptions authorized by Respondent were for the following highly abused and diverted controlled substances: oxymorphone 40 mg (74.55%), oxycodone 30 mg (14.16%), hydrocodone-acetaminophen 10-325 mg (2.20%), and alprazolam 2 mg (2.1%).
- b. 22.46% of controlled substance prescriptions authorized by Respondent were paid for in cash. This rate more than doubles the state average of approximately 10% for cash payment. High percentages of prescriptions being paid for in cash can be indicative of prescriptions being filled for illegitimate purposes.
- c. Many of the patients receiving controlled substance prescriptions from Respondent were traveling significant distances. Traveling far distances can be indicative of filling prescriptions for illegitimate purposes.
- d. Respondent appeared to engage in pattern prescribing regarding combinations and/or dosages of controlled substances to the extent that they did not vary despite demographic diversity in his patient population. Respondent prescribed opioids in combination with benzodiazepines, which is known to increase the risk of respiratory and central nervous system suppression.
- e. The Department cross-referenced patients to whom Respondent prescribed controlled substance medication against the Michigan Department of Corrections' (MDOC) Offender Tracking Information System, a publicly-searchable database of offenders previously or currently under the jurisdiction or supervision of the MDOC. The Department found that approximately 14% of Respondent's patients (154 out of 1,052) were convicted of felonies or misdemeanors, some related to controlled-substance offenses.
- f. On multiple occasions, Respondent authorized greater than a three-day supply of controlled substance medication to patients without first obtaining and reviewing a MAPS report.

15. Pursuant to the above-information, the Department authorized an investigation into Respondent's prescribing practices.

16. On December 20, 2018, Respondent was ordered by a circuit court subpoena to produce copies of the complete medical records for patients L.B.,<sup>3</sup> T.W., R.M., A.P., A.A., J.M., R.W., L.B., A.N., N.B., M.J., T.T., C.C., and R.S. and provide the records to the Department no later than January 11, 2019.

17. On December 21, 2018, the Department mailed the subpoena to Respondent.

18. On January 23, 2019, Department staff spoke with Respondent and informed him that he had failed to provide the medical records required by the subpoena. Department staff confirmed with Respondent that the subpoena was sent to two correct addresses. The Department then faxed a copy of the subpoena to Respondent and gave Respondent an extension to provide records until February 6, 2019.

19. To the date of this Complaint, Respondent has failed to provide any of the records ordered by the subpoena.

### COUNT I

Respondent failed to maintain effective controls against diversion of controlled substances to other than legitimate and professionally recognized therapeutic, scientific, or industrial uses, in violation of MCL 333.7311(1)(e).

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<sup>3</sup> Patients are identified by their initials to protect confidentiality.

COUNT II

Respondent's conduct constitutes a failure to obtain and review MAPS reports prior to prescribing controlled substances to patients in quantities exceeding a 3-day supply, contrary to MCL 333.7303a(4), in violation of MCL 333.7311(1)(h).

COUNT III

Respondent's conduct constitutes a failure to prescribe in good faith, contrary to MCL 333.7405(1)(a), in violation of MCL 333.7311(1)(h).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this complaint to answer this complaint in writing and to show compliance with all lawful requirements for retention of the license. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this complaint. If Respondent fails to answer, the Department shall transmit this complaint directly to the Board's Disciplinary Subcommittee to impose a sanction pursuant to MCL 333.16231(9).

MICHIGAN DEPARTMENT OF  
LICENSING AND REGULATORY AFFAIRS

Dated: 04/03/19

  
By: Cheryl Wykoff Pezon, Director  
Bureau of Professional Licensing

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