

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**DECEMBER 9, 2013
NEW ORLEANS, LOUISIANA**

A meeting of the Louisiana State Board of Medical Examiners, pursuant to lawful notice, was duly convened and called to order at 8:30 a.m., Monday, December 9, 2013, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present as follows:

Melvin G. Bourgeois, M.D., President
Mark Henry Dawson, M.D., Vice-President
Kweli J. Amusa, M.D., Secretary-Treasurer
John Michael Burdine, M.D.
Joseph D. Busby, Jr., M.D.
Kenneth Barton Farris, M.D.
Cynthia Gail Montgomery, M.D.

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

Cecilia Ann Mouton, M.D., Executive Director
Emily Diane Eisenhauer, M.D., Assistant Director of Investigations
Thania Elliott, RN, Investigator
Grace Hammons, Administrative Program Director
Christine Holder, Administrative Program Specialist A
Lilly Rodgers, Administrative Program Specialist A
Merian Gasper, Director of Licensure
Rita L. Arceneaux, Executive Assistant

Legal counsel to the Board was present as follows:

Judge Frederick S. Ellis
Judge John W. Greene
Philip O. Bergeron

- 1. Minutes of October 21, 22, 2013 Meeting.** The Board reviewed the minutes of its meeting held October 21, 22, 2013. On the motion of Dr. Dawson duly seconded by Dr. Montgomery and passed by unanimous voice vote, the Board approved the minutes of the meetings with all necessary corrections.
- 2. Status Report on Action Items of Prior Board Meetings; Report on Assignments to Counsel.** The Board noted the action items as assigned to staff and counsel from previous meetings.
- 3. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Administration of Injections.** The Board reviewed electronic correspondence received from Donna Guillory, Cardio-Pulmonary Manager, CRT, ICP, Promise Hospital of MISS/LOU, asking if it is within the scope of practice of respiratory therapy for respiratory therapists to “administer injections in a clinical setting”. Following review and discussion, it was the consensus of the Board to defer action pending receipt of information as to exactly what drugs are being administered by injection.
- 4. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Employment as Case Manager.** The Board reviewed correspondence received from Scott Dassau, RN, BSN, Chief Nursing Officer, St. Bernard Parish Hospital, seeking an advisory opinion on the employment of a respiratory therapist as a case manager. Following review and discussion it was the consensus of the Board to advise Mr. Dassau that the Board noted that there were no specific duties outlined in the job description as case manager that utilized the practice of respiratory therapy and as such there would be no prohibition in the Respiratory Therapy Act that would prevent the employment of a respiratory therapist as a case manager as long as he is hired on his qualifications as case manager and not based upon his license as a respiratory therapist.
- 5. Rulings and Advisory Opinions; Ultrasound.** The Board reviewed correspondence received from John Pinero seeking an advisory opinion on the ability of an individual performing an ultrasound to offer or provide a diagnosis or an opinion of findings and/or prepare a report of findings, either verbal or in writing, to a physician licensed to practice medicine in Louisiana. Following review and discussion, it was the consensus of the Board to advise Mr. Pinero that it would not be inappropriate for an individual performing an ultrasound examination to respond to inquiries and/or provide information to the physician who ordered the particular examination for his/her patient, such individual should not provide a diagnosis or opinion as to the significance of the examination results or render a report relative to the examination findings.
- 6. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice.** The Board reviewed correspondence received from June Babin, RRT, requesting clarification on whether the scope of practice for respiratory therapy includes peripherally inserted central catheter (“PICC”), venous line insertion and drawing venous blood. Following review and discussion it was the consensus of the Board to inform Ms. Babin that in accordance with the Respiratory Therapy Act, insertion of venous line and drawing venous blood samples is within the scope of

practice of respiratory therapy as long as the respiratory therapist is properly trained, qualified and credentialed by the hospital to perform the procedure upon the written order of a physician or other authorized practitioner on respiratory patients. The insertion of PICC lines, however, is not within the scope of practice of respiratory therapy as defined by the Law, and, therefore, may not be performed by a respiratory therapist in this state.

7. Rulings and Advisory Opinions; Use of Qsymia for Chronic Management of Weight Loss. The Board reviewed electronic correspondence received from Kerry E. Sterling, M.D., MS, Tulane University School of Medicine, Department of Community and Family Medicine, asking whether there are any guidelines concerning the use of a new drug, Qsymia (Phentermine and Topiramate) recently approved by the U.S. Food and Drug Administration ("FDA") for chronic weight management. Following review and discussion it was the consensus of the Board to advise Dr. Sterling that any drug approved by the FDA for the treatment of obesity is governed by the Board's existing rules respecting the management of obesity, that is, any physician prescribing Qsymia to his or her patient is required to insure compliance with the Board's obesity rules.

8. Rulings and Advisory Opinions; David Landry, M.D.; Licensure Requirements for International Medical Graduates ("IMGs"). The Board reviewed correspondence received from David Landry, M.D., expressing his views on the licensure requirements for IMGs as compared to those for U.S./Canadian graduates. Following review and discussion, it was the consensus of the Board to advise Dr. Landry that the additional two year requirement for IMGs is based upon the accreditation process for U.S./Canadian medical schools as compared to that of international medical schools and that the Board is confident that these requirements are appropriate.

9. Communication and Information; Louisiana State Board of Examiners of Psychologists ("LSBEP"). The Board reviewed correspondence received from Darla M.R. Burnett, Ph.D., MP, Legislative Chair, LSBEP, informing the Board of the creation of a licensure category for provisionally licensed psychologists. No further action was required or taken on this matter.

10. Communication and Information; Annual Report on the United States Medical Licensing Examination. The Board noted receipt of the annual report on United States Medical Licensing Examination as prepared by the Federation of Medical Boards of the United States, Inc., and the National Board of Medical Examiners. No further action was required or taken on this matter.

11. Communication and Information; Louisiana Department of Revenue. The Board reviewed correspondence received from Nancy Desoto, Tax Officer Supervisor, Collection Division, informing the Board of its eligibility to participate in the Louisiana Income Tax Refund Garnishment Program. Following review and discussion it was the consensus of the Board to defer action on this matter pending research by staff.

12. Communication and Information; Legislation; New Telehealth Bill. The Board reviewed draft correspondence prepared in response to the H.R. 3077 The TELE-MED Act of 2013. Following review and discussion, on the motion of Dr. Dawson, duly seconded and passed by unanimous voice vote, the Board approved the draft correspondence for dissemination.

13. General Administrative Matters; Louisiana State Radiologic Technology Board of Examiners (“LSRTBE”); Licensure Category, Radiologist Assistants. The Board reviewed information provided on the development of a new category of licensee, radiologist assistants. Following review and discussion, it was the consensus of the Board to invite representatives of the LSRTBE to its next meeting to discuss this matter.

14. General Administrative Matters; President’s Report. The Board received the report of its President on his activities since the last meeting of the Board. Dr. Bourgeois reported that he had been in communication with Linda Gage-White, M.D., Ph.D., MBA, Board of Directors, Federation of State Medical Boards.

15. General Administrative Matters; Executive Director’s Report. The Board received the report of its Executive Director on her activities since the last meeting of the Board. Dr. Mouton reported on follow-up items relating to information technology, concerns of the advisory committee and other licensing authorities. She concluded her report with the status of ongoing projects.

16. Licensure and Certification; Other Licensure Matters; Midwifery; Clarification; Physician Backup. The Board reviewed correspondence received from Kira Smith, LMP, seeking clarification of the role of the backup physician. Following review and discussion, it was the consensus of the Board to advise Ms. Smith that in accordance with the law and the rules of the Board in response to her questions: 1) No, the physician who performs the 36 week assessment need only perform the assessment; 2) in the event the physician who performs the risk assessment refuses to provides services for the transfer to a hospital, the on-call physician may be utilized; and 3) if the midwife is unable to locate a physician for a 36 week risk assessment, the patient should be discharged.

17. Licensure and Certification; Other Licensure Matters; Midwifery; Vaginal Birth After Caesarean Center (“VBAC”) Approval. The Board reviewed the request of Melissa Geyer for VBAC approval. Following review and discussion, on the motion of Dr. Montgomery, duly seconded and passed by unanimous voice vote, the Board denied her request for VBAC approval.

18. General Administrative Matters; Proposed Amendments to the Medical Practice Act. The Board reviewed a draft of an amendment to the Medical Practice Act regarding a felony conviction. Following review and discussion, it was the consensus of the Board to defer action on this matter pending receipt of additional information.

19. General Administrative Matters; Draft *Newsletter*. The Board reviewed a copy of a draft of the next issue of the *Newsletter*. No further action was required or taken on this matter.

20. General Administrative Matters; Financial Reports.

a. Financial Statement- The Board reviewed a statement on the revenue and expenses for the period ending September 30, 2013 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of September 30, 2013. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending September 30, 2013 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of September 30, 2013.

b. 2013 Amended Budget. The Board reviewed the proposed amended budget for 2013 which had been prepared in compliance with the Louisiana Licensing Agency Budget Act of 1989, for submission to the Office of the Legislative Auditor, the Legislative Fiscal Office, the Joint Legislative Committee on the Budget and the Senate and House Committees on Health and Welfare. Following review and discussion, upon the motion of Dr. Amusa, duly seconded and passed by unanimous voice vote, the Board approved the amended budget as proposed. The Executive Director was instructed to send copies of the budget and notice of the approval to the aforementioned offices and committees as required by law.

c. 2014 Board Budget. The Board reviewed the proposed budget for 2014 which had been prepared in compliance with the Louisiana Licensing Agency Budget Act of 1989, for submission to the Office of the Legislative Auditor, the Legislative Fiscal Office, the Joint Legislative Committee on the Budget and the Senate and House Committees on Health and Welfare. Following review and discussion, upon the motion of Dr. Dawson, duly seconded and passed by unanimous voice vote, the Board approved the budget as proposed. The Executive Director was instructed to send copies of the budget and notice of the approval to the aforementioned offices and committees as required by law.

d. 2014 Clinical Laboratory Personnel Budget. The Board reviewed the proposed budget for 2014 which had been prepared in compliance with the Louisiana Licensing Agency Budget Act of 1989, for submission to the Office of the Legislative Auditor, the Legislative Fiscal Office, the Joint Legislative Committee on the Budget and the Senate and House Committees on Health and Welfare. Following review and discussion, upon the motion of Dr. Montgomery, duly seconded and passed by unanimous voice vote, the Board approved the budget as proposed. The Executive Director was instructed to send copies of the budget and notice of the approval to the aforementioned offices and committees as required by law.

21. Rules and Regulations.

- a. Final Rules/Amendments: - None published since the last meeting of the Board.
- b. Rules/Amendments – Noticed for Intent: **Occupational Therapy**: The Board received a request to consider alternatives to the limit on the number of examination attempts currently permitted by its rules for licensure as an occupational therapist. Following discussion, the Board requested that a draft be prepared for its review. A draft was presented for initial Board consideration at the December 2012 meeting. The Board further considered the issue at its January and February 2013 meetings and requested a revised draft be returned to the March 2013 meeting. Following further review and discussion at the March 2013 meeting, the Board voted to provide *Notice of Intent* to adopt the amendments. Such *Notice of Intent* appeared in the August 2013 edition of the *Louisiana Register*. No comments were received during the comment period. It is anticipated that the amendments will be adopted upon promulgation in the December 2013 edition of the *Louisiana Register*. **Physicians and Surgeons – Dispensing**: During its February 2013 meeting, the Board gave further consideration to a request to provide for a dispensing registration for non-controlled substances following a physician's successful completion of a graduate medical education training program and passage of an online or other Board offered course on its dispensing rules. Following review and discussion of a draft amendment to Section .6513 of its dispensing rules at its March 2013 meeting, the Board voted to provide *Notice of Intent* to adopt the rule amendment. The *Notice of Intent* appeared in the August edition of the *Louisiana Register*. No comments were received during the comment period. It is anticipated that the amendments will be adopted upon promulgation in the December 2013 edition of the *Louisiana Register*. **Physicians and Surgeons – Out of State Physician Orders**: Pursuant to Act 44 of the 2011 session of the Louisiana Legislature, rules are being developed to accommodate out-of-state physicians (those licensed in any state other than Louisiana) who order routine diagnostic testing for established patients in this state provided: the physician-patient relationship was initiated through an in-person, face-to-face visit with the physician in another state; the order can be verified; and the results of all testing are provided directly to the ordering out-of-state physician. The Board considered and discussed an initial draft of the proposed rules at its December 2012 meeting. Following review, several modifications were made and incorporated in a subsequent draft reviewed by the Board at its January 2013 meeting. Following review and discussion at the March 2013 meeting, the Board voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. The *Notice of Intent* appeared in the August 2013 edition of the *Louisiana Register*. No comments were received during the comment period. Accordingly, it is anticipated that the amendments will be adopted upon promulgation in the December 2013 edition of the *Louisiana Register*. **Physicians and Surgeons – Licensure**: The Board expressed a desire to consider alternatives to the requirement for passage of the SPEX/CONVEX-USA for those who had taken and passed a written medical competence examination more than 10 years prior to the date of application. A draft was considered by the Board at its December 2012 meeting. Following review and discussion of various options at its January and February 2013 meetings, the Board made additional recommendations. Following review and discussion of a revised draft incorporating the suggested changes at the March 2013 meeting, the

Board voted to provide *Notice of Intent* to adopt the proposed amendments in the *Louisiana Register*. Such *Notice of Intent* appeared in the August 20, 2013 edition of the *Louisiana Register*. One comment was received during the comment period and was considered by the Board during its September 2013 meeting. The Board's response to the comment was included in the Legislative Report. Given that the time for an oversight hearing has passed, it is anticipated that the amendments will be adopted upon promulgation in the December 20, 2013 edition of the *Louisiana Register*.

Polysomnography - The Board received a proposed draft of new rules for polysomnographers from its Advisory Committee on Polysomnography. Following modification, a revised draft was presented to the Advisory Committee for review and comment. The draft was approved, with suggested modifications, during the Committee's meeting on September 16, 2011. During its October 2011 meeting, the proposed rules were presented to the Board along with the Committee's suggestions for initial review and discussion. Following discussion, the Board proposed certain modifications to the draft and asked that a revised draft be presented at its next meeting. The Board subsequently received from two national organizations nearly the identical suggestions as those of the Committee's. Following review and discussion at its December 2011 meeting, the Board approved a response to the committee and organizations, along with a revised draft of the rules that incorporated the suggestions of its staff as well as the committee and organizations to the extent the Board found them acceptable and voted to provide *Notice of Intent* to adopt the rule amendments. Following changes to the law during the 2012 session of the Legislature and the input of the Polysomnography Advisory Committee, the Board reviewed a revised draft of rules for consideration during its April and May 2013 meetings. During the June 2013 meeting, the Board noted that the Respiratory Therapy Advisory Committee had no objection to the draft rules in that an exemption had been carved out for licensed respiratory therapists. The Board reviewed the current draft of the proposed rules at its July 2013 meeting and voted to provide *Notice of Intent* to adopt the rules. Said *Notice of Intent* appeared in the September 2013 edition of the *Louisiana Register*. One comment was received during the comment period and was considered by the Board during its October 2013 meeting. The Board's response to the comment was included in the Legislative Report. Given that the time for an oversight hearing has passed, it is anticipated that the amendments will be adopted upon promulgation in the December 2013 edition of the *Louisiana Register*.

Physicians and Surgeons-Collaborative Drug Therapy Management ("CDTM"): During the August 2012 meeting, the Board discussed the concept of certain potential amendments to the existing rules which were jointly promulgated with the Board of Pharmacy in 2007. Following review and discussion, the Board expressed a willingness to consider a draft of the proposed amendments in due course. Following discussions with a representative from the Board of Pharmacy, a draft detailing proposed amendments to the CDTM rules was submitted to the Board for consideration at its April 2013 meeting. During its May 2013 meeting, further review and discussion took place and it was the consensus of the Board to seek input from the Louisiana State Medical Society ("LSMS"). During the June 2013 meeting, the Board reviewed the comments offered by the LSMS on the proposed rules. Following review and discussion of a revised draft during its July 2013 meeting, the Board

voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. Said *Notice of Intent* appeared in the September 2013 edition of the *Louisiana Register*. No comments were received during the comment period. Accordingly, it is anticipated that the amendments will be adopted upon promulgation in the December 2013 edition of the *Louisiana Register*.

c. Rules/Amendments Under Development: **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 studied. Following a number of revisions to conform the rules to the law and rule format and reviewed by staff, a revised draft was forwarded to the Committee's Chair for initial review and/or consideration. A draft of the rules was presented for initial review and consideration by the Board at the September 2013 meeting. A revised draft was reviewed at its October meeting and upon the motion of Dr. Dawson, duly seconded and passed by unanimous voice vote, the Board voted to provide *Notice of Intent* to adopt the rule amendments in the next issue of the *Louisiana Register*. **Physicians and Surgeons – Office-Based Surgery:** The Board considered suggestions for amendment to its office-based surgery rules. A revised draft incorporating the suggested changes was considered by the Board, and following review, discussion and further suggestions, the Board voted to provide *Notice of Intent* to adopt the proposed rules in the *Louisiana Register*. Prior to publication, staff suggested additional changes relative to the performance of office-based procedures using moderate or conscious sedation. Pursuant to the Board's instructions, a revised draft was presented for consideration. **Midwifery:** Given changes to the Louisiana Midwifery Practice Act during the 2012 session of the Legislature, staff anticipates presenting revisions to its existing rules in due course for the Board's consideration and discussion. **Physicians and Surgeons – Unprofessional Conduct:** During its April 2013 meeting, the Board expressed a desire to consider the development of rules correlating a physician representing himself/herself as a specialist in a particular field of practice without appropriate formal training in that field. Pursuant to the Board's directions, a draft was submitted for initial review and discussion at its August and September 2013 meeting. The draft also includes a prohibition against physician prescribing of controlled substances to one's self or immediate family members in the absence of an emergency. At its October 2013 meeting, the Board decided to defer that part of the proposed rule dealing with self-prescribing and to provide *Notice of Intent* to adopt the rules. **Physicians and Surgeons – Collaborating Physicians:** The Board expressed a desire to consider the development of rules relative to physicians who collaborate with advanced practice registered nurses. A draft was prepared by staff for initial consideration at its October 2013 meeting. A revised draft incorporating comments and suggestions was considered by the Board. Following review and discussion, it was the consensus of the Board to forward a copy of the draft rules to the Louisiana State Medical Society and the Louisiana State Board of Nursing for feedback and comments.

22. General Administrative Matters; Personal Appearance; Susan H. Allen, MBA, MPH, Dr.Ph., Educational Resources. Susan H. Allen, MBA, MPH, Dr.Ph., appeared before the Board to give a presentation on the educational resources being developed for new applicants to

demonstrate their knowledge of the functions of the Board in the licensing process. Dr. Allen informed that Board that she would be presenting statistical analysis of disciplinary matters at a later date.

[23.] Minutes of October 21, 22, 2013 Executive Sessions. On the motion of Dr. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board convened in executive session to review the minutes of its executive sessions conducted during the meeting of October 21, 22, 2013. Following review and discussion, the Board resumed in open session and on the motion of Dr. Dawson, duly seconded by Dr. Amusa, approved the minutes of the executive sessions conducted during its meeting of October 21, 22, 2013 with all necessary corrections.

[24.] Report on Pending Litigation. On the motion of Dr. Montgomery, duly seconded by Dr. Dawson, 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.

[25.] Personal Appearances/Docket Calendar; Formal Hearing; Velva Boles, M.D. On the motion of Dr. Burdine, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board reconvened in executive session for conclusion of the formal hearing in the matter of Velva Boles, 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. Farris, duly seconded by Dr. Busby, the Board rendered a decision in the matter of Velva Boles, M.D., and instructed Judge Ellis to prepare a written opinion and order to reflect the ruling.

[26.] Personal Appearances/Docket Calendar. On the motion of Dr. Amusa, duly seconded by Dr. Dawson 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.

[27.] 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. Consent Orders: The following Consent Orders were accepted:

Jo Ann Pfanschmidt Puglise, OTA, Docket No., 13-I-758

Todd Louis Samuels, M.D., Docket No., 12-I-494
Tammi Rebella Lavin, OT, Docket No., 13-I-759
Emily Christine Garcia, Ath, Docket No., 13-I-1102
Rozalynde Anne Randolph, M.D., Docket No., 13-I-698
Gwen Marie Cousins, M.D., Docket No., 13-I-645
Srinivas Stalin Ganji, M.D., Docket No., 13-I-761
Pamela Virginia Workman, Ath., Docket No., 13-I-1200
Natalia Beth Hannan, M.D., Docket No., 13-I-246
Jerry Dewayne Helms, M.D., Docket No., 13-I-344

- b. Consent Order: The following Consent Order was denied:

Docket No., 09-I-280

- c. Stipulations and Agreements for Voluntary Surrender of Medical License: The following Stipulation and Agreement for Voluntary Surrender of Medical License were accepted:

Baylen Gregory Kimball, M.D, Docket No., 09-I-866
Don Francis Peterson, M.D., Docket No., 13-I-962

- d. Closed/Dismissed: The following matters were closed/dismissed:

Docket No., 13-I-660
Docket No., 12-I-730
Docket No., 11-I-582

- e. Injunctions: The Board authorized the filing of injunctions in the following matters in the event of non compliance of directive to Cease and Desist the unauthorized practice of medicine:

Docket No., 13-I-1106
Docket No., 13-I-1123

- f. Closed Complaint Cases: The Board reviewed the Closed Complaint Case Reports. No further action was required or taken on this matter.

- g. Interim Actions: The Board approved the Interim Actions that had been handled by the President:

Docket No., 13-I-803
Docket No., 13-I-498

[28.] Professional Liability Report. On the motion of Dr. Montgomery, duly seconded by Dr. Amusa 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. § 42:17A(1) and (4). No further action was required or taken on these matters.

[29.] General Disciplinary Matters. On the motion of Dr. Dawson, duly seconded by Dr. Montgomery, the Board convened in executive session to consider the Collaborative Practice Report and requests relating to the execution or modification of a Decision and/or Consent Order as matters relating to the character and professional conduct of licensees, pursuant to La. Rev. Stat. §42:17A(1) and (4). 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. Collaborative Practice Reports – To approve the requests of the following for prescriptive authority and additional supervising physicians:

Freeman, Kathryn

Hyatt, James

b. Butler, Brett Cascio, M.D. – To deny the request of Brett Cascio Butler, M.D., for modification in the terms of his Order.

c. Mosadegh, Mehdi, M.D. – To approve the request of Mehdi Mosadegh, M.D., for reinstatement of his license to a full, unrestricted status, off probation.

d. Majors, Kathleen Kay, M.D. – To approve the request of Kathleen Kay Majors, M.D., for modification of the terms of her Consent Order.

e. Banish, Dorothy Helen, M.D. – To approve the request of Dorothy Helen Banish, M.D., for reinstatement of her license to a full, unrestricted status.

[30.] Physicians Health Program. On the motion of Dr. Burdine, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session to receive the report of Ed Middleton, Case Manager, Physicians' Health Foundation ("PHP") 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.

[31.] Investigative Matters; Personal Appearance; Rozalynde Anne Randolph, M.D. On the motion of Dr. Dawson, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Rozalynde Anne Randolph, 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. Randolph appeared before the

Board in connection with the acceptance of her Consent Order. No further action was required or taken on this matter.

[32.] General Disciplinary Matters; Personal Appearance; Mark David Callender, PA. On the motion of Dr. Montgomery, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Mark Allen Callender, PA, 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). Mr. Callender appeared before the Board to request reinstatement of his license to a full, unrestricted status. Following his dismissal, the Board resumed in open session, and on the motion of Dr. Burdine, duly seconded by Dr. Farris, and passed by unanimous voice vote, approved reinstatement of his license to a full, unrestricted status, off probation.

[33.] General Disciplinary Matters; Personal Appearance; Elizabeth Taylor, M.D. On the motion of Dr. Busby, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Elizabeth 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 connection with her request for modification of the terms of her Consent Order. Following her dismissal, the Board resumed in open session, and on the motion of Dr. Amusa, duly seconded by Dr. Farris, and passed by unanimous voice vote, approved modification of the terms of the order.

[34.] General Disciplinary Matters; Personal Appearance; Robert Evans Burke, PA. On the motion of Dr. Dawson, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Robert Evans Burke, PA, 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). Mr. Burke appeared before the Board to request reinstatement of his license to a full, unrestricted status. Following his dismissal, the Board resumed in open session, and on the motion of Dr. Burdine, duly seconded by Dr. Farris, and passed by unanimous voice vote, approved his request for reinstatement of his license to a full, unrestricted status, without prescriptive authority for controlled substances and lifetime PHP monitoring.

[35.] Licensure and Certification; Clinical Laboratory Personnel. Upon the motion of Dr. Montgomery, duly seconded by Dr. Dawson 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 competency, 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 has been met:

Laboratory Assistants

McBride, Matthew Jeffrey

Turner, Troy N.

Phlebotomists

Armstead-Papillion, Alisha Monique
Lambert, Cherie Renee

Thompson, Shantell Monique
Washington, Tamika K.

Technician Trainee

Webster, Sharanda L.

Technician

Wildhaber, Vanessa M.

[36.] Licensure and Certification; Respiratory Therapy. On motion of Dr. Busby, duly seconded by Dr. Dawson 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 other requirements had been met:

Benoit, Michael C.
Castella, Darrell A., Jr.
Goble, Scott L.

Harris, Laura D.
Murray, Ashley T.

[37.] Licensure and Certification; Athletic Trainers. On motion of Dr. Farris, 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 other requirements had been met:

Ludwig, Kaci L.

Wisniewski, Joseph E.

[38.] Licensure and Certification; Occupational Therapists. On motion of Dr. Montgomery, 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 other requirements had been met:

Occupational Therapist

Cappadonia, Rebecca

Occupational Therapy Assistant

Bufkin, Aaron

[39.] Licensure and Certification; Polysomnographic Technologist. On motion of Dr. Dawson, duly seconded by Dr. Montgomery 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. 42:17A(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:

Grigsby, Sandra R.

[40.] Licensure and Certification; Physicians and Surgeons; Foreign Medical Graduates. On motion of Dr. Farris, duly seconded by Dr. Busby 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. Chadha, Meghan, M.D. – To defer action on the request of Meghan Chadha, M.D., for a waiver of the three years of ACGME postgraduate training pending receipt of additional information.
- b. Mitwally, Mohamed F., M.D. – To approve the request of Mohamed Mitwally, M.D., for a waiver of the one month he is short of the three years of ACGME postgraduate training inasmuch as he is Board certified in obstetrics and gynecology in 2005 and reproductive endocrinology and infertility in 2009.
- c. Approved – To approve the following for non-routine applicants for licensure provided all requirements had been met:

Belame, Suresh Nanje Gowda
Gill, Avneet KaurHebert, Jennifer Leign
Mishra, Chander Shekhar

[41.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian Medical Graduates. On motion of Dr. Amusa, duly seconded by Dr. Dawson 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 non-routine applicants for licensure provided all requirements had been met:

Chapdelaine, Robert Thaddeaus
Chase, Karen Margaret
Cohen, Harold Gene
Crace, Phillip Parker

Daigle, Jacob Barrow
Fervil, Marie Yolene
Lane, Jason Scott
Smith, Robert Charles II

[42.] Licensure and Certification; Other Licensure Matters; Fingerprint Discrepancies Report. On motion of Dr. Burdine, duly seconded by Dr. Busby 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 approved the following for licensure provided all requirements had been met:

Clinical Laboratory Personnel

Allen, Shenetta R.
Brown, Steven C.
Gullett, Deborah E.

Landry, Mary T.
Reed, April M.

Physicians and Surgeons

Yuratich, Dane M.

Occupational Therapy Assistant

Candler, Juliet V.

Respiratory Therapist

Kelly, Tequila M.

Intern Registration (PGY)

Myles, Bevan A.

[43.] Licensure and Certification; Other Licensure Matters; Intern/Examination Registration. On motion of Dr. Farris, duly seconded by Dr. Montgomery and passed by

unanimous voice vote, the Board convened in executive session to consider the non-routine applications for intern/examination registration as a matter relating to 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 issuance of an intern/examination registration for the following provided all other requirements had been met:

U.S. Medical Graduates

Hamm, Jennifer Karen
Owens, Robert Patrick

Stewart, Hollie Brooklyn

44. Licensure and Certification; Other Licensure Matters; Short Term Residency Program. The Board reviewed the request of Julio Figueroa II, M.D., Associate Professor of Clinical Medicine; Program Director, Section of Infectious Disease, LSU Health Sciences Center, New Orleans for approval of a short term residency program in internal medicine for infectious disease doing a short-term rotation. Following review and discussion, the Board, upon motion made, duly seconded and passed by unanimous voice vote, approved the short-term residency program for LSU Health Sciences Center, New Orleans, Department of Infectious diseases.

45. Licensure and Certification; Other Licensure Matters; Licensees for Suspension. The Board reviewed the list of licensees, who had failed to renew their licenses by October 31, 2013. No further action was required or taken on this matter.

[46.] Personal Appearances/Docket Calendar; Formal Hearing; Gary Alan Goldbard, M.D. On the motion of Dr. Dawson duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board convened in executive session for continuation of the formal hearing in the matter of Gold Alan Goldbard, 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.

47. Next Meeting of Board. The President reminded the members that the next meeting of the Board was scheduled for January 13, 14, 2014.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 4:00 p.m., on Monday, December 9, 2014.

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 December 9, 2013 as approved by the Board on the 13th day of January, 2014.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 13th day of January, 2014.

Kweli J. Amusa, M.D.
Secretary-Treasurer

Attest:

Melvin G. Bourgeois, M.D.
President