

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**AUGUST 18, 2014
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, August 18, 2014, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present as follows:

Mark Henry Dawson, M.D., President
John Michael Burdine, M.D., Vice-President
Kweli J. Amusa, M.D., Secretary-Treasurer
Roderick V. Clark, M.D.
Kenneth Barton Farris, M.D.
Christy Lynn Valentine, M.D.

Board Member absent as follows:

Joseph D. Busby, Jr., 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 Manager
Lilly Rodgers, Administrative Program Specialist A
Merian Gaspard, Director of Licensure
Rita L. Arceneaux, Executive Assistant

Legal counsel to the Board was present as follows:

Judge Frederick S. Ellis

Philip O. Bergeron

- 1. Minutes of July 21, 2014 Meeting.** The Board reviewed the minutes of its meeting of July 21, 2014. On the motion of Dr. Burdine duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the minutes of the July 21, 2014 meeting 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; CPAP Delivery Directly to Patients; Follow-up.** The Board reviewed the response from the Respiratory Therapy Advisory Committee as requested relative to the ability of a diagnostic testing facility to direct ship CPAP devices to patients. Following review and discussion, it was the consensus of the Board that home sleep testing should be performed at a laboratory testing site in conformity with the polysomnography rules of the Board and to inform the Commissioner of Insurance that certain insurers are requiring the study to be performed in the home setting contrary to law and ask them to investigate and take whatever action deemed appropriate to ensure that home sleep studies are performed in accordance with Louisiana law, e.g., that application of any devices, monitoring equipment and/or patient instruction utilized for the diagnoses of sleep disorders be applied/provided in person by Louisiana licensed polysomnographic or respiratory therapy personnel, acting under the direction and supervision of the patient's physician.
- 4. Communication and Information; Gary Donovitz, M.D.; Bio-Identical Hormone Replacement Therapy.** The Board reviewed correspondence received from Gary Donovitz, M.D., President and Medical Director, BioTE Medical and the Institute for Hormonal Balance, requesting a personal appearance to provide information to refute the Board's Statement of Position on Bio-identical Hormone Replacement Therapy. Following review and discussion, it was the consensus of the Board to deny the request of Dr. Donovitz for a personal appearance at this time.
- 5. Communication and Information; JAMA Article, CDC Major Disparities in Opioid Prescribing Among States.** The Board reviewed the article appearing in the August 6, 2014 edition of JAMA entitled "CDC: Major Disparities in Opioid Prescribing Among States: Some States Crack Down on Excess Prescribing". No further action was required or taken on this matter.
- 6. 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. Dawson reported that he and Dr. Valentine had met with a few physician assistants to begin the dialogue regarding the issue of the countersignature by the supervising physician. No further action was required or taken on this matter.

7. 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 she met with Dr. Karen Lyon, Executive Director, Louisiana State Board of Nursing and they discussed a mutual Statement of Position on the use of Cosmetic Lasers. They also discussed the appropriateness of Attention Deficit Disorder ("ADD") drugs. She concluded her report stating that the REMS seminar had taken place in Baton Rouge and the seminar scheduled for Lafayette may be cancelled.

8. General Administrative Matters; Louisiana State Board of Examiners of Psychology ("LSBEP"). Dr. Mouton reported on her meeting with Kelly Parker, Executive Director, LSBEP, to discuss the affect of Act 136 and 137 which added two categories of licensure, a provisional psychologist for students in training and a category for school psychologists. Both bills included medical psychologists as being able to supervise both the provisional and school psychologist. Following review and discussion it was the consensus of the Board to await the input of the Medical Psychology Advisory Committee on this matter.

9. General Administrative Matters; Athletic Trainers Advisory Committee. The Board noted receipt of the nomination of the Louisiana Athletic Trainers' Association submitted to replace Mr. Lewis. Following review and discuss, it was the consensus of the Board to again defer action on this matter pending receipt of list of nominees to include the nominee from the Athletic Trainers Advisory Committee.

10. General Administrative Matters; Vaginal Birth After Cesarean Section ("VBAC") Approval. The Board reviewed the request of Hannah Muder for reconsideration of its decision not to approve a VBAC in the home setting with a licensed midwife. Following review and discussion it was the consensus of the Board to deny the request for reconsideration based on the evaluation given by her treating physician.

11. General Administrative Matters; Vaginal Birth After Cesarean Section ("VBAC") Request for Guidelines; Follow-up. The Board noted that at its March 2014 meeting, Kira Smith, CPM, LM, asked for written documentation as to who would be considered a good candidate for a VBAC delivery. In consideration of her request, the Board met with an experienced OB/GYN to solicit her opinion on this matter. Following this meeting, the Board reviewed the most recent guidelines from the American College of Obstetrics and Gynecology and other professional organization along with the literature on the risks associated with a trial of labor after c-section ("TLAC") and VBACs. Based on its findings on this subject matter, it was the consensus of the Board to advise Ms. Smith that based upon the known catastrophic maternal and fetal risks associated with TLAC, it is currently the standard of care for a woman to labor in a setting which provides for immediate operative support, blood products and other emergent interventions and these safeguards could not be assured in the setting of a patient's home or in birthing centers currently available in this state.

12. General Administrative Matters; Financial Reports.

Financial Statement - The Board reviewed a statement on the revenue and expenses for the period ending May 31, 2014 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of May 31, 2014. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending May 31, 2014 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of May 31, 2014.

13. General Administrative Matters; Personal Appearance; Jay A. Weiss, M.D., ASAM, Medical Director; Palmetto Addiction Recovery Center, Inc. Jay A. Weiss, M.D., ASAM, Medical Director, Palmetto Addiction Recovery Center, Inc., ("PARC") appeared before the Board to give an overview of the program for impaired professional offered at PARC. Dr. Weiss informed the Board of the addiction perils for professionals and explained its policy statement, controlled medications in a professional population issued in 2012. No further action was required or taken on this matter.

14. Rules and Regulations.

a. Final Rules/Amendments: **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 2013 meeting, and following review and discussion, the Board voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. The *Notice of Intent* appeared in the February 2014 edition of the *Louisiana Register*. No comments were received during the comment period. The rules were adopted in the same form as previously noticed upon publication in the July 2014 issue of the *Louisiana Register*.

b. Rules/Amendments – Noticed of Intent - **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 at its December 2013, January and February 2014 meetings. The Board reviewed minor changes and voted to provide *Notice of Intent* to adopt the rule amendment in the *Louisiana Register*. The proposed amendments appeared as a *Notice of Intent* in the July edition of the *Louisiana Register*.

c. Rules/Amendments Under Development: **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. Staff presented additional information concerning physician's self/immediate family prescribing of controlled substances. Following consideration and discussion of the latest revised draft at its June 2014 meeting, the Board approved publication of a *Notice of Intent* to adopt the rules in the *Louisiana Register*. It is anticipated that such *Notice of Intent* will appear in the September 2014 edition of the *Louisiana Register*. **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 at its December 2013 meeting. Following review and discussion, it was the consensus of the Board to preview the draft to several professional organizations (the Louisiana State Medical Society, the Louisiana Medical Association and the Louisiana Academy of Family Physicians) and the Louisiana State Board of Nursing. Revised drafts incorporating suggestions were reviewed by the Board at its March 2014 meeting at which time the Board voted to approve the draft pending the receipt of suggestions for one organization yet to respond. Additional revisions were offered by the Board during its May 2014. The Board reviewed the suggested changes offered at the May 2014 meeting along with suggestions of staff. Following consideration and discussion of the latest revised draft at its June 2014 meeting, the Board approved publication of a *Notice of Intent* to adopt the rules in the *Louisiana Register*. It is anticipated that said *Notice of Intent* will appear in the August 2014 issue of the *Louisiana Register*. **Occupational Therapy:** The Occupational Therapy Advisory Committee has proposed a number of amendments to the Board's rules respecting occupational therapists. Following review by staff and a number of revisions to conform the rules to the law, a revised draft was returned to the Committee Chair for review. Minor substantive suggestions for revision or modification have been received and incorporated into the draft. In sum, the proposed amendments update the rules generally, insert additional language provided in the law, update definitions and practice standards, rearrange various provisions and delete others that are no longer needed. The initial draft was presented for Board consideration at its July 2014 meeting. Following review of the revised draft incorporating additional suggestions, on the motion of Dr. Burdine, duly seconded by Dr. Valentine and passed by unanimous voice vote, the Board voted to publish a *Notice of Intent* in the *Louisiana Register*. **Telemedicine:** Act 442 of the 2012 Legislative Session, which amended R.S. 37:1271 of the Medical Practice

Act, necessitates various changes to the Board's existing Telemedicine Rules. Preliminary suggestions were presented to the Board at its July 2014 meeting and a revised draft was presented at its August 2014 meeting.

[15.] Minutes of July 21, 2014 Executive Sessions. On the motion of Dr. Valentine, duly seconded by Dr. Burdine 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 July 21, 2014. Following review and discussion, the Board resumed in open session and on the motion of Dr. Burdine, duly seconded by Dr. Valentine, and passed by unanimous voice vote, approved the minutes of the executive sessions conducted during its meeting of July 21, 2014 with all necessary corrections.

[16.] Report on Pending Litigation. On the motion of Dr. Amusa, duly seconded by Dr. Farris, 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.

[17.] 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). No further action was required or taken on this matter.

[18.] Investigative Reports. On the motion of Dr. Farris, duly seconded by Dr. Amusa, 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 Complaint: The following Supplemental and Amended Administrative Complaint was accepted:

Docket No., 13-I-355

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

Howard Eugene Gidden, M.D., Docket No., 13-I-735
Amber Nichole Neville, CLP-GEN, Docket No., 12-I-564
Pamela Jean Combest, OTA, Docket No., 13-I-168
Brooke Mallory Billings, CLP-PHL, Docket No., 14-I-485
Milton Randolph Eichmann, M.D., Docket No., 08-I-357
Mark David Naquin, M.D., Docket No., 14-I-538
James Thomas Nichols III, M.D., Docket No., 13-I-1276

Amy Blackwell Shunemeyer, DPM, Docket No., 14-I-108
Broderick Letrey Pinkney, M.D., Docket No., 13-I-1011

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

Docket No., 13-I-1104
Docket No., 14-I-414
Docket No., 14-I-337
Docket No., 14-I-334

- d. Closed/Dismissed The following matter was close/dismissed with a Letter of Concern:

Docket No., 13-I-1267

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

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

Docket No., 14-I-211
Docket No., 12-I-686
Docket No., 14-I-572
Docket No., 14-I-629

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

[20.] Licensure and Certification; Clinical Laboratory Personnel. On motion of Dr. Burdine, duly seconded by Dr. Valentine 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 for licensure provided all other requirements had been met:

Laboratory Assistant

Scott, Sharian

Technician

Toler, Tiffany

Phlebotomist

Bellow, Christina Louis
Sanchez, Tennille M.

Santini, Crystal
White, Fuderica S.

[21.] Licensure and Certification; Respiratory Therapy. Upon the motion of Dr. Farris, 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. 42:17A(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:

Palmintier, Dominic John II

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

Anderson, Frank Lawrence¹
Carr, Richard Michael
Hager, Brian Carlton, DO

Pickard, Paul Wesley
Reveal, Danny Lee, Sr.

b. Eligibility – To approve the following for the issuance of full licensure following his completion of residency training and passage of USLME Step 3 examination:

Neeley, Wendell W. II

¹ Dr. Farris recused himself from participation in the consideration of this matter.

[23.] Licensure and Certification; Physicians and Surgeons; Foreign Medical Graduates.

On motion of Dr. Clark, duly seconded by Dr. Farris 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 non-routine applicant for licensure provided all requirements had been met:

Lee, Eric Jarmar

[24.] Licensure and Certification; Other Licensure Matters; Intern/Examination Registration.

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 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

DiSalvo, Nicholas Joseph

Morehead-Yang, Chi Cheng

Graduate Education Temporary Permit (GETP)

Martinez Perez, Juan Carlos

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

On motion of Dr. Burdine, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board convened in executive session to consider the non-routine application for relicensure/reinstatement as a matter relating to the character, professional competence, or physical or mental health of an applicant, pursuant to La. Rev. Stat. 42:17A(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 reinstatement of the following provided all requirements had been met:

Schumacher, Steven S., M.D.

[26.] Licensure and Certification; Other Licensure Matters; Fingerprint Discrepancies Report.

On motion of Dr. Clark, duly seconded by Dr. Amusa 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

Harter, Michelle Renee

Physician and Surgeon

Bheriani, Zohreen.

27. Licensure and Certification; Other Licensure Matters; Board Orientation. The Board reviewed the evaluations submitted on the Board Orientation held Friday, August 1, 2014 in New Orleans. No further action was required or taken on this matter.

[28.] Physicians Health Program. On the motion of Dr. Burdine, duly seconded by Dr. Valentine and passed by unanimous voice vote, the Board convened in executive session to receive the reports of Julie Alleman, M.Ed., LPC, LMFT, LAC, Administrative Director, 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). Ms. Alleman also provided the Board with a copy of the policy on physician impairment from the Federation of State Medical Boards, Inc. No further action was required or taken on this matter.

[29.] General Disciplinary Matters; Personal Appearance; Ronald Clay Marts, M.D. On the motion of Dr. Valentine, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Ronald Clay Marts, 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. Marts appeared before the Board in connection with his request for early reinstatement of his license to a full, unrestricted status, off probation. Following his dismissal, the Board resumed in open session and on the motion of Dr. Farris, duly seconded and passed by unanimous voice vote, the Board approved reinstatement of the license of Ronald Clay Marts, M.D., off probation.

[30.] General Disciplinary Matters; Personal Appearance; Eileen Claire Lynch-Ballard, M.D. On the motion of Dr. Clark, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Eileen Claire Lynch-Ballard, 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. Lynch-Ballard appeared before the Board in connection with her request for reinstatement of her license to a full, unrestricted status, off probation. Following his dismissal, the Board resumed in open session

and on the motion of Dr. Amusa, duly seconded and passed by unanimous voice vote, the Board approved reinstatement of the license of Eileen Claire Lynch-Ballad, M.D., off probation.

[31.] Personal Appearances/Docket Calendar; Formal Hearing; Gregg Spaulding Hunter, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board reconvened in executive session for conclusion of the formal hearing in the matter of Gregg Spaulding Hunter Dike, 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. Amusa, the Board rendered a Decision and Order in the matter of Gregg Spaulding Hunter, M.D., and instructed Judge Ellis to prepare a written opinion and order to reflect the ruling.

[32.] Personal Appearances/Docket Calendar; Formal Hearing; Robert Jarrett Kadish, DPM. On the motion of Dr. Valentine, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board reconvened in executive session for conclusion of the formal hearing in the matter of Robert Jarrett Kadish, DPM., 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. Valentine, the Board rendered a Decision and Order in the matter of Robert Jarrett Kadish, DPM., and instructed Judge Ellis to prepare a written opinion and order to reflect the ruling.

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

[34.] Personal Appearances/Docket Calendar; Formal Hearing; Richard Colon-Ortiz, M.D. On the motion of Dr. Amusa duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session for the formal hearing in the matter of Richard Colon-Ortiz, M.D., as a matter relating to allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat.§ 42:17A((1), (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 the conclusion of the hearing, the Board resumed in open

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session and on the motion of Dr. Farris, duly seconded by Dr. Valentine voted to dismiss the administrative complaint and accept the Consent Order previously denied in this matter.

35. Next Meeting of Board. The President reminded the members that the next meeting of the Board was scheduled for September 15, 16, 2014. The Board also moved the date of the October 2015 meeting to October 26, 2015.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 5:00 p.m., on Monday, August 18, 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 August 18, 2014 as approved by the Board on the 15th day of September, 2014.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 15th day of September, 2014.

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

Attest:

Mark Henry Dawson, M.D.
President