

Former Wagoner doctor Terpstra faces medical board

By Scott Smith Kokomo Tribune

Kokomo Tribune | Posted: Friday, April 25, 2014 2:58 am

A Kokomo doctor made a second promise Thursday not to practice medicine while his criminal case is pending, and the Medical Licensing Board of Indiana declared his medical license inactive.

William Terpstra, one of four doctors accused of distributing narcotics through the Wagoner Medical Clinic, appeared before the state board in Indianapolis to answer a license complaint brought by the Indiana Attorney General's office.

Terpstra, Dr. Robert Brewer and Drs. Don and Marilyn Wagoner all face felony drug dealing charges in connection with allegations they massively overprescribed prescription narcotics. Five other professionals associated with the clinics also face charges.

Don Wagoner is expected to be the first defendant to go on trial, starting June 13 unless there's an unexpected delay.

Thursday, lawyers for the state and for Terpstra agreed that proceeding with the licensing hearing could prejudice Terpstra's right to a fair trial.

"He's not practicing medicine now; it makes no sense to move forward," Terpstra's attorney, Thomas Farlow, told the licensing board.

The licensing board could sanction Terpstra in various ways, up to a permanent revocation of his license to practice in Indiana.

The licensing hearing is separate from the criminal charges against Terpstra, but the testimony in both cases is likely to center around expert opinions on Terpstra's prescribing practices.

Police say overprescription of painkillers, sedatives and other controlled substances at the Wagoner clinics resulted in a rash of overdose deaths, addicted patients and a flood of pills into the community.

Terpstra agreed at Thursday's license hearing to have the medical board declare his license inactive, as a condition of postponing the hearing. Terpstra already had agreed not to practice medicine, as a condition of his bond in the criminal case.

Farlow and Allen Pope, the lead counsel for the attorney general's office, both said Terpstra would have been unable to speak in his own defense at the licensing hearing, had the board refused to allow a continuance Thursday.

"Dr. Terpstra expects to be exonerated in [the criminal] matter, and if so, that affects what could happen here [at the licensing hearing]," Farlow said.

The medical board decision to postpone the hearing indefinitely, while Terpstra's criminal case is

pending, also likely means the board will delay hearing licensing complaints against Brewer and the Wagoners.

Brewer is scheduled to go before the medical board next month, and both Wagoners are scheduled for the board's June meeting.

"If a motion is made [to continue the license hearings] the medical board would consider it, the same way they considered it today," said Jessica Krug, an attorney with the attorney general's office.

Scott Smith is on Twitter, @JasonSSmith1, and can be reached at scott.smith@kokomotribune.com

Captured 9/12/2014