

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**AUGUST 18, 19, 2008
NEW ORLEANS, LOUISIANA**

A meeting of the Louisiana State Board of Medical Examiners, pursuant to call of the President and lawful notice, was duly convened and called to order at 8:30 a.m., Monday, August 18, 2008, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members were present as follows:

Kweli J. Amusa, M.D., President
Linda Gage-White, M.D., Ph.D., Vice-President
Mark Henry Dawson, M.D., Secretary-Treasurer
Melvin G. Bourgeois, M.D.
Tonya Hawkins Sheppard, M.D.
Keith C. Ferdinand, M.D.
Kim Edward LeBlanc, M.D., Ph.D.

The following members of the Board's staff were present:

Robert L. Marier, M.D., Executive Director
Cecilia Ann Mouton, M.D., Director of Investigations
Emily Diane Eisenhauer, M.D., Assistant Director of Investigations
Grace Hammons, Program Compliance Officer Manager
Christine Holder, Program Compliance Officer III
Merian Glasper, Director of Licensure
Rita L. Arceneaux, Confidential Executive Assistant

Legal counsel to the Board was present as follows:

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Judge Frederick S. Ellis
Philip O. Bergeron

First Session
Monday, August 18, 2008

1. **Minutes of July 21, 22, 2008.** The Board reviewed the minutes of its meeting of July 21, 22, 2008. Motion was made by Dr. Dawson, duly seconded, and unanimously carried, to approve the minutes of the meetings together with the executive sessions conducted during such meeting with all necessary corrections.
2. **Confirmation of Interim Action.** The Board reviewed the Interim Action in the matter of Stephen G. Sanders, M.D., in which the Board's President approved invoking the Sick Physician Statute in the matter of Stephen G. Sanders, M.D. No further action was required or taken on this matter.
3. **Status Report on Action Items of Prior Board Meetings; Report on Assignments to Counsel.** The Board noted that all action items as assigned to staff and counsel from previous meetings had been completed. No further action was required or taken on this matter.
4. **Rules and Regulations.**
 - a. Final Rules/Amendments: Noticed for Adoption – None published since the last meeting of the Board.
 - b. Rules/Amendments – Noticed for Intent - Midwifery: The Midwifery Advisory Committee suggested a number of amendments to the Board=s midwifery rules on licensing, 46XLV.2301-2373 and practice, 46X:V.5301-5363. Members of the Committee met with the Board in 2005 to discuss their suggestions and proposed amendments. Following consideration, a Subcommittee was appointed by the Board=s President to study the suggestions and present recommendations to the Midwifery Advisory Committee and thereafter to the Board. In February 2006, the Committee provided draft recommendations to the Midwifery Advisory Committee for review and discussion. A reply to the Subcommittee=s recommendations, dated June 26, 2006, was received, and the Subcommittee met during the July 2006 meeting and accepted some of the recommendations and rejected others. A revised draft was sent to the Advisory Committee on August 8, 2006 with the request that any final modifications be received in time to place a final draft on the September 2006 agenda for the Board=s consideration. The Midwifery Advisory Committee and several individual midwives expressed concern over several areas of the proposed revisions and requested a meeting. A meeting was held between the Subcommittee and the Advisory Committee in November 2006 to discuss their concerns. A revised draft was forwarded to the Midwifery Advisory Committee in January 2007 and a reply was received accepting the changes in February 2007, but providing further recommendations on one section of the rules. A further draft to address this issue was sent to the Committee in March. Its reply was received June

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4, 2007 and was disseminated to the Subcommittee for review and finalization. The Subcommittee accepted the suggested revisions contained in Kathy Acree=s letter dated May 29, 2007. At its meeting of June 18, 2007, the Board approved the suggested changes and approved publication of a Notice of Intent to amend revisions to 5355 in the Louisiana Register. They were published in the October 2007 edition of the Louisiana Register. Written comments were received with respect to the proposed amendments and following a timely request, notice of a Public Hearing was published in the November edition of the Louisiana Register. A Public Hearing was thereafter convened and held at the offices of the Board on Thursday, November 29, 2007. A summary of the comments were presented for consideration at its meeting of April 21, 2008. The Board voted to take no further action with respect to the current rule-making effort at this time. Further activity on the rule-making effort will be in accord with the provisions of the Louisiana Administrative Procedure Act.

Adjudication - The Board directed counsel to revise its rules on adjudication (to provide for a hearing within 60 days, rather than 45, in the event of summary suspension of licensure). A draft of the proposed amendments was presented to the Board during its October meeting. Following review and discussion, the Board elected to provide Notice of Intent to adopt the proposed amendments. The rules were noticed and appeared in the December 20, 2007 edition of the Louisiana Register. Written comments were accepted until 4:00 p.m., January 14, 2008. During its meeting of July 21, 2008, the Board voted to adopt the amendments upon promulgation in the *Louisiana Register*.

Physicians and Surgeons; Registered Dispensing Physicians; Licensure and Practice: The Board determined that certain modifications to its existing rules governing registered dispensing physicians were needed generally and in particular to comply with Louisiana=s Prescription Monitoring Program legislation and the implementing rules adopted by the Pharmacy Board. Following review and discussion of the proposed changes at its October 2007 meeting, the Board elected to provide Notice of Intent to adopt the proposed amendments which appeared in the December 20, 2007 edition of the *Louisiana Register*. Written comments were accepted until 4:00 p.m., January 14, 2008. During its meeting of July 21, 2008, the Board voted to adopt the amendments upon promulgation in the *Louisiana Register*.

Athletic Trainers - The Board directed the preparation of certain changes to its athletic trainers= rules to reflect elimination of the state examination and to generally update other provisions in keeping with current practices. A draft was presented to and approved by the Board=s Athletic Trainers= Advisory Committee and presented to the Board at its October 2007 meeting. Following consideration and discussion, the Board voted to provide Notice of Intent to adopt the rule amendments in the Louisiana Register which appeared in the January 20, 2008 edition of the Louisiana Register. Thereafter, several written comments were received. Further activity on the rule-making effort will be in accord with the provisions of the Louisiana Administrative Procedure Act.

Acupuncture - Act 452 (2007) created a category of licensee called acu detox specialists, whose practice is limited to the application of needles to a specific point or combination of points on the ear. Applicants must be certified by the National Acupuncture Detoxification Association and practice under the general supervision of a physician or an acupuncturist=s assistant. The law also eliminated the requirement that acupuncturist=s assistants be employed by a physician and directed the Board to promulgate rules through its Integrative and Complementary Medicine Committee (AICM) that it deemed necessary to regulate the certification and practice of acu detox in this state. With the input of the

Integrative and Complementary Medicine Advisory Committee and other interested parties, a draft was prepared and distributed at the Board's December 2007 meeting for initial consideration and discussion. Following review, the Board and the ICM Advisory Committee suggested that several modifications be incorporated into a final draft. The final draft was approved by the Board at its March 2008 meeting and transmitted to the Louisiana Register for publication which was published in the April 20, 2008 edition of the Louisiana Register. During its meeting of July 21, 2008, the Board considered the one comment received with respect to the proposed rules, directed a response be forwarded, and voted to adopt the rules upon promulgation in the next issue of the *Louisiana Register*.

c. Rules/Amendments Under Development - **Respiratory Therapy**. The Advisory Committee for Respiratory Therapy reviewed the current rules to ascertain what modifications may be needed in light of the legislative changes to the Louisiana Respiratory Therapy Act in 2007 and provided its recommendations for review by Dr. Ferdinand and counsel. As soon as a final draft has been prepared, it will be presented to the Board for review and discussion.

Perfusionist. The Advisory Committee for Perfusionists prepared an initial draft of rules for this newly regulated category of allied health care professionals. Following Board review in January 2006, Dr. Ferdinand, Board member liaison and Board counsel met with the Advisory Committee Chair in an effort to develop a more comprehensive, focused set of rules for the Board's consideration. A revised draft was received and is being studied. As soon as it has been refined, it will be presented to the Board for consideration.

Physicians and Surgeons - Mid-Level Providers: The Board appointed a Committee to work on the development of rules for supervision, collaboration and consultation with mid-level providers. As soon as such draft is finalized, it will be presented to the Board for consideration.

Clinical Laboratory Personnel - Following a review of its balance sheet, financial information and budgetary needs at its meeting of March 2007, the Clinical Laboratory Personnel Advisory Committee voted at its June 30, 2007 meeting to recommend that the Board accept the recommendation for a license/annual renewal fee increase of fifteen dollars (\$15.00) for all CLP licensees. At that time the Committee also voted to recommend that the Board undertake the following additional rule-making efforts: (i) to adopt staff's recommendations to include a number of causes that may give rise to the denial, suspension, or revocation of licensure; (ii) to delete Chapter 111 of its rules so that the Board may continue to handle disciplinary proceedings relative to CLP applicants/licensees as it does for all other allied health care providers; and (iii) to eliminate certification examinations CLS-G/CLS-T offered by two organizations which, in the view of the Committee, do not provide the minimum acceptable education, clinical, employment or experience requirements requisite to licensure. The Board requested that Dr. Gage-White seek clarification on item (iii) for the military personnel, approved the Committee's recommendations and decided to provide Notice of Intent to adopt the rules in the Louisiana Register. The modification suggested by Dr. Gage-White was considered and approved by the Committee at its March 2008 meeting.

Physicians and Surgeons - Supervision of Unlicensed Providers - The Board directed staff/counsel to work on the development of rules for supervision of unlicensed providers of cosmetic and other medical services. As soon as a draft is finalized, it will be presented to the Board for consideration.

Podiatry - Act 204 (2007) expands the scope of the practice of podiatry to include treatment of the ankle, muscles, or tendons of the lower leg governing the functions of the foot and

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ankle by a podiatrist who has completed advanced training determined to be sufficient by the Board at a program accredited by nationally recognized associations acceptable to the Board.@ Implementation of the expanded scope of practice must be preceded by rules promulgated by the Board that are predicated on the education or level of training, or both, of an applicant. In addition, the certificate (license) issued by the Board to a podiatrist must reflect an applicant's practice authority based on his or her level of training. With the input of the Podiatry Advisory Committee and the Louisiana Orthopedic Association, a draft of such rules was presented for consideration and discussion. Further refinements were made to the draft and considered by the Board at its meeting of June 21, 2008. At its July meeting, the Board voted to provide *Notice of Intent* to adopt the proposed rules in the next issue of the Louisiana Register. **Physicians and Surgeons - Demonstration of Clinical Competency** - The Board directed staff/counsel to work on the development of rules for demonstration of physician clinical competency for licensure/renewal. A draft has been circulated to staff for review and comments. As soon as a draft is finalized, it will be presented to the Board for consideration. **Polysomnography** - The Board received a proposed draft of new rules for polysomnographers from its Advisory Committee on Polysomnography. As soon as a final draft has been prepared, it will be presented to the Board for review and discussion. **Physician Assistants** – A draft of proposed amendments concerning the scope of practice issues relating to physician assistants was referred to the PA Advisory Committee for input. A draft was presented to the Board for consideration at its July 2008 meeting. Suggested modifications, along with additional revisions from the Committee and staff were incorporated into a draft and presented to the Board for consideration. Following review and discussion, upon motion made, duly seconded and passed by unanimous voice vote, the Board voted to provide *Notice of Intent* of the proposed rule amendment in the next issue of the *Louisiana Register*. **Physicians and Surgeons – Telemedicine** – Due to the lack of sufficient number of psychiatrists and facilities available to provide mental health services to the citizens of this state, combined with advancement in technology in recent years, the Board will consider the issuance of permits that would allow board certified psychiatrists to conduct examinations by telemedicine (in lieu of in person) for the purpose of treating mental health and addiction disorders in facilities approved by the Department of Health and Hospitals (DHH) for this purpose. A draft of the proposed rules was considered by the Board at its April 2008 meeting, and a revised draft was considered at its June 2008. Following review and discussion, the Board voted to approve the draft with suggested modifications and provide *Notice of Intent* of the rules in the next issue of the *Louisiana Register*. **Physicians and Surgeons – Consultation with Medical Psychologists** – Pursuant to Act 11 of the 2004 session of the Louisiana Legislature, medical psychologists were authorized to prescribe certain medications to their patients with prior consultation and concurrence of the patient's primary or attending physician. The Board directed staff to develop rules that would address various physician concerns bearing on the issue since implementation of the law. A draft was presented was review and discussion at its June 2008 meeting and suggested modifications were incorporated. Following review and discussion at its July 2008 meeting, the Board approved the draft; however, prior to advancing the rules, the Board elected to solicit the input of the State Board of Psychology Examiners of Louisiana, which licenses medical psychologists. The Board acknowledged receipt of communication by the State Board of

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Psychology Examiners of Louisiana that they had received a copy of the Board's proposed rules.

5. Rulings and Advisory Opinions; Personal Appearance; Peter B. Stevens, PA, Chair, Physician Assistants Advisory Committee; Scope of Practice; Consultations. Peter B. Stevens, PA, Chair, Physician Assistants Advisory Committee appeared to discuss clarification relative to the ability of physician assistants to perform consultations. Following review and discussion, upon motion made, duly seconded and passed by unanimous voice vote, it was the consensus of the Board that a physician assistant may answer a consultation provided; (i) the consultation pertains to an area with the physician assistant's scope of education, training and experience; (ii) the patient-specific consultation is delegated to the physician assistant by the supervising physician; (iii) the physician assistant confers with the supervising physician as soon as practical following the consultation; and (iv) the supervising physician counter signs the physician assistant's consultation note promptly, but in no event later than twenty-four hours depending on the urgency of the situation; and, (v) that a response by a physician assistant, rather than by the supervising physician is acceptable to the physician requesting the consultation. This opinion is not rendered to address payment determination by governmental or private payors or in any way to require physicians to accept a consultation by a physician assistant.

6. Rulings and Advisory Opinions; Respiratory Therapists; Scope of Practice; Installation and Adjustment of Home Medical Equipment; Follow-up. The Board reviewed correspondence received from Jeffrey S. Friedman, Owner and CEO, Total Health Solutions, in follow-up to correspondence written by the Board in response to his request for an advisory opinion on the installation and adjustment of home medical equipment by respiratory therapists. No further action was required or taken on this matter.

7. Rulings and Advisory Opinions; Telemedicine. The Board reviewed correspondence received from W.C. Turner, M.D., UTMB Electronic Health Network, seeking an advisory opinion from the Board on the ability of UTMB Electron Health Network to set up a clinic in Louisiana to perform telemedicine, in the sense that Louisiana patients who present to the clinic located in Louisiana with general medical complaints would be seen and treated by physician/s licensed in another state, specifically Texas. Following review and discussion, it was the consensus of the Board to advise Doctor Turner that patients of the Louisiana clinic would be required to be examined in person at the clinic by a physician licensed in Louisiana and on site at the clinic.

8. Communication and Information; Douglas E. Moul, M.D., M.P.H., FAASM. The Board reviewed correspondence received from Douglas E. Moul, M.D., M.P.H., FAASM, on the policy of the Board to require certification by the Federation of State Medical Boards, Credentials Verification Service ("FCVS"), as part of the licensure process. Following review and discussion, it was the consensus of the Board to thank Dr. Moul for his correspondence and explain the benefits of FCVS.

9. General Administrative Matters; Financial Reports.

Financial Statement - The Board reviewed a statement on the revenue and expenses for the period ending June 30, 2008 and approved all expenditures as noted therein. The Board also

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reviewed the status of investments as of June 30, 2008. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending June 30, 2008, and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of June 30, 2008.

10. General Administrative Matters; President's Report. The Board received the report of the President on her activities since the last meeting of the Board. Dr. Amusa asked Dr. LeBlanc to report on his activities. Dr. LeBlanc reported on the meeting of the Board of Director's of the Federation of State Medical Board held July 22, 2008 in Vermont. He reported on the upcoming changes to the USMLE licensing examination. No further action was required or taken on this matter.

[11.] Investigative Reports. On the motion of Dr. Dawson, the Board convened in executive session to consider investigative reports as matters relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Following the review the Board resumed in open session. Upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the following:

Consent Orders: The following Consent Orders were accepted:

Jonathan Jerard Roberts, M.D., Docket No., 08-I-331
Kayla Lynn Newton, RRT, Docket No., 06-I-575
Neil L. Halim, M.D., Docket No., 07-I-307
Jason Michael Hebert, PA, Docket No., 08-I-485
Daphe Dawn Lively, CRT, Docket No. 08-I-634

[12.] Investigative Reports; Personal Appearance; Jonathan Jerard Roberts, M.D. On the motion of Dr. Dawson, the Board convened in executive session to consider an investigative report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Jonathan Jerard Roberts, M.D., appeared before the Board in connection with the acceptance of his Consent Order. Dr. Roberts acknowledged he understood the terms of the order and was aware it was a public record. He also asked for clarification relative to the limitation placed upon his license which was fully explained to him.

[13.] Investigative Reports; Personal Appearance; Kala Lynn Newton, CRT. On the motion of Dr. Gage-White, the Board convened in executive session to consider an investigative report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Kala Lynn Newton, CRT, appeared before the Board in connection with the acceptance of her Consent Order. Ms. Newton acknowledged she understood the terms of the order and was aware it was a public record. She also informed the Board that she had requested, prior to the appearance, that her license be placed on inactive status. The Board explained that her inactive status had no bearing on the terms and conditions of the order.

[14.] Investigative Reports; Personal Appearance; Neil L. Halim, M.D. On the motion of Dr. Sheppard, the Board convened in executive session to consider an investigative report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Dr. Halim appeared before the Board in connection with the

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acceptance of his Consent Order. He acknowledged he understood the terms of the order and was aware it was a public record. He also questioned the use of Suboxone in his practice and was informed that the Consent order did allow for its use, but should not be used for the treatment of chronic pain.¹

[15.] Investigative Reports; Personal Appearance; Jason Michael Hebert, PA. On the motion of Dr. Bourgeois, the Board convened in executive session to consider an investigative report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Jason Michael Hebert, PA, appeared before the Board in connection with the acceptance of his Consent Order. Mr. Hebert acknowledged he understood the terms of the order and was aware it was a public record.

[16.] Investigative Reports; Personal Appearance; Daphne Dawn Lively, CRT. On the motion of Dr. LeBlanc, the Board convened in executive session to consider an investigative report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Daphne Dawn Lively, CRT, appeared before the Board in connection with the acceptance of her Consent Order. Ms. Lively acknowledged she understood the terms of the order and was aware it was a public record.

[17.] Investigative Reports. Continuing in executive session, the Board considered the investigative reports as matters relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(4). Following the review the Board resumed in open session. Upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the following:

- a. Consent Order. The following Consent Order was approved:

Ronald Dane Sylvest, M.D., Docket No., 08-I-119

[18.] General Disciplinary Reports; Personal Appearance; Kenneth LeMoyne Wiley, M.D. On the motion of Dr. Dawson, the Board convened in executive session to consider a report as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(4). Kenneth LeMoyne Wiley, M.D. appeared in accordance with the terms of his probation. Dr. Wiley requested termination of the terms of probation and reinstatement of his license to a full, unrestricted status. Following his dismissal, the Board resumed in open session, and upon motion made, duly seconded and passed by unanimous voice vote, voted to reinstate the license of Kenneth LeMoyne Wiley, M.D., to a full, unrestricted status, off probation.

19. General Administrative Matters; Executive Director's Report. The Board received the report of the Executive Director on his activities since the last meeting of the Board. Dr. Marier reported on the meeting of the Collaborative Drug Therapy Committee held in July at University Medical Center in Lafayette. The Board noted with appreciation the work of the committee and upon the Committee's recommendation approved the Collaborative Practice Agreements submitted by LSUHSC Shreveport and Touro Infirmary in New Orleans for anticoagulation clinics

1 Dr. Gage-White abstained from participating in this matter.

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pending changes requested by the Committee. The Board deferred action on a practice agreement relating to ocular hypertension noting that this was beyond the scope of practice set forth in the rule but indicated a willingness to consider the matter in the future if it could be shown that this was a safe and effective practice. He further reported and requested that the Board consider posting disciplinary actions relative to suspensions, summary suspensions, voluntary surrenders and reprimands online. Following review and discussion, upon motion made, duly seconded and passed by unanimous voice vote, the Board approved publication of disciplinary action relative to suspensions, summary suspensions, voluntary surrenders and reprimands on the Board's website. He further reported on FCVS Student Retention Program and the fact that training programs in Louisiana are encouraged to participate in the program. He further discussed the short-term training permits for international medical graduates, appointments to the Midwifery Advisory Committee and the Board, and usage of mid-level practice at Ochsner Heart and Vascular Institute.

20. General Administrative Matters; Federation's Credentials Verification Program, Statistics. The Board reviewed the statistical report prepared by Dr. Marier on the Federation's Credentials Verification Service. No further action was required or taken on this matter.

21. General Administrative Matters; Advisory Committee on Midwifery. The Board reviewed correspondence received from Kathy Acree, LM, CPM, Chair, Advisory Committee on Midwifery, providing their response to the decision of the Board to take no further action on the proposed rule amendments. Following review and discussion, it was the consensus of the Board to formally acknowledge and reply to Ms. Acree's letter and confirm its decision to take no action on the current proposed rule amendments inasmuch as a decision had been made to undertake a new effort to designate the North American Registry of Midwives as the provider of the written and practical examinations required for licensure in Louisiana.

[22.] Professional Liability Report. On the motion of Dr. Bourgeois, the Board convened in executive session to consider the report of Dr. Eisenhauer, on professional liability cases reviewed since the last meeting of the Board as matters relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). No further action was required or taken on these matters.

[23.] Personal Appearances/Docket Calendar. Continuing in executive session, the Board reviewed the calendar of personal appearances and docketed hearings, as matters relating to allegations of misconduct and the character and professional conduct of licensees, La.Rev. Stat. ' 42:6.1 A(4). No further action was required or taken on this matter.

[24.] Investigative Reports. Continuing in executive session, the Board considered the investigative reports as matters relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(4). Following the review the Board resumed in open session. Upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the following:

- a. Closed Complaint Cases. The Closed Complaint Cases Report was reviewed
- b. Discontinued. The following matter was discontinued with a Letter of Concern:

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Docket No., 08-I-053

[25.] General Disciplinary Matters. On the motion of Dr. LeBlanc, the Board convened in executive session to consider requests relating to the execution or modification of a Decision and/or Consent Order as a matter relating to the character and professional conduct of licensees, pursuant to La. Rev. Stat. ' 42:6.1. Following review and discussion, the Board resumed in open session and upon motion made and passed by unanimous voice vote, took the following actions:

- a. Probation Report - The Board noted the activity report for the probation department submitted for this month.
- b. Site Visits – The Board noted the report on site visits for physician assistants, supervising physicians, and those with collaborative practice agreements.
- c. Dispensing Physicians= Site Visits - The Board noted the report of the dispensing physicians= site visits submitted for this month.
- d. Fruge, Nicholas Hugh, M.D. - To approve reinstatement of the prescribing privileges of Nicholas Hugh Fruge, Jr., M.D. to prescribe CIII and CIV scheduled drugs.²
- e. Hudson, William Paul, M.D. – To inform William Paul Hudson, M.D., that the time he was relocated to the state of North Carolina does not count towards his period of probation.
- f. Crawford, John Craig, M.D. – To approve reinstatement of the prescribing privileges of John Craig Crawford, M.D.
- g. Ordonez, Robert Fernando, M.D. – To approve the workplace location of Robert Fernando Ordonez at E.A. Conway Hospital in Monroe.

[26.] Report on Pending Litigation. On the motion of Dr. Bourgeois, the Board convened in executive session to receive the report of legal counsel on pending litigation to which the Board was a party and the status of proceedings for judicial review of prior Board decisions, La. Rev. Stat. § 42:6.1 A(2). No further action was required or taken on this matter.

[27.] Respiratory Therapy; Licensure and Certification. On motion of Dr. Dawson, the Board convened in executive session to consider the non-routine applications for licensure as a matter of the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6.1A(1). Following review and discussion, the Board resumed in open session, and upon motion made, duly seconded and passed by unanimous voice vote, made the following decisions:

- a. Approved – To approve the following for licensure provided all requirements had been met:

² Dr. LeBlanc abstained from consideration of this matter.

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Licensed Respiratory Therapists

Acosta-Martinez, Ignacio

Ashley, Shante

[28.] Licensure and Certification; Physician Assistants. On the motion of Dr. Bourgeois, the Board convened in executive session to consider the non-routine applications for licensure as a matter of the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6.1A(1). Following review and discussion, the Board resumed in open session, and upon motion made, duly seconded, and carried by majority voice vote, made the following decisions:

a. Prescriptive Authority. To approve the applicants for prescriptive authority in accordance with promulgated of the rules effective January 20, 2005 provided all requirements had been met:

- 1) Becnel, Steven Michael, PA - Supervising physician: Dr. Bruce Iteld, Ochsner Clinical Foundation, Department of Cardiology, 1514 Jefferson Highway, New Orleans.
- 2) Broussard, Shane Thomas, PA - Supervising physician: Dr. Malcolm Stubbs, 1448 South College Drive, Lafayette.
- 3) Dufrechou, Nicole Julie, PA - Supervising physician: Dr. Michael Weil, 1223 Rue Degas, Mandeville.
- 4) Ferrebee, Lori Beth, PA - Supervising physician: Dr. Michael Isabelle, P. O. Box 1296, Thibodaux.
- 5) Fudickar, John Alanson, PA - Supervising physician: Dr. Philip G. Padgett, 3333 Drusilla Lane, Baton Rouge.
- 6) Furr, Charles Allen III PA - Supervising physician: Dr. Shane McIntire, Gastrointestinal Consultants, 102 Thomas Road, Suite 506, West Monroe.
- 7) Guarino, Elizabeth Nicole, PA - Supervising physician: Dr. Lisa Baldrige, Locum tenens: Drs. James Runnels, Jon Cuba, Si Nguyen, Todd Howell, 17000 Medical Center Drive, Baton Rouge.
- 8) Guidry, Bryon John, PA - Supervising physician: Dr. Craig C. Greene, 1978 Industrial Boulevard, Houma.
- 9) Habetz, Courtney Vice, PAC - Supervising physicians: Drs. Jobran Atvi and Trent Fogelman, Maternal-Child Clinic, 1119 North Main Street, St. Martinville.
- 10) Halphen, Joseph Lawrence, PA - Supervising physicians: Dr. Alan C. Schroeder, Bone & Joint Clinic, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.

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- 11) Logan, Mark J., PA - Supervising physician: Dr. Walter Simoneaux, 1978 Industrial Boulevard, Houma.
- 12) Matherne, Dwight David, PA – Supervising physicians: Drs. Sidney St. Amant, Tom Price, Rosemary St. Clergy and Charles Farmer, 3333 Drusilla Lane, Baton Rouge.
- 13) Nash, Jessica Taylor, PA - Supervising physician: Dr. William H. Haynie, Jr., Cardiology Associates, 950 Olive Street, Shreveport.
- 14) Savoie, Timothy Jude, PA - Supervising physician: Dr. Aniefiok Uyoe, 2400 Hospital Drive, Suite 230, Bossier City.

b. New Applicants - To approve the application for the following whose supervising physician had not yet been determined:

Bradford-Gladney, Henrika T.
Brasuell, Aaron Scott
Gillen, Deanna Melanie

Hobbs, Crista Lynn Miller
Richard, Rebecca Gayle Tate
Stovall, Matthew Wayne

c. New Applicant - To inform the following that inasmuch as he did not meet the licensure requirements, he would be ineligible for licensure as a physician assistant:

Duplantis, Richard J.

[29.] Licensure and Certification; Physicians & Surgeons; Foreign Medical Graduates. On the motion of Dr. LeBlanc, the Board convened in executive session to consider the non-routine applications for licensure as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, made the following decisions:

- a. Cantu, Norma Sanchez, M.D. – To inform Norma Sanchez Cantu, M.D., that she is ineligible for licensure inasmuch as she had not completed all three steps of the USMLE examination within ten years of the start date.
- b. Non-Routine applicants - To approve the following for licensure provided all requirements had been met:

Bordelon, Jevin Marc

Singh, Manpreet

[30.] Licensure and Certification; Physicians & Surgeons; U.S./Canadian Medical Graduates. . On the motion of Dr. LeBlanc, the Board convened in executive session to consider the non-routine applications for licensure as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and

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discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, made the following decisions:

- a. Bushehri, Nima, D.O. – To defer action on the application of Nima Bushehri, DO pending receipt of additional information.
- b. Non-Routine - To approve the following for licensure provided all requirements had been met:

Luelf, Claire J.
Mallampati, Gautham K.

Padmanbha, Siddhartha
Tuten, Harry Lane

[31.] Licensure and Certification; Other Licensure Matters; Relicensure/Reinstatement. . On the motion of Dr. Amusa, the Board convened in executive session to consider the non-routine applications for relicensure/reinstatement as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, approved the following for reinstatement/relicensure provided all requirements had been met:

Physicians and Surgeons

Buchanan, Christopher

Semeniuk, Charmaine Irene

Clinical Laboratory Personnel

Ellender, Tina Ryan

[32.] Licensure and Certification; Other Licensure Matters; Fingerprint Discrepancies Report. On the motion of Dr. LeBlanc, the Board convened in executive session to consider the report of Dr. Cecilia Mouton, Investigating Officer, on the applications for licensure with fingerprint discrepancies as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, approved the following for licensure provided all requirements had been met:

Clinical Laboratory Personnel

Brunson, Lee Ellen
Foley, Dejon S.

Gordon-Piper, Ann Gail

Physician and Surgeon

Exelbert, Eric Joseph
Fagan. Scott Richard
Frisch, Robert F.

Muldowny, David Scott
Parker, Hugh
Rhodes, Brian Bertrand

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Grossman, Michael S.
Moore, Sarah Webber

Singh, Dhiraj Pratap
Trieu, Diane Ngan

Physician Assistant

Shumaker, Shalane Y.

Respiratory Therapists

Guthrie, Virginia L.
Harrison, Curtis W., Jr.
Hughes, Cary A.

Rush, James A. Jr.
Williams, Sherman Charles Sr.

[33.] Licensure and Certification; Intern Registration. On the motion of Dr. Bourgeois, the Board convened in executive session to consider the non-routine applications for intern registration as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, made the following decisions:

- a. Approved - To approve the following for intern registration provided all requirements had been met:

Battle, Oscar Rafael III

- b. Defer - To defer action on the application of the following pending receipt of additional information:

Brocato, Robert Adam

[34.] Licensure and Certification; Polysomnographer. . On the motion of Dr. LeBlanc, the Board convened in executive session to consider the non-routine applications for licensure as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:6,1A(1). Following review and discussion, the Board resumed In open session and upon motion made, duly seconded and carried by unanimous voice vote, approved the following for licensure provided all requirements had been met:

Technologist

Morton, Amy Catherine

35. Licensure and Certification; Other Licensure Matters; David John Rees, M.D. The Board reviewed the request from David John Rees, M.D., who had applied for a reduced fee status, to be allowed to serve as a consultant for a hospice facility. Following review and discussion, it was the consensus of the Board to inform Dr. Rees that he would not be eligible to serve as a consulting physician under §418 of the Board's rules relating to reduce fees.

36. Licensure and Certification; Other Licensure Matters; Board Orientation. The Board reviewed the evaluations submitted by attendees at the Board Orientation Program held in Shreveport, August 1, 2008 in New Orleans. No further action was required or taken on this matter.

37. Licensure and Certification; Other Licensure Matters; Licensees for Suspension. The Board reviewed the list of licensees, who had failed to renew their licenses by July, 2008. No further action was required or taken on this matter.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 5:30 to reconvene at the Board at 8:30 a.m., Tuesday, August 19, 2008.

***Second Session
Tuesday, August 19, 2008***

The meeting of the Louisiana State Board of Medical Examiners was reconvened at 8:30 a.m., Tuesday, August 19, 2008, at the offices of the Board with everyone in attendance.

[38.] Investigative Reports. On the motion of Dr. Dawson, the Board convened in executive session to consider investigative reports as matters relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. ' 42:6.1 A(1) and (4). Following the review the Board resumed in open session. Upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the following:

- a. Summary Suspensions: To approve the summary suspensions in the following matters:

Mohammed Albert Bey, Jr., M.D., Docket Nos., 06-I-127 and 08-I-687
James Bruce Johnson, M.D., Docket No. 08-I-547

- b. Administrative Complaint. The following administrative complaint was approved for filing and for scheduling of a formal hearing:

Docket Nos., 06-I-127 and 08-I-687

[39.] Personal Appearances/Docket Calendar; Formal Hearing; Robert Alan Woodward, M.D. On the motion of Dr. Bourgeois, the Board convened in special executive session for the purpose of a formal hearing in the matter of Robert Alan Woodward, M.D., as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La. Rev. Stat. § 42:6.1 A(4).

40. Next Meeting of Board. The President reminded members that the next meeting of the Board was scheduled for September 15, 16, 2008.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 6:00 p.m., on Tuesday, August 19, 2008.

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I HEREBY CERTIFY that the foregoing is a full, true and correct account of the proceedings of the meeting of the Louisiana State Board of Medical Examiners, save for executive session of the Board conducted therein, held on August 18, 19, 2008 as approved by the Board on the 15th day of September 2008.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 15th day of September 2008.

Mark Henry Dawson, M.D.
Secretary-Treasurer

Attest:

Kweli J. Amusa, M.D.
President