

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**FEBRUARY 14, 15, 2011
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, February 14, 2011, by order of the President, at the offices of the Board, 1515 Poydras Street, Suite 2700, New Orleans, Louisiana.

Board Members were present as follows:

Mark Henry Dawson, M.D, President
Robert Earl Dawson, M.D., MPH, Vice-President
Kweli J. Amusa, M.D.
John Michael Burdine, M.D.
Kim Edward LeBlanc, M.D., Ph.D.
Cynthia Gail Montgomery, M.D.

Board Members absent as follows:

Melvin G. Bourgeois, M.D., Secretary-Treasurer

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

Robert L. Marier, M.D., Executive Director
Emily Diane Eisenhauer, M.D., Assistant Director of Investigations
Thania Elliott, RN, Investigator
Grace Hammons, Program Compliance Officer Manager
Christine Holder, Program Compliance Officer III
Leslie Rye, Program Compliance Officer III
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, February 14, 2011

1. **Minutes of January 10, 11, 2011 Meeting.** The Board reviewed the minutes of its meeting of January 10, 11, 2011. On the motion of Dr. Amusa duly seconded by Dr. LeBlanc and passed by unanimous voice vote, the Board approved the minutes of the meetings together with the executive sessions conducted during such meeting with all necessary corrections.
2. **Status Report on Action Items of Prior Board Meetings; Report on Assignments to Counsel.** The Board noted that action items as assigned to staff and counsel from previous meetings had been completed. No further action was required or taken on this matter.
3. **Rules and Regulations.**
 - a. Final Rules/Amendments: - **Physicians and Surgeons – Combined Internship/Exception to 10 Year Rule:** The Board proposed to amend Section 311 of its rules to: (i) provide that a combined internship program which is not accredited shall be deemed to satisfy the internship requirement for licensure, provided that each program of the combined program is accredited; and (ii) consider for licensure applicants who complete a residency or fellowship within the last four years and are continuing training or practicing in their specialty, irrespective of whether or not the applicant passed the qualifying national examination within a span of ten years as is otherwise required for applicants. A draft was presented for initial consideration and discussion at its March 2010 meeting. Following discussion at its March and June 2010 meetings, the Board approved publication of *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. The *Notice of Intent* to adopt the proposed rules appeared in the September 2010 edition of the *Louisiana Register*. As neither a request for a public hearing nor public comments received, the Board voted to adopt the rules as final. The rule amendments became final upon publication in the January 2011 edition of the *Louisiana Register*. **Physicians and Surgeons – Unprofessional Conduct:** The Board proposed to adopt rules identifying some of the instances that constitute *unprofessional conduct* and thereby provide a basis for enforcement of disciplinary action. Following due consideration and acceptance of technical changes, the Board approved publication of *Notice of Intent* to adopt the proposed rules in the *Louisiana Register*. The *Notice of Intent* to adopt the proposed rules appeared in the September 2010 edition of the *Louisiana Register*. As neither a request for a public hearing nor public comments received, during its December 2010 meeting, the Board voted to adopt the rules upon publication in the *Louisiana Register*. The rule amendments became final upon publication in the January 2011 edition of the *Louisiana Register*. **Physicians and Surgeons - Reciprocity:** The Board proposed to amend Section 353 to: (i) clarify that the limitation on examination attempts (Section 387) applies equally to reciprocity applications; and (ii) apply the proposed amendment to Section 311B equally to

reciprocity applicants, e.g. those completing residency training and are continuing in fellowship or practicing in their specialty need not have taken the qualifying examination for licensure within a span of ten years. Following consideration, the Board approved publication of *Notice of Intent* to adopt the rule amendment. The *Notice of Intent* appeared in the September 2010 edition of the *Louisiana Register*. As neither a request for a public hearing nor public comments received, the Board voted to adopt the rules as final. The rule amendments became final upon publication in the January 2011 edition of the *Louisiana Register*.

b. Rules/Amendments – Noticed for Intent: - **Clinical Laboratory Personnel** – The Clinical Laboratory Advisory Committee recommended 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 educational, clinical, employment or experience requirements requisite to licensure. The Board previously reviewed, discussed and decided to provide *Notice of Intent* to adopt items (i) and (ii) in the *Louisiana Register* and further requested and received clarification on item (iii) from the Committee. Representatives of the Board’s CLP staff and CLP Advisory Committee appeared at the March 2010 meeting to discuss the recommendations to item (iii). Following discussion, the Board authorized publication of *Notice of Intent* to adopt the proposed rule amendments in the *Louisiana Register*. The *Notice of Intent* appeared in the November edition of the *Louisiana Register*. During its December 2010 meeting, the Board was advised of the current status of the effort and authorized further proceedings pursuant to the Administrative Procedures Act. Inasmuch as neither a request for a public hearing nor public comments received, it is anticipated that the final rule amendments will appear in the February 2011 edition of the *Louisiana Register*. **Medical Psychologists** – The Board decided to undertake a rule making effort pursuant to Act 251 of the 2009 session of the Louisiana Legislature that transferred medical psychologists from the Louisiana State Board of Examiners of Psychologists to the Board. Following consideration at its August 2010 meeting, the Board approved publication of a *Notice of Intent* to adopt the rules in the *Louisiana Register*. The *Notice of Intent* appeared in the November edition of the *Louisiana Register*. During the ensuing comment period, comments were received from one commenter suggesting revision of the proposed definitions of *Medical Psychologist* and *Medical Psychology*. The comments, along with the definitions from the proposed rules and the law (Act 251) were considered by the Board during the January 2011 meeting. Following review and discussion, on the motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board decided to accept the commenter’s suggestions, in part, by tracking the language of Act 251 in the proposed definitions except as to the term “*bona fide* medication samples as defined in this Section” in the definition of *Medical*

Psychologist which the Board elected to maintain. In addition, the Board adopted a technical amendment to include the use of the same term in the definition of *Medical Psychology*. The Board then decided to adopt and promulgate the rules in the *Louisiana Register*. The technical amendments to the final rules will appear in the March 2011 edition of the *Louisiana Register*. **Physician and Surgeons – Collaboration with Medical Psychologists** – As part of the rule effort to adopt rules governing medical psychologists, technical amendments are being made to the Board’s existing rules that regulate physicians who collaborate with medical psychologists. *Notice of Intent* appeared in the November 2010 edition of the *Louisiana Register*. During its December 2010 meeting, the Board reviewed the current status of the effort and authorized further proceedings pursuant to the Administrator Procedures Act. During its January 2011 meeting, the Board was advised that neither a request for a hearing nor public comments had been received. Following discussion, the Board decided to adopt the rules in the identical form as that previously published as final rules, save a technical modification to the definition of *Medical Psychologist*, to substitute the word “psychological practitioner” for “~~psychologist~~ practitioner,” for ease of reference to Act 251 and for conformity with rules simultaneously promulgated by the Board respecting Medical Psychologists. It is anticipated that the final rule will be published at the same time as the rule for Medical Psychologists in the March 2011 edition of the *Louisiana Register*.

c. **Rules/Amendments Under Development – Respiratory Therapy** - The Respiratory Therapy Advisory Committee 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. A revised draft was received from the Committee. Modifications to the Committee’s draft were presented to the Advisory Committee during its December 13th meeting, after which additional suggestions were received from staff and a representative of the Committee. It is anticipated that a final draft will be presented to the Board for review and consideration at its March meeting. **Perfusionist** - The Perfusion Advisory Committee prepared an initial draft of rules for this category of allied health care professionals. 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. **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. **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. At that time, 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 draft further. A revised draft was presented for consideration at its October 2010 meeting. Following review and discussion suggested certain modifications were sent to the PA Advisory Committee for review and during its December 2010 meeting the Advisory Committee and other interested parties expressed concerns about the revised draft. Following discussion, the Board suggested additional modifications and at the suggestion of the PA Advisory Committee authorized a meeting with members of the Louisiana State Medical Society, the Louisiana Academy of Physician Assistants and the PA Advisory Committee to discuss final modifications. **Midwifery** - The Board directed staff to prepare an amendment to its rules to address certification of midwifery training by a national accrediting entity. The matter is on hold pending a request for rulemaking. **Physicians and Surgeons – Demonstration of Clinical Competency:** The Board instructed 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 consideration and discussion at its April 2009 meeting. During its January 11, 2010 meeting, the Board reviewed, discussed and decided to provide *Notice of Intent* to adopt the proposed rules in the *Louisiana Register*. **Private Radiologic Technologists:** - The Board reviewed the proposed rule amendments that move the fee schedule for private radiologist technologists from Chapter 81 to Chapter 1 and revise the training requirements needed for certification. The Board approved providing a *Notice of Intent* to adopt the rule amendment in the *Louisiana Register*. **Physicians and Surgeons – Board Certification:** The Board directed staff/counsel to work on establishing and identifying criteria for Board Certification to be employed by the Board. Pursuant to this request, a draft was presented and discussed by the Board during its December 2009 and January 2010 meetings. A revised draft, incorporated suggested modifications was presented for further consideration during its March 2010 meeting. At its June 2010, the Board received presentations from representatives of the American Board of Physician Specialties, the American Board of Medical Specialties and others on the proposed draft. A report on the current status of the rule making effort was given during its December 2010 meeting. **Physicians and Surgeons – Office-Based Surgery:** The Board considered suggestions for amendment to its office-based surgery rules and instructed staff/counsel to prepare proposed modifications of its rules to address the issues. It is anticipated that amendments will be presented at the March meeting for consideration.

[4.] Report on Pending Litigation. On the motion of Dr. Montgomery duly seconded by Dr. Robert Dawson and passed by unanimous voice vote, 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. § 42:17A(2). No further action was required or taken on this matter.

[5.] Personal Appearances/Docket Calendar. Continuing in executive session, the Board reviewed the calendar of personal appearances and docketed hearings, as matters relating to the character and professional conduct of a licensee and allegations of misconduct, La. Rev. Stat. 42:17 A(1), (4). As no further action was required or taken on this matter, the Board resumed in open session.

6. Legislation; Out-of-State Physician Orders. The Board reviewed proposed draft legislation, as requested by Senator Nevers, which would allow physicians who are not licensed in Louisiana to order diagnostic testing on their Louisiana patients to be performed in Louisiana. The purpose of the legislation is to provide continuity of care to Louisiana patients who travel out of state for medical care and need on-going testing for a diagnosed condition (i.e., blood work, x-rays, etc.). The proposed legislation would not permit initiation of treatment in Louisiana on the orders of a non-licensed physician nor diagnosis of a new condition. It would also allow health care providers to determine whether or not to accept such orders. Following review and discussion it was the consensus of the Board to provide the draft to Senator Nevers per his request.

7. Legislation; Allied Health Care Provider Professional Health Program. The Board reviewed proposed draft legislation that would establish a mechanism for collecting a fee to support a health care program for allied health providers, including but not limited to medical psychologists, physician assistants and podiatrists. Following review and discussion, it was the consensus of the Board to visit with representatives of its oversight committees as to the feasibility of an amendment to the Medical Practice Act to allow a fee for the Allied Health Program from allied health professionals up to a maximum amount of \$25.00.

[8.] Investigative Reports. On the motion of Dr. Burdine, duly seconded by Dr. LeBlanc, the Board convened in executive session to consider the investigative reports as matters relating to the character and professional conduct of a licensee, and allegations of misconduct, La. Rev. Stat. §42:17A(1) and (4). Following review and discussion the Board resumed in open session. Upon motion made, duly seconded and passed by unanimous voice vote, the Board approved the following:

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

Docket No., 10-I-159

Docket No., 11-I-082
Docket No., 10-I-170

- b. Consent Orders: The following Consent Orders were accepted:

Kathleen Robin Ford, D.O., Docket No., 98-I-016
Steven Edward Lee, M.D., Docket No., 09-I-462
James Beam Aiken, M.D., Docket No., 10-I-170
Annie Kay LaHood Jarrett, PA, Docket No., 10-I-586

- c. Recall of Summary Suspension: The following Summary Suspension was recalled:

Stephen Lloyd Hendry II, M.D., Docket No., 10-I-708

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

Docket No., 10-I-911

- e. Injunction: The following Injunction was approved in the following matter and in the event of non-compliance any other appropriate action:

Docket No., 10-I-876

- f. Information Only: The following matters were presented for information only:

Docket No., 11-I-038
Docket No., 03-I-6583

- g. Closed Complaint Cases: The Board reviewed the report of closed cases. No further action was required or taken on this matter.

[9.] Professional Liability Report. On the motion of Dr. LeBlanc duly seconded by Dr. Burdine and passed by unanimous voice vote, 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 the character and professional conduct of a licensee and allegations of misconduct, La. Rev. Stat. § 42:6.1 A(1) and (4). No further action was required or taken on these matters.

[10.] General Disciplinary Matters. On the motion of Dr. Robert Dawson, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session to consider the 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. §42:17A(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 and discussed compliance with the rules relative to supervision of physician assistants by primary and locum tenens physicians.
- c. Additional Supervising Physicians – To approve the request of the following for additional supervising physicians provided all requirements have been met and clinical practice guidelines are in compliance as reported:

Barry, Frederick, PA	Oberle, Jefferson Kenneth, PA
Coleman, Thomas, PA	
- d. Heise, Brian Allan, M.D. – To follow-up on the request of Brian Allan Heise, M.D., for reinstatement of his prescribing privileges to specify that he cannot prescribe Schedule II controlled substances.
- e. Fazio, Dale Carleton, DPM – To approve reinstatement of the license of Dale Carleton Fazio, DPM, off probation with the provision that he is required to provide sixty days notice of his plans to return to Louisiana to practice podiatry.
- f. Michell, Vincent Charles, M.D. – To approve reinstatement of the license of Vincent Charles Michell, M.D., to a full, unrestricted status, off probation.
- g. Enforcement Indicators – The Board reviewed the enforcement indicators' report for 2010 indicating the number and type of disciplinary actions taken for the year.

[11.] Physicians Health Committee. On the motion of Dr. Amusa, duly seconded by Dr. Montgomery and passed by unanimous voice vote, the Board convened in executive session to receive the report of Julie Alleman, M.Ed., LPC, LMFT, LAC, Administrative Director, Physicians Health Foundation. Ms. Alleman reported on the participants in the Physicians' Health Program who were either appearing before the Board or had matters before the Board for review and discussion, as matters relating to the character and professional conduct and allegations of misconduct of a licensee, La.Rev.Stat. § 42:17A(1) and (4). No further action was required or taken on this matter.

[12.] Investigative Report; Personal Appearance; Robin Kathleen Ford, D.O. Continuing in executive session, Robin Kathleen Ford, D.O. appeared for a personal appearance in accordance with the acceptance of her Order, as a matter relating to the character and professional conduct and allegations of misconduct of a licensee, La.Rev.Stat.§ 42:6.1A(1) and (4). Following her dismissal the Board resumed in open session and took no further action.

[13.] General Disciplinary Matters; Personal Appearance; Mark Anthony Schneider, M.D. On the motion of Dr. Amusa, duly seconded by Dr. LeBlanc and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Mark Anthony Schneider, M.D., as a matter relating to the character and professional conduct and allegations of misconduct of a licensee, La.Rev.Stat.§ 42:17A(1) and (4). Dr. Schneider, accompanied by Roger Smith, M.D., Director, Catahoula Parish Hospital District, appeared before the Board in connection with his request for approval of his work location. Following his appearance, the Board resumed in open session, and upon motion made, duly seconded and passed by unanimous voice vote, approved the request of Dr. Schneider for his practice location.

[14.] General Disciplinary Matters; Personal Appearance; Chandrakant Marutirao Joshi, M.D. On the motion of Dr. Burdine, duly seconded by Dr. Montgomery and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Chandrakant Marutirao Joshi, M.D., as a matter relating to the character and professional conduct and allegations of misconduct of a licensee, La.Rev.Stat.§ 42:17A(1) and (4). Dr. Joshi appeared before the Board in connection with his request for reinstatement of his license, off probation. 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 Chandrakant Marutirao Joshi, M.D., off probation.

15. Rulings and Advisory Opinions; Hospice Care. The Board reviewed the correspondence received from Brenda McDaniel, RN, Director of Nursing/Administrator, Premier Hospice, seeking an advisory opinion on whether medical directors can prescribe narcotic medications to terminally ill hospice patients without evaluating/seeing the patient face-to-face. Following review and discussion, it was the consensus of the Board to defer action on this matter pending a review of the statute relative to hospice care to be presented for the Board's review at the next meeting of the Board.

16. Rulings and Advisory Opinions; Social Media. The Board reviewed the electronic correspondence received from Jane Santucci, Communications Director, Sacopulos Johnson & Sacopulos on the use of the internet by physicians to provide medical advice, testimonials and individual credentials for public consumption. Following review and discussion, it was the consensus of the Board to defer action on the matter pending further research.

17. Rulings and Advisory Opinions; Teleconversations. The Board reviewed electronic correspondence received from Wayne Anthony Wilbright, M.D., Louisiana State University

Health Sciences Center, seeking an advisory opinion on the establishment of a video, audio communication between a specialist and a health care provider on a patient without the specialist establishing a physician-patient relationship, registration or documentation and whether such an arrangement referred to as “teleconversations” would fall under the telemedicine rules. Following review and discussion, it was the consensus of the Board to advise Dr. Wilbright that in the absence of direct contact with the patient, teleconversations would not require compliance with the telemedicine rules.

18. Rulings and Advisory Opinions; Pharmacy Technicians. The Board reviewed electronic correspondence received from Paul Roy, MSCC, CWCP, LUBA Workers’ Comp seeking additional information on the Board’s posting on the website, “Dispensing-Physician Requirements” dated March 10, 2010. Following review and discussion, it was the consensus of the Board to advise Mr. Roy that the opinion posted on the website posting does not override or conflict with the Attorney General’s opinion relative to physician dispensing; that the Board sees no need to define the term “the dispensing physician is physically present” as it speaks for itself and that if he is aware of any violations with respect for illegal payment arrangements, he can report this matter to the Board for an investigation.

19. Rulings and Advisory Opinions; Automated Dispensing Systems. The Board reviewed electronic correspondence received from Edward D. Rickert seeking an advisory opinion on the use of automated dispensing systems to be used by physicians in Louisiana for dispensing medications. Following review and discussion it was the consensus of the Board to await a written request that was forthcoming.

20. Rulings and Advisory Opinions; Naloxone Dispensation Program. The Board reviewed correspondence received from Mark Alain Dery, D.O., MPH, Director of Antimicrobial Stewardship, Tulane University School of Medicine, seeking approval from the Board on the ability to dispense Naloxone to opiate users using the established policies and procedures. Following review and discussion, it was the consensus of the Board to inform Dr. Dery that their Naloxone Dispensation Program could not be approved for several reasons of which medical student’s ineligibility to serve as dispensing physicians was primary.

21. Communication and Information; Louisiana Midwives’ Advisory Council. The Board reviewed correspondence received from Sherri Daigle, Louisiana Midwives’ Advisory Council, asking to meet with the Board to discuss the appeal to amend the rules relating to midwifery in the state. Following review and discussion, it was the consensus of the Board to deny the request inasmuch as the Board had worked diligently on proposed amendments to no avail and because most the proposed changes are in conflict with the Midwife Practice Act..

22. Communication and Information; Louisiana State Medical Society. The Board reviewed the 2011 report on the activities of the Board submitted to the Louisiana State Medical

Society for their annual meeting held February 4, 2011 in Baton Rouge. No further action was required or taken on this matter.

23. Communication and Information; Senate Concurrent Resolution 100. The Board reviewed the Report to the Senate Concurrent Resolution No. 100, the Behavioral Health Professional Working Group of which Dr. Marier was a participant. No further action was required or taken on this matter.

24. Communication and Information; RN's Performance of Moderate Complexity Testing. The Board reviewed the communication received from Barbara Morvant, MN, RN, Executive Director, Louisiana State Board of Nursing "LSBN", informing the Board that the LSBN reaffirmed its 1997 Declaratory Statement Regarding the Role and Scope of Practice of Registered Nurses Performing Clinical Laboratory Testing and asking the Board to reconsider its Interpretive Ruling on Clinical Laboratory Personnel Law; Licensure of Registered Nurses. Following review and discussion it was the consensus of the Board to place this matter on the next meeting of the Board for consideration.

25. Communication and Information; Missouri. The Board reviewed information relative to a court ruling in Missouri. No further action was required or taken on this matter.

26. General Administrative Matters; Financial Reports.

Financial Statement - The Board reviewed a statement on the revenue and expenses for the period ending December 31, 2010 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of December 31, 2010. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending December 31, 2010 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of December 31, 2010.

27. General Administrative Matters; President's Report. The Board received the report of the President in his activities since the last meeting of the Board.

28. General Administrative Matters; Executive Director's Report. The Board received the report of its Executive Director on his activities since the last meeting of the Board. He informed the Board of the upcoming legislative calendar, Wisconsin's Health Care Disclosure Law, and licensee statistics post Katrina. He concluded his report with the status of the renovation project.

29. General Administrative Matters; Physician's Assistant Advisory Committee. The Board noted receipt of nominees for appointment to the Physician's Assistant Advisory Committee. Following review and discussion it was the consensus of the Board to defer appointment pending recommendations as to the best candidate.

30. General Administrative Matters; Medical Psychology Advisory Committee. The Board noted receipt of the minutes of the Medical Psychology Advisory Committee Meeting held September 21, 2010. No further action was required or taken on this matter.

[31.] Licensure and Certification; Clinical Laboratory Personnel. On the motion of Dr. Montgomery, duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board convened in executive session to consider the non-routine application for licensure as a matter of the character, professional competency, or physical or mental health of an applicant pursuant to La.Rev.Stat. 42:17.A(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:

Phlebotomist

White, Heather Lynne

Generalist

Katsaras, John Vasilios

Laboratory Assistant

Lyles, Decarlo Anthony

Specialist

Noumsi, Ghislain Tchuente

Technician

Ruffin, Danielle Patrice

[32.] Licensure and Certification; Physician Assistants. On the motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, 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. 42:17A(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) Aguilar, Josselin Patricia, PA – Supervising physicians: Drs. Kenneth Civello, Jr., Charles Smith, Norman Deumite, Paul Garrett, Steven Gremillion, Bryan Hathorn, Harold Helmke III, Jeffrey Hyde, Carl Luikart, John McClelland, John McLachlan, Jr., Jeffrey Moonan, Denzil Moraes, Andrew Rees, Ochsner Clinic Foundation, 1514 Jefferson Highway, New Orleans.
- 2) Alleman, Lisa Casteigne, PA - Supervising physicians: Drs. Effie Branton, Patrick Bonneval, Ronald Coe, Jennifer Crist, James Crowell III, Christine Eisele, William Elliott, Marci Fabre, Beverly Gladney, Robert Gruner, John Jones, Robert Limbaugh III, James Linford, Michael Loewe, Jason Madatic, Mark McInnis, David Melton, Pamela Payment, Eric Rowley, Keith Schwager, Todd Taylor, Monte Thames, Jr., Joseph Thomas, Jr., Kathleen Varnes, Lauren Yorek and Richard Heflin, Ochsner Clinic Foundation, 9001 Summa Avenue, Baton Rouge.
- 3) Barkerding, Amy Landry, PA - Supervising physicians: Drs. Effie Branton, Patrick Bonneval, Ronald Coe, Jennifer Crist, James Crowell III, Christine Eisele, William Elliott III, Marci Fabre, Beverly Gladney, Robert Gruner, John Jones, Robert Limbaugh III, James Linford, Michael Loewe, Jason Madatic, Mark McInnis, David Melton, Pamela Payment, Eric Rowley, Keith Schwagner, Todd Taylor, Monte Thames Jr, Joseph Thomas Jr, Kathleen Varnes, Lauren Yorek and Richard Heflin, Children’s Medical Center, Covington.
- 4) Boland, Mary Ashley, PA - Supervising physician: Dr. Yumus Moosa, Paramount Cardiovascular Center, Zachary.
- 5) Brown, Suzanne Machele, PA – Supervising physician: Dr. Clayton Overton III, 200 Corporate Blvd, Suite 2001, Lafayette.
- 6) Chauvin, Aaron Dean, PA – Supervising physician: Dr. Randall Davis, Thomas Caskey, Amanda Ramey, Christus Schumpert St Mary, 1 St Mary Place, Shreveport.
- 7) Coleman, Thomas William, PA – Supervising physicians: Drs. Mohammad Alam, William Beebe, Mark Boersma, Magdy Eskander, Edwidg Eugene, Sharon Joiner, Derek Liston, Steven Motarjenne, Isaac Odudu, Hoa Nguyen and Christopher Wolcott, Natchitoches Regional Medical Center, 501 Keyser Avenue, Natchitoches.
- 8) Crosby, Bethany Cubley, PA – Supervising physicians: Drs. Randall Davis, Thomas Caskey and Amanda Ramey, 7045 Youree Drive, Shreveport.

- 9) Curry, Claire Elizabeth, PA – Supervising Physician: Dr. Brent Allain, 224 St Landry Street, Suite 1-G, Lafayette.
- 10) Daniels, Akane McAllister, PA – Supervising Physician: Dr. Stephen Smith, 510 East Stoner Avenue, Shreveport.
- 11) Doty, Shiva, PA – Supervising Physician: Dr. Carnell Lenert, LSU Health Sciences Center, 1501 Kings Highway, Shreveport.
- 12) Duke, Kelly Liner, PA – Supervising Physicians Drs. Kenneth Civello Jr, Norman Deumite, Paul Garrett, Steven Gremillion, Bryan Hathorn, Harold Helmke III, Jeffrey Hyde, Carl Luikart, John McClelland, John McLachlan Jr, Jeffrey Moonan, Denzil Moraces, Andrew Rees and Charles Smith, 7777 Hennessy Boulevard, Suite 1000, Baton Rouge.
- 13) Esteve, Darren Christopher, PA – Supervising Physician: Dr. Philip Padgett, Bradford Smith and John Schwab, 7600 Airline Highway, Baton Rouge.
- 14) Fatheree, Kelli Elaine, PA – Supervising Physician: Dr. Carmell Lenert, LSU Health Sciences Center, 1501 Kings Highway, Shreveport.
- 15) Frederick, Barry Lane, PA – Supervising Physicians: Drs. Lloyd Gueringer Jr., Robert Mercadel and Ursin Stafford, St Tammany ER, 1202 So Tyler Street, Covington.
- 16) Freeman, Kathryn Elizabeth, PA – Supervising Physicians: Drs. Effie Branton, Patrick Bonneval, Ronald Coe, Jennifer Crist, James Crowell III, Christine Eisele, William Elliott III, Marci Fabre, Beverly Gladney, Robert Gruner, John Jones, Robert Limbaugh III, James Linford, Michael Loewe, Jason Madatic, Mark McInnis, David Melton, Pamela Payment, Eric Rowley, Keith Schwagner, Todd Taylor, Monte Thames Jr, Joseph Thomas Jr, Kathleen Varnes, Lauren Yorek and Richard Heflin, Baton Rouge General Hospital, 3600 Florida Boulevard, Baton Rouge.
- 17) Freeman, Nathan Carl, PA – Supervising Physicians: Drs. Vincent Tullos, Martins Ugwu-Dike, Bryan Barrett, Matthew Bernard, Derrick Dean, Mark McInnis, Clayton Overton III, Stanford Owen, Richard Friend, Bradley Kieffer, Fredro Knight Jr, Robert Limbaugh III, Douglas McBride and Charles Speights, 64040 Highway 434, Suite 200, Lacombe.
- 18) Gillum, Melissa Aron, PA – Supervising Physician: Dr. Carmell Lenert,

Willis Knighton Cancer Center, 2600 Kings Highway, Shreveport.

19) Glover, Dale Beard, PA – Supervising Physicians: Drs. Vemilyn Juan and Robert Occhipinti, 3434 Prytania Street, Suite 460, New Orleans.

20) Gorio, Karla Danielle, PA – Supervising Physicians: Drs. Victor Chou and Christopher Surek, 721 Avenue G, Kentwood.

21) Guarino, Elizabeth Nicole, PA – Supervising Physician: Dr. Roopa Ramesh Patel, 17000 Medical Center Drive, Baton Rouge.

22) Guercio, Suzanne d'Aquin, PA – Supervising Physician: Dr. James Ratliff, Ochsner Health System, 9001 Summa Avenue, Baton Rouge.

23) Hanson, Heidee Irene, PA – Supervising Physicians: Drs. Stephen Bardot, Richard Vanlangendonck Jr, Howard Woo, Joanna Togami, Robert McLaren, Melissa Montgomery, Jack Winters and Lester Prats Jr., Ochsner Foundation Hospital, 1514 Jefferson Highway, New Orleans.

24) Hill, Erin Fruge, PA – Supervising Physician: Dr. Richard Hebert II, 287 Panther Trail Drive, Kinder.

25) Howell, Dustin Wayne, PA – Supervising Physicians: Drs. Christopher Wolcott, Isaac Odudu, Sharon Joiner, Derek Liston, Mohammad Alam, William Beebe, Mark Boersma, Magdy Eskander, Steven Motarjeme and Hoa Nguyen, Glenwood Regional Medical Center, 102 Thomas Rd, Suite 402, West Monroe.

26) Jenny, Jeremy Brandt, PA – Supervising Physicians: Drs. Philip Padgett, Bradford Smith and John Schwab, 10059 No Reiger Road, Baton Rouge.

27) Johnston, Miranda C., PA – Supervising Physician: Dr. John Simon, 1980 No Highway 190, Covington.

28) Knight, John J., PA – Supervising Physician: Dr. Roopa Ramesh Patel, Ochsner Medical Center, 17000 Medical Center Drive, Baton Rouge.

29) Marcantel, Robbie Boyd, PA – Supervising Physician: Dr. Mathew Erickson, 3351 Masonic Drive, Alexandria.

30) Martin, Mitchell Lee, PA – Supervising Physicians: Drs. Clois Slaughter, Wayne Cestia and Jade Heinen, LCS Correctional Center, 113 Hampton Dupre Rd, Pine Prairie.

- 31) McCurdy, Benjamin Scott, PA – Supervising Physician: Dr. Sara Kelly, CENLA Urgent Care, 224 Pecan Park Avenue, Alexandria.
- 32) McIntosh, Michael Joseph, PA – Supervising Physicians: Drs. Patrick Bonneval, Jennifer Crist, Michael Loewe, Todd Taylor, Lauren Yorek and Mark McInnis, 7153 Government Street, Baton Rouge.
- 33) Miller, Shannon Marie, PA – Supervising Physicians: Drs. Aaron Lirette, Catherine Speights, Stephen Smith, Gary Williams, Sanjaykumar Shah and Cheryl Smith, Quick Care, 2300 Hospital Drive, Suite 180, Bossier City.
- 34) Mittendorf, Major Joseph, PA – Supervising Physicians: Drs. Philip Padgett, Bradford Smith and John Schwab, CORE, 12091 Bricksome Avenue, Suite B, Baton Rouge.
- 35) Nguyen, Lily Diep Ngoc, PA – Supervising Physician: Dr. Tonya Boudreaux, Women’s & Children Hospital, 4600 Ambassador Caffrey, Lafayette.
- 36) Pagoulato, Dimitri Nicholas, PA – Supervising Physician: Dr. Roopa Patel, 17000 Medical Center Drive, Baton Rouge.
- 37) Ponder, Sarah Landry, PA – Supervising Physicians: Drs. Effie Branton, Patrick Bonneval, Ronald Coe, Jennifer Crist, James Crowell III, Christine Eisele, William Elliott III, Marci Fabre, Beverly Gladney, Robert Gruner, John Jones, Robert Limbaugh III, James Linford, Michael Loewe, Jason Madatic, Mark McInnis, David Melton, Pamela Payment, Eric Rowley, Keith Schwagner, Todd Taylor, Monte Thames Jr, Joseph Thomas Jr, Kathleen Varnes, Lauren Yorek and Richard Heflin, Baton Rouge General Hospital, 3600 Florida Blvd, Baton Rouge.
- 38) Pratt, Anne Elizabeth, PA – Supervising Physician: Dr. Carmell Lenert, LSU Health Sciences Center, 1501 Kings Highway, Shreveport.
- 39) Redmond, James Ray Sr., PA – Supervising Physician: Dr. Robert LeBlanc Jr., 601 West St. Mary Blvd, Suite 308, Lafayette.
- 40) Rhoades, Nicholas Anthony, PA – Supervising Physicians: Drs. Patrick Bonneval, John Jones, Michael Loewe, Todd Taylor and Lauren Yorek, 3600 Florida Blvd, Baton Rouge.
- 41) Ross, Terri Lynn, PA – Supervising Physicians: Drs. Effie Branton, Patrick Bonneval, Ronald Coe, Jennifer Crist, James Crowell III, Christine Eisele, William

Elliott III, Marci Fabre, Beverly Gladney, Robert Gruner, John Jones, Robert Limbaugh III, James Linford, Michael Loewe, Jason Madatic, Mark McInnis, David Melton, Pamela Payment, Eric Rowley, Keith Schwagner, Todd Taylor, Monte Thames Jr, Joseph Thomas Jr, Kathleen Varnes, Lauren Yorek and Richard Heflin, Baton Rouge General Hospital, 3600 Florida Blvd, Baton Rouge.

42) Rougeou, Ashley Nicole, PA – Supervising Physician: Dr. Thomas Bond, 1101 South College, Suite 201, Lafayette.

43) Spangler, Stephanie Bartlett, PA – Supervising Physicians: Drs. Douglas Brown and Fletcher Sutton Jr., 312 Grammont Street, Suite 302, Monroe.

44) Stough, Cheryl Cline, PA – Supervising Physician: Dr. Carmell Lenert, LSUHSC, 1501 Kings Highway, Shreveport.

45) Sturges, Daytheon De'ron, PA – Supervising Physician: Dr. Clemens Soeller, Primary Care Specialist, LLC, 3802 Prescott Rd, Alexandria.

46) Suter, Amy Michelle, PA – Supervising Physician: Dr. Elizabeth Long, 3335 Prescott Rd, Alexandria.

47) Torres, Ronald Ray Jr., PA – Supervising Physicians: Drs. Philip Padgett, Bradford Smith and John Schwab, 12091 Bricksome Avenue, Suite B, Baton Rouge.

48) Verdun, Shawna Nikia, PA – Supervising Physicians: Drs. Patrick Bonneval, Jennifer Crist, Robert Gruner, Michael Loewe, Todd Taylor and Lauren Yorek, 2139 Spring Drive, Baton Rouge.

49) Walker, Charles Lynn, PA – Supervising Physicians: Drs. William Beebe, Sharon Joiner and Steven Motarjeme, LSUHSC-EM, 1501 Kings Highway, Shreveport.

50) Williams, Janice Patricia, PA – Supervising Physician: Dr. Clayton Overton III, Thomas Community Health Center, 51704 Highway 438, Franklinton.

51) Wimberley, Marcus Damon, PA – Supervising Physicians: Dr. Philip Padgett, Bradford Smith and John Schwab, CORE, 10059 No Reiger Road, Baton Rouge.

52) Wimberly, Heidi Birdsall, PA – Supervising Physicians: Drs. Lane Rosen, Sanford Katz and Michael Durci, Radiation Oncology Services, 2600 Kings

Highway, Shreveport.

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

1) Bagaley, Danielle Rene, PA - Supervising physician: Drs. John Wallis, Diana McDermott, Catherine Spiller, Cathi Fontenot, David Borne, Eirinn Emy, LSU Healthcare Network Multi-Specialty Clinic, 2820 Napoleon Avenue, Suite 890, New Orleans.

2) Butler, Christopher Thomas, PA – Supervising physician: Dr. Robert Crowe, The Pediatric Center, 802 South 10th Street, Suite C, Leesville.

3) Callender, Mark David, PA – Supervising physician: Drs. Elizabeth Dimitri, Kate McDonald, 3715 Williams Boulevard, Suite 100,

[33.] Licensure and Certification; Occupational Therapy Assistants. On motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, 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. 42:17.A(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 provided all requirements had been met:

Occupational Therapist

Pasol, Jerry

Occupational Therapy Assistant

Devlin, Tiffany

b. Denied – To deny the request of the following for a waiver of an examination attempt citing extenuating circumstances:

Munoz, Susan Alyssa

[34.] Licensure and Certification; Perfusionist. On motion of Dr. Burdine, duly seconded by Dr. Amusa and passed by unanimous voice vote, 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. 42:17A(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 provided all requirements had been met:

Maxim, Melody A.

[35.] Licensure and Certification; Athletic Trainers. On motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, 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. 42:17.A(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 reaffirmed the denial of the request of the following for a waiver of an examination attempt for the final time:

Guillot, Ryan Joseph

[36.] Licensure and Certification; Polysomnographers. On motion of Dr. Burdine, duly seconded by Dr. Montgomery and passed by unanimous voice vote, 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. 42:17.A(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 made the following decisions:

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

Ebey, Rachel E.

Weaver, Diron D.

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

Spencer, Kimberly M.

[37.] Licensure and Certification; Physicians & Surgeons; Foreign Medical Graduates. On motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, 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. 42:17A(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. Aziz, Khadija, M.D. – To deny the request of Khadija Aziz, M.D., for a waiver of an examination attempt, thereby making him eligible for licensure.
- b. Valenzuela, Arellano Marie Alejandra, M.D. – To approve the request of Arellano Marie Alejandra Valenzuela, M.D., for a waiver of the licensure requirements in accordance with §315 of the Board's rules inasmuch as she had been offered a position on the tenure tract at Tulane University.
- c. Non-Routine – To approve the application of the following provided all requirements had been met:

Saeed, Sadia, M.D.

[38.] Licensure and Certification; Physicians & Surgeons; U.S./Canadian Medical Graduates. On motion of Dr. Montgomery, duly seconded by Dr. Burdine and passed by unanimous voice vote, 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. 42:17A(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. Mandelbaum, Mark, M.D. – To inform Mark Mandelbaum, M.D., he would be required to take the SPEX/Board Certification examination to be eligible for licensure.
- b. Reynolds, Marion A., M.D. – To inform Marion A. Reynolds, she would be required to take the SPEX/Board Certification examination to be eligible for licensure and to further advise that there is an obstetrics-gynecology written examination administered through the American Board of Obstetrics-Gynecology (ABMS) given in March and June that would also be acceptable.
- c. Non-Routine – To approve the non-routine applications of the following provided all requirements had been met:

Lynch, Christopher R.
Sanampudi, Jayanth

Val, Sybile

[39.] Licensure and Certification; Other Licensure Matters; Fingerprint Discrepancies Report. On motion of Dr. Amusa, duly seconded by Dr. LeBlanc and passed by unanimous voice vote, 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. 42:17A(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:

Polysomnographer

Hagan, Calvin C.

Clinical Laboratory Personnel

Salch, Ilham M.
Stansbury, Danielle R.

Woods, Lannette N.

Respiratory Therapist

Hall, Rhonda

Vidos, Andrea

Physicians and Surgeons

Johnson, Matthew M.

Sumrall, Bradley T.

[40.] Licensure and Certification; Other Licensure Matters; Relicensure/Reinstatement.

On motion of Dr. Burdine, duly seconded by Dr. LeBlanc and passed by unanimous voice vote, 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. 42:17A(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 relicensure/reinstatement provided all requirements had been met:

Physicians and Surgeons

Altman, Stewart E.
Hecker, Susan M.

Majidian, Alexander M.

41. Licensure and Certification; Other Licensure Matters; Short Term Residency Program. The Board considered the request for approval of a short term residency program for Louisiana State University Health Sciences Center, Department of Endocrinology received from Robert Richards, M.D. Following review and discussion, on the motion of Dr. Montgomery, duly

seconded by Dr. Burdine and passed by unanimous voice vote, the Board approved of the short term residency program for endocrinology residency program rotation at Louisiana State University Interim Hospital.

42. Licensure and Certification; Other Licensure Matters; Licensees for Suspension. The Board reviewed the list of licensees, who had failed to renew their licenses by January 31, 2011. 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 4:30 p.m., to reconvene at the Board at 8:30 a.m., Tuesday, February 15, 2011.

Second Session
Tuesday, February 15, 2011

The meeting of the Louisiana State Board of Medical Examiners was reconvened at 8:30 a.m., Tuesday, February 15, 2011 at the offices of the Board with everyone in attendance.

[43.] Personal Appearances/Docket Calendar; Formal Hearing; Mark Allen Sands, M.D. On the motion of Dr. Amusa, duly seconded by Dr. LeBlanc and passed by unanimous voice vote, the Board convened in executive session for the purposes of a formal hearing in the matter of Mark Allen Sands, M.D., to discuss the character and professional conduct of a licensee and an administrative hearing as provided by the legislature in the Louisiana Administrative Procedure Act, La.Rev.Stat.49:951, et.Seq., pursuant to La.Rev.Stat.§ 42:17A(1) and (10) .

44. Next Meeting of Board. The President reminded members that the next meeting of the Board was scheduled for March 14, 15, 2011 at the temporary offices of the Board, 1515 Poydras Street, Suite 2700.

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 February 14, 15, 2011 as approved by the Board on the 14th day of March, 2011.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 14th day of March 2011.

Melvin G. Bourgeois, M.D.
Secretary-Treasurer

Attest:

Mark Henry Dawson, M.D.
President