

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**JANUARY 10, 11, 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, January 10, 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
Melvin G. Bourgeois, M.D., Secretary-Treasurer
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:

Robert Earl Dawson, M.D., MPH, Vice-President

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 Gasper, 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, January 10, 2011

1. **Minutes of December 6, 7, 2010 Meeting.** The Board reviewed the minutes of its meeting of December 6, 7, 2010. On the motion of Dr. LeBlanc duly seconded by Dr. Bourgeois 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; Rules/Under Development; Physician Assistants; Personal Appearances.** Peter Stevens, Chairman, Physician Assistant Advisory Committee, appeared before the Board to discuss the proposed PA rules. Mr. Stevens stated that the PA Advisory Committee and the Louisiana Academy of Physician Assistants would like to form a Committee to work on revisions to the proposed rules. Following discussion, on the motion of Dr. Burdine, duly seconded by Dr. Bourgeois, the Board voted to defer action on the proposed rules until the March meeting and in the interim to set up a meeting with the Louisiana State Medical Society, the Louisiana Academy of Physician Assistants, the PA Advisory Committee and the Board following receipt of an inclusionary and an exclusionary list of proposed procedures that may/may not be performed by physician assistants from the Advisory Committee and the LAPA.

4 **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 – 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*. It is anticipated the rule amendments will become final upon publication in the January 2011 edition of the *Louisiana Register*. **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. It is anticipated the rule amendments will become 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. It is anticipated the rule amendments will become final upon publication in the January 2011 edition of the *Louisiana Register*.

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 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 which, among other matters, transfers 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*. One comment was received during the comment period. Following review and discussion, on the motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board adopted technical amendments and authorized a response to the commenter and publication of the rules as final. **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 adopted a technical modification and authorized further proceedings pursuant to the Administrator Procedures Act. It is anticipated that the final rule will be published at the same time as the rule for Medical Psychologists.

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. An annotated and clean version of the revised draft have been sent to the Committee for input. It is anticipated that a final draft will be presented to the Board for review and consideration at its February 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 certain suggested 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. The latest draft of proposed amendments was attached for review and discussion. (See item 3 above). **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.

[5.] Report on Pending Litigation. On the motion of Dr. LeBlanc duly seconded by Dr. Amusa 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.

[6.] Personal Appearances/Docket Calendar. On the motion of Dr. LeBlanc, duly seconded by Dr. Bourgeois and passed by unanimous voice vote, the Board convened in executive session, to review 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). No further action was required or taken on this matter.

[7.] Investigative Reports. Continuing in executive session, the Board considered 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 Complaint: The following administrative complaint was approved for filing and scheduling of a formal hearing:

Docket No. 10-I-331

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

Natalie Jane Broussard, RRT., Docket No., 10-I-648
Gwenn Sonya Case, OTA, Docket No., 10-I-561

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

Docket No., 07-I-482
Docket No., 10-I-1022
Docket No., 09-I-642
Docket No., 09-I-627
Docket No., 09-I-628
Docket No., 09-I-631
Docket No., 09-I-637
Docket No., 09-I-638
Docket No., 09-I-639
Docket No., 09-I-643
Docket No., 09-I-644
Docket No., 09-I-645
Docket No., 09-I-646
Docket No., 09-I-647
Docket No., 09-I-648
Docket No., 09-I-626
Docket No., 09-I-625

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

Docket No. 10-I-847

- e. Cease and Desist: The handling of complaints/allegations regarding the use of Colonics and issuance of Statement of Position was approved.
- f. Closed Complaint Cases: The Board reviewed the Closed Complaint Cases Report. No further action was required or taken on this matter.

[8.] Professional Liability Report. On the motion of Dr. LeBlanc duly seconded by Dr. Bourgeois and passed by unanimous voice vote, 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 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.

[9.] General Disciplinary Matters. On the motion of Dr. Bourgeois, 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. Steeb, Glen David, M.D. – To approve reinstatement of the suspended license of Glen David Steeb, M.D., in accordance with the terms of the Superseding Order dated September 20, 2010.
- d. Cesar, Shannon Christopher, M.D. – To approve the request of Shannon Christopher Cesar, M.D., for reinstatement of his license to a full, unrestricted status.
- e. Louisiana/Texas Drug Legislative Meeting – To note the report from staff on the Louisiana/Texas Drug Legislative Meeting. No further action required or taken on this matter.

10. Rulings and Advisory Opinions; Ownership of Ambulatory Surgical Care Centers. The Board reviewed the correspondence received from William D. King, CPA, Doctors

Management, asking whether ambulatory surgical care centers in Louisiana must have majority ownership by a hospital. Following review and discussion, it was the consensus of the Board to advise Mr. King that it may not be a requirement in all settings under the laws administered by the Board, however, 51% hospital ownership may be accurate with respect to rural areas in the state, particularly since Act 819 adopted by the 2006 Louisiana Legislature requires the Board to promulgate rules for violation of this mandate.

11. General Administrative Matters; Financial Reports.

a. Financial Statement - The Board reviewed a statement on the revenue and expenses for the period ending November 30, 2010 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of November 30, 2010. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending November 30, 2010 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of November 30, 2010.

b. Travel Expenses. Motion was made by Dr. Bourgeois, duly seconded and passed by unanimous voice vote authorizing the Executive Director to approve routine and special travel for Board Members, Board staff, Board consultants and legal counsel for calendar year 2011, including but not limited to the following:

- 1) Travel expenses in connection with attendance at all Board meetings and Board Committee meetings.
- 2) Travel expenses in connection with appearances at appropriate private or state entities on behalf of or to represent the Board.
- 3) Travel expenses in connection with investigations conducted by the Board, to include travel expenses of witnesses.
- 4) Travel expenses in connection with any court or deposition appearance for the purpose of providing testimony on behalf of the Board.
- 5) Travel expenses for attending the annual meetings of the Louisiana State Medical Society and the Louisiana Medical Association, with payment of per diem for any member giving an annual report to said organizations.
- 6) Travel expenses in connection with meetings of the following national organizations and any committee thereof on which a member of the Board or a member of the Board's staff serves on behalf of the Board, for including, but not limited to the Federation of State Medical Boards, Administrators in Medicine and

National Board of Medical Examiners, and authorized meetings for educational purposes.

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

13. 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 stated that as reported in July 2010, Susan H. Allen, MBA, MPH, DrPH, had been contracted to perform research and analyze on physician impairment and develop other analyzes. He requested Board approval for the performance of a Risk Study for which funding may be available. On the motion of Dr. LeBlanc, duly seconded by Dr. Bourgeois, and passed by unanimous voice vote, the Board approved the Risk Study to be conducted by Susan H. Allen, MBA, MPH, Dr.PH.

14. General Administrative Matters; Physician's Assistant Advisory Committee. The Board noted receipt of information as requested from Peter Stevens, PA, Chairman, Physician's Assistant Advisory Committee. No further action was required or taken on this matter.

15. General Administrative Matters; Clinical Laboratory Personnel Committee. The Board noted receipt of the minutes of the Clinical Laboratory Personnel Committee held December 4, 2010. No further action was required or taken on this matter.

[16.] Personal Appearances/Docket Calendar; Formal Hearing; Angela Mary Garcia, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Bourgeois and passed by unanimous voice vote, the Board reconvened in executive session for the conclusion of the formal hearing in the matter of Angela Mary Garcia, M.D., as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:17A(4) and (10) and conduct an administrative hearing as provided by the legislature in the Louisiana Administrative Procedure Act., La.Rev.Stat.49:951, et.Seq. Following review and discussion, the Board resumed in open session, and on the motion of Dr. Burdine, duly seconded by Dr. Amusa, the Board denied the application of Angela Mary Garcia, M.D., for licensure in the state of Louisiana.

[17.] Personal Appearances/Docket Calendar; Formal Hearing; Eileen Lynch Ballard, M.D. On the motion of Dr. Montgomery, duly seconded by Dr. Bourgeois and passed by unanimous voice vote, the Board reconvened in executive session for conclusion of the formal hearing to show cause 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.§ 42:17A(4) and (10) and conduct an administrative hearing as provided by the legislature in the Louisiana Administrative Procedure Act., La.Rev.Stat.49:951, et.Seq. Following review and discussion, the Board resumed in open session, and on the motion of Dr. Bourgeois, duly seconded by Dr. Amusa, the Board denied the request of Eileen Lynch-Ballard, M.D. for reconsideration of the Opinion and Order rendered by the Board dated December 10, 2010.

[18.] Personal Appearances/Docket Calendar; Formal Hearing; Morton Brown, M.D. On the motion of Dr. Montgomery, duly seconded by Dr. Amusa, the Board convened in executive session for review and discussion of the formal hearing in the matter of Morton Brown, M.D., 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. § 42:171 A(4) and (10) and La.Rev. Stat. 49:951, *et.Seq.* Following review and discussion, the Board resumed in open session, and on the motion of Dr. Bourgeois, duly seconded by Dr. Burdine, the Board denied the request of Morton Brown, M.D., for a rehearing.

[19.] Physicians Health Committee. On the motion of Dr. Amusa, duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board convened in executive session to receive the report of Ed Middleton, Case Manager, Physicians' Health Foundation on the participates 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 taken on this matter.

[20.] General Disciplinary Matters; Personal Appearance; Brian Allan Heise, M.D. On the motion of Dr. Bourgeois duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Brian Allan Heise, 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. Heise, accompanied by L. Todd Eppler, FACHE, Chief Executive Officer, Springhill Medical Center, appeared before the Board in connection with his request for reinstatement of his ability to prescribe controlled substances. Following his dismissal, the Board resumed in open session, and upon motion made, duly seconded and passed by majority voice vote, approved reinstatement of the ability of Brian Allan Heise, M.D. to prescribe controlled substances with stipulations¹

[21.] General Disciplinary Matters; Personal Appearance; David Charles Vajnar, 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 David Charles Vajnar, 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. Vajnar appeared before the Board in connection with his request for reinstatement of his prescribing privileges and a definitive ending date for his probation. Following his dismissal, the Board resumed in open session and upon the motion of Dr. Montgomery, duly seconded by Dr. Amusa, the Board approved reinstatement of Dr. Vajnar's ability to prescribe Schedule V controlled substance and did not alter the indefinite probation status of his license.

¹ Dr. Montgomery was opposed to this motion.

[22.] General Disciplinary Matters; Personal Appearance; Steven Taylor, M.D. On the motion of Dr. LeBlanc, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Steve Taylor, 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. Taylor appeared before the Board in accordance with the terms of the Opinion and Order rendered by the Board July 19, 2010. No further action was required or taken on this matter.

[23.] General Disciplinary Matters; Personal Appearance; Herbert Lee Muncie, Jr., 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 Herbert Lee Muncie, Jr., 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. Muncie appeared before the Board in connection with his request for reinstatement of his license, off probation. Following his dismissal, the Board resumed in open session, and upon motion made, duly seconded and passed by unanimous voice vote, approved reinstatement of the license of Herbert Lee Muncie, Jr., M.D., to an unrestricted status, off probation.

[24.] Licensure and Certification; Clinical Laboratory Personnel. On the motion of Dr. Bourgeois, 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. 42:6.1A(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:

Phlebotomist

Dawson, Deanna Michelle

[25.] Licensure and Certification; Physician Assistants. On the motion of Dr. Bourgeois, 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) Benoit, Michael Eric, PA – Supervising physician: Dr. Stanley Thornton,

Ochsner Clinic Foundation – Inpatient, 1514 Jefferson Highway, New Orleans.

2) Bernhard, Rohini Sood, PA - Supervising physicians: Drs. Keith Ramsey and Keyna Whitney, Ibernia Comprehensive Community Health Center, 806 Jefferson Terrace Boulevard, New Iberia.

3) Bogdan, Julie Ducote, PA - Supervising physician: Dr. Charles Searle, Ochsner Health Center, Slidell.

4) Brewer, Jonathan D., PA - Supervising physicians: Drs. Daniel Twitchell, Curtis Balius, Norman Williams, William Foust, Teri O'Neal, Aaron Klepper and Gyanendra Sharma, 206 Bell Lane, Suite C & D, West Monroe.²

5) Caruso, Danielle Renee, PA - Supervising physicians: Drs. Jon Kimball, Joseph Zavatsky, Richard Frisch, Jr., Olawale Sulaiman and Cuong Bui, Ochsner Clinical Foundation, 1514 Jefferson Highway New Orleans.

6) Daniels, Akane McAllister, PA – Supervising physicians: Drs. Catherine Speights, Cheryl Smith, Aaron Lirette, Gary Williams and Sanjaykumar Shan, 510 East Stoner Avenue, Shreveport.

7) Harris, Lauren O'brien, PA – Supervising physician: Dr. Douglas Sawyer, 907 Polk Street, Mansfield.

8) Porter, Kimberly Jean, PA – Supervising physician: Dr. Jason Mook, Barksdale Air Force Base, 243 Curtis Road, Suite 100, Barksdale Air Force Base.

9) Robin, Richard Rodney, PA – Supervising physician: Dr. Geoffrey Mire, Southpark Hospital, 314 Youngsville Highway, Lafayette.

10) Victoriano, Gerard Michael, PA – Supervising physicians: Drs. John Burton, Edward Shaheen and Michael Davis, 524 Dr. Michael Debakery Drive, Lake Charles.

[26.] 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. 42:6.1A(1). Following review and discussion, the Board resumed in open session, and upon

² Dr. Foust is approved for legend drugs only.

motion made, duly seconded and passed by unanimous voice vote, the Board denied the request of the following for a waiver of an examination attempt:

Guillot, Ryan Joseph

[27.] Licensure and Certification; Respiratory Therapist. On motion of Dr. Bourgeois, 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. Approved - To approve the following for licensure provided all requirements had been met:

Walker, Ameshia C.

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

Hearn, Haley C.

[28.] 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, approved the following for licensure provided all requirements had been met:

Ray, Armand

[29.] Licensure and Certification; Physicians & Surgeons; U.S./Canadian Medical Graduates. On motion of Dr. Montgomery, duly seconded by Dr. Bourgeois 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. Anderson, Mary L., M.D. – To deny the request of Mary L. Anderson, M.D., for a

waiver of the SPEX/Board Certification examination.

b. Cohen, Ernest, M.D. – To deny the request of Ernest Cohen, M.D., for a waiver of SPEX/Board Certification examination.

c. Non-Routine – To approve the non-routine applications of the following provided all requirements had been met:

Allison, Sean C.
Gyebi, Leonard N
Jaeblon, Todd D.

Partesotti, Sebastian L.
Singletary, George B., Jr.

[30.] 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

Weaver, Diron D.

Clinical Laboratory Personnel

Sam, Amy C.

[31.] Licensure and Certification; Other Licensure Matters; Relicensure/Reinstatement. On motion of Dr. Burdine, duly seconded by Dr. Bourgeois 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, made the following decisions:

a. Approved – To approve the following for relicensure/reinstatement provided all requirements had been met:

Physicians and Surgeons

Alvarez, Marta J.

b. Follow-up – To approve follow-up correspondence to the following regarding his request a waiver of the SPEX examination:

Lemann, Walter III

32. Licensure and Certification; Other Licensure Matters; Licensees for Suspension. The Board reviewed the list of licensees, who had failed to renew their licenses by November 30, 2010. 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 2:30 p.m., to reconvene at the Board at 8:30 a.m., Tuesday, January 11, 2011.

Second Session
Tuesday, January 11, 2011

The meeting of the Louisiana State Board of Medical Examiners was reconvened at 8:30 a.m., Tuesday, January 11, 2011 at the offices of the Board with everyone in attendance except for Drs. Burdine and Montgomery.

[33.] Personal Appearances/Docket Calendar; Formal Hearing; Robert Davis Williams, 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 purpose of a formal hearing in the matter of Robert Davis Williams, M.D., as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:17A(4) and (10) and conduct an administrative hearing as provided by the legislature in the Louisiana Administrative Procedure Act., La.Rev.Stat.49:951, et.Seq.

34. Next Meeting of Board. The President reminded members that the next meeting of the Board was scheduled for February 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 January 10, 11, 2011 as approved by

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

MINUTES OF MEETING
JANUARY 10, 11, 2011

the Board on the 14th day of February, 2011.

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

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

Attest:

Mark Henry Dawson, M.D.
President