

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**JUNE 15, 16, 2009
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, June 15 20, 2009, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members were present as follows:

Linda Gage-White, M.D., Ph.D., President
Mark Henry Dawson, M.D., Vice-President
Kim Edward LeBlanc, M.D., Ph.D., Secretary-Treasurer
Kweli J. Amusa, M.D.
Robert Earl Dawson, M.D.

Board Members absent as follows:

Melvin G. Bourgeois, M.D.
Cynthia Gail Montgomery, M.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
Thania Elliott, RN, Investigator
Grace Hammons, Program Compliance Officer Manager
Christine Holder, Program Compliance Officer II
Merian Glasper, Director of Licensure
Rita L. Arceneaux, Confidential Executive Assistant

Legal counsel to the Board was present as follows:

Judge Frederick S. Ellis
Philip O. Bergeron

First Session
Monday, June 15, 2009

1. Minutes of April 20, 21, 2009. The Board reviewed the minutes of its meeting of April 20, 21 2009. Motion was made by Dr. Kim Edward LeBlanc, seconded by Dr. Amusa, and unanimously carried, to approve the minutes of the meetings together with the executive sessions conducted during such meeting with all necessary corrections.

[2.] Investigative Report; Personal Appearance; Request for Reconsideration of Motion to Dismiss and Memorandum in Support. On the motion of Dr. Mark Dawson, the Board convened in executive session to hear oral arguments, 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), on the Motion to Dismiss and Memorandum in Support and the request that the matter be heard before the "entire panel". Following the presentation of oral arguments, the Board resumed in open session and upon motion made, duly seconded and passed by unanimous voice vote, denied the motion to dismiss the complaint.

3. Rules and Regulations.

- a. Final Rules/Amendments: None published since the last meeting of the Board.
- b. Rules/Amendments – Noticed for Intent - 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 for 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 preview the draft with the State Board of Psychology Examiners of Louisiana, which licenses medical psychologists. A communication was sent to the State Board of Psychology Examiners of Louisiana and its response was reviewed by the Board at its October 2008 meeting. Following review and discussion, the Board approved modifications and decided to provide *Notice of Intent* in the *Louisiana Register*. They appeared in the December 20, 2008 edition of the *Louisiana Register*. The Board noted receipt of a request for a public hearing from Jaime T. Monic, Executive Director, Louisiana State Board of Examiners of Psychologists and Gail R. Lowe, Executive Director, Louisiana Psychological Association. The public hearing was held on January 26, 2009 at 10:00 a.m. A copy of the transcript along with the written comments was available for the Board's review at the February 2009 meeting of the Board following which, the Board directed that certain modifications be made and the proposed rules be returned to the agenda for consideration. After further discussion during its March 2009 meeting, the Board

directed that proposed substantive amendments and a public hearing be noticed in the *Louisiana Register*. Such notice appeared in the April 2009 edition of the *Louisiana Register*. A public hearing as required following substantive modification of a proposed rule was scheduled and held June 15, 2009 at 4:00 p.m. There were no attendees at the public hearing. Therefore, the Board approved publication of the final rules in 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 considered 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 July 2008. Following review and discussion, the Board voted to approve the draft with suggested modifications. By virtue of the necessary modifications, a revised draft was provided for discussion during its October 2008 meeting. In the interim, legislation was adopted by the Louisiana legislature relative to telemedicine (Acts, 850 (2008)) that required additional consideration. Thus, a revised, annotated draft was presented for discussion at its December 2008 meeting. Further revisions were suggested and incorporated into a revised draft and reviewed by the Board at its March 2009 meeting. Following review and upon motion made, duly seconded and passed by unanimous voice vote, the Board voted to include certain modifications and upon revision to publish a *Notice of Intent* in the next issue of the *Louisiana Register*. Such notice appeared in the May 2009 edition of the *Louisiana Register*.

Physicians and Surgeons – Waiver of Qualifications: Pursuant to its current rules, the Board may waive certain qualifications for licensure with respect to a physician who is appointed by an approved medical school or college in this state to a tenured track position as full professor or associate professor or to a clinical full professor or clinical associate professor on a full-time clinical track (46XLV.315, 327). Following review and discussion during its February 2009 meeting, the Board elected to provide *Notice of Intent* to expand its rules to include an applicant who has been offered a rank of assistant professor or above and to make clear that the practice of any individual issued on such basis is limited to the medical school or college for which such person has been approved by the Board, and to hospitals and clinics affiliated with the medical school or college. The *Notice of Intent* to adopt the rule amendments which appeared in the March 2009 edition of the *Louisiana Register* and voted upon at the April 2009 meeting to adopt are anticipated to appear in the June edition of the *Louisiana Register*.

Athletic Trainers - The prior rule-making effort commenced by *Notice of Intent* in the January 20, 2008 edition of the *Louisiana Register* expired by operation of law. A revised draft of the proposed rules, eliminating correlation between “license and “certification”, was presented for review by the Board at its meeting of April 20, 2009. The Board approved publication of a *Notice of Intent* to amend the rules in the *Louisiana Register*. It is anticipated that such notice will appear in the June 2009 edition of the *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 Perfusion Advisory Committee prepared an initial draft of rules. 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 clarification on item (iii) for military personnel, but otherwise approved the draft amendments incorporating the Committee's recommendations. At its March 2008 meeting, the Committee approved the recommendation concerning U.S. military trained CLS-G or CLS-T applicants. The Committee also considered other modifications to the draft. A final draft of the rules that included the military exception and other modifications was considered by the Board at its December 15, 2008 meeting. Following review and discussion, the Board decided to provide *Notice of Intent* to adopt the rules in the *Louisiana Register*. **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. **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 reinstatement/renewal. A draft was presented to the Board for initial review and discussion at its October 2008 meeting. A second draft was presented for consideration by the Board. It was the consensus of the Board to defer further consideration pending certain legislative initiatives. **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 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 considered by the Board at its August 2008 meeting. Following review and discussion, the Board approved the draft and voted to provide *Notice of Intent* to adopt the rules in the *Louisiana Register*. Prior to publication, the Board granted the request of the Physician Assistant Advisory Committee and the Louisiana Association of Physician Assistants to discuss the proposed rules at its December 15, 2008 meeting. Following discussion among these parties and the Board at that time, the Board

decided to withhold publication of the *Notice of Intent* and study the proposed draft further. **Midwifery:** The Board directed staff to prepare an amendment to its rules to address certification of midwifery training by a national accredited entity. At its April 2009 meeting, the Board elected to ask its Midwifery Advisory Committee to provide its suggestions for the proposed amendment in question.

[4.] Litigation Report. On the motion of Dr. LeBlanc, 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.

[5.] Personal Appearances/Docket Calendar. On the motion of Dr. Bourgeois, the Board convened in executive session to review 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. ' 42:6.1A(1), (4). No further action was required or taken on this matter.

[6.] 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(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. First Supplemental and Amending Administrative Complaint. The following First Supplemental and Amending Administrative complaint was approved for filing and scheduling of a formal hearing:

Docket No. 08-I-547

b. Administrative Complaints. The following administrative complaints were approved for filing and scheduling of a formal hearing:

Docket No. 09-A-010
Docket No. 09-A-001
Docket No. 09-A-012
Docket No. 06-I- 536

c. Stipulation and Agreement for Voluntary Surrender of Medical License. The following Stipulation and Agreement for Voluntary Surrender of Medical License was accepted:

Joseph Peter Orsulak, M.D., Docket No. 08-I-980

d. Consent Orders: The following Consent Orders were accepted:

Lorrie Ann Erario, CLP, Docket No., 09-I-160
Jagjit Singh Chadha, M.D., Docket No., 08-I-327
Steven Allen Erlemeier, M.D., Docket No., 09-I-128

MINUTES OF MEETING

JUNE 15, 16, 2009

Celeste Aida Lujan, M.D., Docket No., 08-I-778
Theresa Holmes, CRT, Docket No., 08-I-128
Robert Joseph Nicholson, Jr., M.D., Docket No., 01-I-077
Dale Carleton Fazio, DPM, Docket No., 09-I-208

- e. Consent Order. The following Consent Order was rejected:

Docket No., 07-I-482

- f. Interim Board Orders: The following interim Board Orders were presented for information only:

Docket No., 09-I-208
Docket No., 09-I-181
Docket No., 09-I-142
Docket No., 07-I-036

- g. Closed. The following matter was closed with a Letter of Concern:

Docket No., 09-I-001

- h. Closed Complaint Cases. The Board reviewed the Closed Complaint Cases Report. No further action was required or taken on this matter.

[7.] Personal Appearances/Docket Calendar; Formal Hearing; Stephanie Ann Buboltz, RRT. On the motion of Dr. Mark Dawson, the Board convened in executive session for review and discussion of the formal hearing in the matter of Stephanie Ann Buboltz, RRT, as a matter relating to allegations of misconduct in an administrative hearing as provided by the legislature in the Louisiana Administrative Procedure Act, La. Rev. Stat. § 42:6.1 A(4) and (10) and La.Rev. Stat. 49:951, *et. Seq.* Following the discussion, the Board resumed in open session and upon motion made, duly seconded and passed by unanimous voice vote, rendered a decision in the matter of Stephanie Ann Buboltz, RRT, and instructed Judge Ellis to prepare a written order to reflect the ruling.

[8.] Professional Liability Report. On the motion of Dr. LeBlanc, the Board convened in executive session to consider the report of Dr. Eisenhower, 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.

[9.] General Disciplinary Matters; Personal Appearance; Kenneth Williams, M.D. Continuing in executive session, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), Kenneth Williams, M.D., appeared before the Board in connection with the request for issuance of a full, unrestricted license. Following his appearance, the Board resumed in open session and upon motion made, duly seconded and passed by unanimous voice vote, approved reinstatement of the license of Kenneth Williams, M.D., to a full, unrestricted status.

[10.] Investigative Report; Personal Appearance; Lorrie Ann Erario, CLP. On the motion of Dr. Robert Dawson, the Board convened in executive session, for the personal appearance of Lorrie Ann Erario, CLP, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), in connection with the acceptance of her Consent Order.

[11.] Investigative Report; Personal Appearance; Jagjit Singh Chadha, M.D. Continuing in executive session, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), Jagjit Singh Chadha, M.D., appeared before the Board, accompanied by his attorney, Regina Matthews, in connection with the acceptance of his Consent Order.

[12.] Investigative Report; Personal Appearance; Celeste Aida Lujan, M.D. Continuing in executive session, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), Celeste Aida Lujan, M.D., appeared before the Board, accompanied by her attorney, Amanda Barnett, in connection with the acceptance of her Consent Order.

[13.] Investigative Report; Personal Appearance; Theresa Holmes, RRT. Continuing in executive session, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), Theresa Holmes, RRT, appeared before the Board in connection with the acceptance of her Consent Order.

[14.] Investigative Report; Personal Appearance; Robert Joseph Nicholson, Jr., M.D. Continuing in executive session, as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4), Robert Joseph Nicholson, Jr., M.D., appeared before the Board, accompanied by his attorney, Brandi Sheely, in connection with the acceptance of his Consent Order.

[15.] General Disciplinary Matters. On the motion of Dr. Robert Dawson, 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. ' 42:6.1A(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 submitted for this month.
- c. Sabatier, Richard Edward, M.D. - To approve the clinical practice setting at the Family Medical Clinic as requested by Richard Edward Sabatier, M.D.

- d. Yates, William Todd, M.D. – To approve the clinical practice setting at Richland Parish Hospital with the Geropsychiatric Program as request by William Todd Yates, M.D.¹
- e. Schneider, Mark Anthony, M.D. – To defer action on the request of Mark Anthony Schneider, M.D., pending receipt of additional information.

16. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Ability to Provide Polysomnography or Sleep Disorder Services. The Board reviewed correspondence received from Ashley F. Dulles, RRT, President, Louisiana Society for Respiratory Care, asking for an official statement on whether respiratory therapists are permitted to perform polysomnography or sleep disorder services, including but not limited to sleep disorder testing, diagnostics, therapeutics and patient education. Following review, it was the consensus of the Board to refer this matter to the Respiratory Therapy Advisory Committee as well as the Polysomnography Advisory Committee for their input.

17. Rulings and Advisory Opinions; Physician Assistant; Scope of Practice; Ability to Issue a Do Not Resuscitate Order. The Board reviewed the input of the Physician Assistant Advisory Committee relative to draft correspondence regarding the ability of physician assistants to issue a do not resuscitate order. Following review, and discussion it was the consensus of the Board to disseminate the correspondence with slight modification as written.

18. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Ability to Perform Neonatal Intubation; Follow-up. The Board considered input from the Respiratory Therapy Advisory Committee as requested relative to correspondence received from Bruce Waller, BS, RRT, Director of Pulmonary Services, Touro Infirmary, relating to the ability of respiratory therapists to perform neonatal intubation. Following review and discussion, it was the consensus of the Board to confirm the opinion that according to the definition contained in the law, Chapter 49 § 3353 (b) “insertion and care of airways” respiratory therapists are able to perform intubation regardless of age with requirements for training, credentials and clinical experience up to the policies and procedures established by the hospital.

19. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Ability to Respiratory Therapists to Accept Verbal Orders. The Board reviewed correspondence received from Theresa DelRio, RRT, RPFT, Director of Cardiopulmonary, Cornerstone Hospital, West Monroe, requesting information on whether respiratory therapists are allowed to accept verbal order for other allied healthcare providers. Following review and discussion, it was the consensus of the Board to inform Ms. DelRio that respiratory therapist are not allowed to accept verbal orders for other healthcare providers.

20. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Ability to Respiratory Therapists and/or Licensed Practical Nurses to Perform Clinical Laboratory Testing. The Board reviewed a request received from Mike Twardzik, Fairway Medical Center, Covington, asking whether licensed practical nurses and/or respiratory therapists are able to perform

¹ Robert Earl Dawson, M.D. abstained from voting in this matter.

laboratory testing. Following review and discussion, it was the consensus of the Board to inform Mr. Twardzik that licensed practical nurses ("LPNs) are able to perform point of care testing as contained in their roles as LPN's and respiratory therapists are able to perform testing that directly affect their functions, but neither are not able to perform general testing in the clinical laboratory.

21. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Licensure Requirement for Phlebotomists. The Board reviewed correspondence from John Edmunson, EnviroMed Safety and Compliance addressed to the Clinical Laboratory Personnel Committee regarding exemption under the Clinical Laboratory Personnel Law for phlebotomists not engaged in the performance of clinical laboratory science for licensure as a phlebotomist in the state of Louisiana. Following review and discussion, the Board concurred with the assessment of the Clinical Laboratory Personnel Committee that licensure would be required for phlebotomists not working in a clinical setting, specifically a hospital, doctor's office or nursing home, to ensure minimum standards for unsupervised personnel with direct patient contact.

22. Rulings and Advisory Opinions; Department of Health and Hospitals; Enrollment of Licensed Lay Midwives in the Louisiana Medicaid Program. The Board reviewed a request received from Joe Kopsa, J.D., M.A., Section Chief, Medicaid Program Integrity, requesting an opinion from the Board as to whether Medicaid should enroll lay midwives certified by the Board. Following review and discussion, it was the consensus of the Board to advise Mr. Kopsa of the rules relative to qualifications and scope of practice for lay midwives and inform him that the Board considers the issue as to Medicaid enrollment beyond the scope of the regulatory authority of the Board, and, therefore defer this determination to the Department of Health and Hospitals.

23. Rulings and Advisory Opinions; Oral and Maxillofacial Surgeon; Application for Waiver. The Board reviewed correspondence received from Edward A. Neupert III, D.D.S. requesting a waiver of the dispensing limitations from a 48 hour supply to a 96 hour supply. The Board noted that Dr. Neupert had also copied the Board of Dentistry on this matter. Following review and discussion, it was the consensus of the Board to defer action to give Dr. Marier a chance to consult with his counterpart at the Board of Dentistry on the handling of this matter.

24. Communications and Information; Richard M. Nunnally, M.D. The Board reviewed correspondence written to Mark R. Wick, M.D., University of Virginia Health System, Department of Pathology, from Richard M. Nunnally, M.D., former member of the Board, addressing the fact that licensure is not required for a physician from another state rendering a consultation to a Louisiana physician for a Louisiana patient. No further action was required or taken on this matter.

25. Communications and Information; Federation of State Medical Boards; FSMB Boardnet News. The Board reviewed a copy of the Federation of State Medical Boards' *FSMB Boardnet News*, which is a weekly e-mail bulletin from the Federation of State Medical Boards. No further action was required or taken on this matter.

26. Communications and Information; Public Citizen; Annual Ranking of State Medical Boards. The Board reviewed the annual ranking of state medical Board released by Public Citizen

which stated that Louisiana was among the best for physician oversight. No further action was required or taken on this matter.

27. Communications and Information; Louisiana Health Care Professional Reporting Act. The Board reviewed correspondence written by Dr. Marier to Richard Guthrie, M.D., Ochsner Health Systems relative to the hospital's reporting responsibilities under the Louisiana Health Care Professional Reporting Act. No further action was required or taken on this matter.

28. Communications and Information; Federation of State Medical Boards; Policy Brief. The Board reviewed a copy of the Federation of State Medical Boards' Policy Brief entitled, "Balance, Uniformity, and Fairness: Effective Strategies for Law Enforcement for Investigating and Prosecuting the Diversion of Prescription Pain Medications While Protecting Appropriate Medical Practice" dated February 2009. No further action was required or taken on this matter.

29. General Administrative Matters; Budget.

Financial Statement - The Board reviewed a statement on the revenue and expenses for the period ending April 30, 2009 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of April 30, 2009. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending April 30, 2009, and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of April 30, 2009.

30. General Administrative Matters; President's Report. The Board noted the activities of the President since the last meeting of the Board. Dr. Gage-White provided a copy of the presentation of Mari Robinson, JD, Executive Director, Texas Medical Board, of their fast tract resolution for handling administrative violations of the Texas Medical Practice Act. Following review and discussion, it was consensus of the Board to allow staff to study the matter for appropriate handling. Dr. Gage-White also presented a copy of the Report of the Medical Task Force established by Chapter 81 of the Acts of 2006 for the state of Massachusetts on the issue of medical spas. Following review and discussion, it was the consensus of the Board to determine how to best organize, if appropriate, such a task force in the state of Louisiana or as an alternative a joint rule-making effort with the Board of Nursing.

31. 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 informed the Board that Rozas-Ward, AIA, Architect, had been selected as the architect for the renovation project. He also reported on the development of a formal Record Retention Schedule to be filed with State Archives in compliance with state law, and the applicability of the Computer, E-mail, Internet and Telephone Usage Policy establish April 9, 2008 to all employees, including Board members. Finally, Dr. Marier noted that next issue of the *Newsletter* would be disseminated in July.

32. General Administrative Matters; Advisory Committees. The Board considered the request by staff that each of the twelve (12) advisory committees be required to submit minutes of their meetings to the Board. Following review and discussion, it the consensus of the Board that in

accordance with the Public Meetings Law, each of the advisory committees shall submit minutes of their meetings to the Board.

[33.] Licensure and Certification; Clinical Laboratory Personnel. On motion of Dr. Bourgeois, the Board convened in executive session to consider the non-routine application 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, approved the following for licensure provided all requirements had been met:

Laboratory Assistant

Lee, Shajuanua Evette

[34.] Licensure and Certification; Respiratory Therapy. On motion of Dr. Robert Dawson, the Board convened in executive session to consider the non-routine application 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:

Edward, Sandy McCartney
Ford, Brenda Faye
Gilbert, Sandy Daryle

Holt, Edward Arthur
Llorance, Paula Renee

b. Deferred – To defer action on the application of the following pending receipt of additional information:

Phillips, Jennifer Rae

c. Denied – To deny the request of the following for a waiver of an examination attempt:

Gray, Mary B.

[35.] Licensure and Certification; Physician Assistants. On the motion of Dr. LeBlanc, the Board convened in executive session to consider the 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) Angelo, Joseph Michael, PA - Supervising physician: Dr. Richard Barton, 1810

MINUTES OF MEETING

JUNE 15, 16, 2009

Bayou Bend Drive, Bossier City.

- 2) Brasuell, Aaron Scott, PA - Supervising physician: Dr. Eric Tabor, 1012 Ponderosa Drive, Baton Rouge.
- 3) Catalanotto, Anthony Joseph, PA - Supervising physicians: Drs. Michael Romaguera and Thomas Trahan, 1978 Industrial Boulevard, Houma.
- 4) Chauvin, Aaron Dean, PA - Supervising physicians: Drs. Walter Bounds, Thomas Caskey, James Cotter III, Kevin Huston, Richard Jacobson, John McLean, Kenneth Miller, John Netterville, Jerel Raney, Jared Schaan, John Soud and Daniel Umoh, 5705 Bluebonnet Drive, Bossier City.
- 5) Corbello, Elizabeth Anne, PA - Supervising physician: Dr. Stephen Goldware, 501 West St. Mary, Suite 320, Lafayette.
- 6) Cortez, Bartholomew John, PA - Supervising physicians: Drs. Owen Grossmam and Michael Owens, Bartholomew John Cortez, 8166 Main Street, Houma.
- 7) DeGravelle, Dana Doshier, PA, - Supervising physicians: Drs. David Pope, Kevin McCarthy and Alan Schroeder, Ochsner Clinic, 9001 Summa Avenue, Baton Rouge.
- 8) Domangue, Meegan Landry, PA – Supervising physicians: Drs. David Pope and Kevin McCarthy, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.
- 9) Galante, Gaeton Robert, PA – Supervising physicians: Drs. Michael Brunet, Christopher Rich, Mark Dodson, Charles Texada, Louis Perdue, Benjamin Drury and Michael Leddy III, 211 Fourth Street Box 30161, Alexandria.
- 10) Ghahramani, Jason Ghobad, PA- Supervising physicians: Drs. David Pope, Kevin McCarthy and Alan Schroeder, Bone & Joint Clinic, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.
- 11) Grow, Christopher Scott, PA – Supervising physician: Dr. James Butler, 1850 Gause Boulevard, Suite 300, Slidell.
- 12) Herrin, James R., PA – Supervising physicians: Drs. Gerard Murtagh, Kevin Richie and Joseph Broyles, Bone & Joint Clinic of Baton Rouge, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.
- 13) Landry, Christina Cordaro, PA – Supervising physicians: Drs. Gerard Murtagh, Kevin Richie, Joseph Broyles and Lawrence Messina, Bone & Joint Clinic of Baton Rouge, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.

MINUTES OF MEETING

JUNE 15, 16, 2009

- 14) Lirette, Sarah Marie, PA – Supervising physicians: Drs. Mohammad Alam, Thomas Arnold, Steven Conrad, Sandra Ellis, Derrel Graham, Simon Mahler, Brian Martin, Patrick McGaully, James Small, Marcus Stokes, Thomas Swoboda, Todd Thoma, Christopher Wolcott, Hao Wang, Jennifer Springhart, Laurie Grier, 8001 Youree Drive, Suite 960. Shreveport.
- 15) Logan, Mark J., PA – Supervising physician: Dr. Gregory Lacy II, 1978 Industrial Boulevard, Houma.
- 16) Mannina, Morgan Anne, PA – Supervising physician: Dr. Ilyas Munshi, 913 S. College Drive, Suite 102, Lafayette.
- 17) McIntosh, Michael Joseph, PA - Supervising physicians: Drs. Effie Anders, James Crowell, William Elliott III, Marci Fabre, Beverly Gladney, Robert Gruner, Richard Helfin, John Jones, James Linford, Jason Madatic, Pamela Payment, Steven Ragusa, Eric Rowley, Keith Schwager, Kathleen Varnes, Joseph Thomas, Jr., 8595 Picardy Avenue, Baton Rouge.
- 18) Messier, John Isles Frasser, PA - Supervising physician: Dr. Karen Walker, 1003 South Spruce Street, Vivian.
- 19) Mixon, Keely Nicole, PA – Supervising physician: Dr. Santhosh Reddy, Reddy Family Medical, 32985 Bowie Street, Baton Rouge.
- 20) Nelson, Brooke Taylor, PA – Supervising physician: Dr. Carlos Rodriguez-Fierro, Cardiology Center, LLC, 1111 Medical Center Boulevard, Suite 350, Marrero
- 21) Orgeron, Nicole Lynn, PA – Supervising physician: Dr. Alain Cracco, Thibodaux Orthopaedic and Sports Medicine Clinic, 525 St. Mary Street, Thibodaux.
- 22) Pitre, Marc Edward, PA – Supervising physicians: Drs. Gerard Murtagh, Kevin Richie, Joseph Broyles and Lawrence Messina, 7301 Hennessy Boulevard, Suite 200, Baton Rouge.
- 23) Walker, Charles Lynn, PA - Supervising physicians: Drs. Mohammad Alam, Thomas Arnold, Steven Conrad, Sandra Ellis, Derrel Graham, Simon Mahler, Brian Martin, Patrick McGaully, James Small, Marcus Stokes, Thomas Swoboda, Todd Thoma, Christopher Wolcott, Hao Wang, Jennifer Springhart and Laurie Grier, LSU Health Sciences Center, School of Allied Health, 1501 Kings Highway. Shreveport.

[36.] Licensure and Certification; Polysomnography. On motion of Dr. Robert Dawson, the Board convened in executive session to consider the non-routine application for licensure as a matter pertaining 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

MINUTES OF MEETING

JUNE 15, 16, 2009

session, and upon motion made, duly seconded and passed by unanimous voice vote, approved the following for licensure provided all requirements had been met::

Trainee

Parker, Joshua Logan

[37.] Licensure and Certification; Podiatrists; Podiatry Advanced Practice. On motion of Dr. Amusa, the Board convened in executive session to consider routine applications for licensure for advanced practice in conservative treatment of the ankle, 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, approved the following for licensure in podiatry advanced practice provided all requirements had been met:

Dhulipala, Neeharika
Hake, Daniel Hall

Dabdoub, William Harris

[38.] Licensure and Certification; Physicians & Surgeons; Foreign Medical Graduates. On motion of Dr. LeBlanc, 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. Aventura, Emily Tran, M.D. – To defer action on the application of Emily Tran Aventura, M.D., pending receipt of additional information.
- b. Nadour, Alaa, M.D. – To grant the request for Alaa Nadour, M.D., for waiver of an examination attempt on Step 2 in to complete training and inform him he would be ineligible for full licensure.
- c. Sharma, Gyanendra Kumar, M.D. – To defer action on the application of Gyanendra Kumar Sharma, M.D., pending receipt of additional information.
- d. Smith, Rita Ghosh.M.D. – To defer action on the application of Rita Ghosh Smith, M.D., pending receipt of additional information.
- e. Non-Routine applicants - To approve the following for licensure provided all requirements had been met:

Badi, Arunkumar Narayansa
Khan, Saba Waqar
Misra, Vijay Kumar

Pichon, Tradina Renae
Pudhota, Sunitha Gudapati
Rahman, Mahfuzer

MINUTES OF MEETING

JUNE 15, 16, 2009

[39.] Licensure and Certification; Physicians & Surgeons; U.S./Canadian Medical Graduates.

On motion of Dr. Bourgeois, the Board convened in executive session to consider the 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. Irwin, Martin, M.D. – To inform Martin Irwin, M.D. that in order to be eligible for full licensure in the state, he is required to take the SPEX examination.

b. Non-Routine - To approve the following for licensure provided all requirements had been met:

Bean, Brandon K.
Bohl, Jaime L.
Dupuy, Patricia Roma
Engleking, David W.
Fortunato, Richard A.
Jones, Geoffrey
Kounavis, Ari
Loughlin, Matthew William

Molina, Arthur III
O'Brien, Michael J.
Ruff, Timothy Mark
Smith, Laurence Homer
Todedano, Roulhac D.
Wagner, Charles K.
Zhuk, Stanislav A.

[40.] Licensure and Certification; Intern/Examination Registration.

On motion of Dr. Amusa, the Board convened in executive session to consider the applications for intern/examination registration 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, approved the following for intern registration provided all requirements had been met:

Breakstone, Nina J.
Burge, Tova Lynn
Chandler, West Charles
Demoss, Dustin Stonewall
Doye, Jason Paul
Dupre, Penny Xuan
Fanous, Nervin Hafez
Frame, Nicholas Jon
Fraser, Austin Michael
Freeland, Kristofer Thomas
Garris, Winston Joseph
Gates, L'Issa Lachandra
Gil Franco, Fernando Jose
Gillman, Brad Michael

Justice, Adam E.
Le, Quan Dang
Lewis, Veronica Garibaldi
Lutz, Austin Taylor
McFarlin, Anna Kristine
Mohammad, Muneeb
Northcutt, Ashley Rae
Owen, Garrett Tyler
Proctor, Matthew Scott
Ramsey, Mary Kathryn
Roberts, Brett Thomas
Roman Gerardino, Melina A.
Routh, Robert Henry
Scopetta, John Paul

Haile, Jennifer Torp
Howell, David Shannon
Humphries, Jerry F.
Humphries, Nicolette Jarrett
Huynh, Nga Thu
Jones, Catherine Elizabeth

Stewart, Hollie
Thompson, Megan Patricia
Trieu, Diane Nagan
Wang, Kexuan
Winters, Ryan

[41.] Licensure and Certification; Graduate Educational Temporary Permits. On motion of Dr. LeBlanc, the Board convened in executive session to consider the application 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, the Board approved the following for issuance of a Graduate Educational Temporary Permit provided all requirements had been met:

Aliniazee, Muddassir
Borroto Conde, Daisy
Cash, Cheryll Nicolette
Desai, Julinkumar Jitendra

Hebert, April Nicole
Shahzad, Arif
Warke, Amit Ghanashyam

[42.] Licensure and Certification; Other Licensure Matters; Fingerprint Discrepancies Report. On motion of Dr. Robert Dawson, the Board convened in executive session to review the report of Cecilia Ann Mouton, M.D., Investigating Officer, on the applicants for licensure with fingerprint discrepancies 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:

Physician and Surgeons

Nnadi, John O.
Sirmon, Kristopher C.

Towns, Peter H.

Clinical Laboratory Personnel

Braud, Monica Denise
Rochon, Jonathan D.

Montgomery, Robert Lynn
Williams, Perrilynn J.

Dispensation Registration

Haight, Edward S.

Respiratory Therapists

Harms, Jared J.
Lightell-Perry, Shelia

Udeh, Caleb C.

Polysomnography

Wilson, Barrett Mark

[43.] Licensure and Certification; Other Licensure Matters; Reinstatement/Reinstatement. On motion of Dr. LeBlanc, the Board convened in executive session to consider the application 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, the Board approved the following for reinstatement/relicensure provided all requirements had been met:

Respiratory Therapist

Mahoney, Richard Brian

Physicians and Surgeons

Majidian, Mehran

Pervez, Bobby (Khawer) Asad

44. Licensure and Certification; Other Licensure Matters; Mini-Residency Program. The Board reviewed the request of Tracy Leigh LeGros, M.D., Ph.D., FACEP, FAAEM, for approval of a short term mini-residency program in hyperbaric medicine at Louisiana State University Health Sciences Center, Shreveport. Following review and discussion, upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the hyperbaric medicine fellowship program.

45. Licensure and Certification; Other Licensure Matters; Dispensation Registration Clarification. The Board reviewed correspondence received from Lydia A. Bazzano, M.D., asking whether dispensation registration was required to conduct the clinic trial study of blood pressure lowering and dysglycemia. Following review and discussion, it was the consensus of the Board that dispensation registration was not required to conduct the clinical trail study as contained in her correspondence.

46. Licensure and Certification; Other Licensure Matters; Licensees for Suspension. The Board reviewed the list of licensees, who had failed to renew their licenses by May 31, 2009. No further action was required or taken on this matter.

MINUTES OF MEETING

JUNE 15, 16, 2009

47. Licensure and Certification; Other Licensure Matters; Board Orientation. The Board reviewed the evaluations submitted on the Board Orientation Program held May 15, 2009 in New Orleans. No further action was taken or required on this matter.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 5:00 to reconvene at the Board at 8:30 a.m., Tuesday, June 16, 2009.

***Second Session
Tuesday, June 16, 2009***

The meeting of the Louisiana State Board of Medical Examiners was reconvened at 8:30 a.m., Tuesday, June 16, 2009, at the offices of the Board with everyone in attendance.

[48.] Personal Appearances/Docket Calendar; Formal Hearing; Troy James Peet, CRT. On the motion of Dr. Robert Dawson, the Board convened in executive session for the purpose of a formal hearing in the matter of Troy James Peet, CRT, 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).

[49.] Personal Appearances/Docket Calendar; Formal Hearing; Eileen Lynch-Ballard, M.D. On the motion of Dr. Mark Dawson, the Board convened in executive session for the purpose of a formal hearing in the matter of Eileen Lynch-Ballard, 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).

[50.] Personal Appearances/Docket Calendar; Formal Hearing; Brett L. Drouant, CRT. On the motion of Dr. Amusa, the Board convened in executive session for the purpose of a formal hearing in the matter of Brett L. Drouant, CRT, 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).

[51.] Personal Appearances/Docket Calendar; Formal Hearing; Mary Caillet Smith, CRT. On the motion of Dr. LeBlanc, the Board convened in executive session for the purpose of a formal hearing in the matter of Mary Caillet Smith, CRT, 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).

52. Next Meeting of Board. The President reminded members that the next meeting of the Board was scheduled for July 20, 21, 2009.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 10:30 a.m., on Tuesday, June 16, 2009.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

MINUTES OF MEETING

JUNE 15, 16, 2009

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 June 15, 16, 2009 as approved by the Board on the 20th day of July 2009.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 20th day of July 2009.



Kim Edward LeBlanc, M.D., Ph.D.
Secretary-Treasurer



Linda Gage-White, M.D., Ph.D.
President

Attest: