

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**JULY 20, 2015
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, July 20, 2015, 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
Joseph D. Busby, Jr., M.D.
Kenneth Barton Farris, M.D.
Christy Lynn Valentine, M.D

Board Member absent as follows:

Roderick V. Clark, 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 Glasper, Director of Licensure
Rita L. Arceneaux, Executive Assistant

Legal counsel to the Board was present as follows:

Philip O. Bergeron

- 1. Minutes of May 18, 2015 Meeting.** The Board reviewed the minutes of its meeting held on Monday, May 18, 2015. On the motion of Dr. Busby duly seconded by Dr. Valentine 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. Communication and Information; Kimberly Alsbrooks, RT; ECG Tip Placement of Peripherally Inserted Central Catheters (“PICCs”).** The Board reviewed the request of Kimberly Alsbrooks, RT, to appear at the meeting of September 21, 2015 to discuss the technology for ECG Tip Placement of PICCs. Following review and discussion it was the consensus of the Board to provide Ms. Alsbrooks with a copy of the Board’s prior opinion on this matter and inform her that until the standard of care for PICCs changed, her appearance was premature.
- 4. Communication and Information; CMS Rule Change; Ordering Laboratory Testing.** The Board reviewed information relative to current changes to CMS regulations that grant registered dietitians (“RDs”) the ability to order specific laboratory tests to monitor nutritional interventions and then modify those interventions as needed. The Board was also advised of the rule-making effort of the Louisiana State Board of Examiners in Dietetics and Nutrition (“LSBEDN”) to update their rules to conform to the new CMS regulations. Following review and discussion, it was the consensus of the Board to write to LSBEDN to ask if their intent is to allow RDs to order, review and interpret laboratory tests specific to dietary/nutritional intervention.
- 5. 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 that the new IT vendor would have the renewals back online in the coming months and reported on the status of concerns relative to allied health professionals and its advisory committees. She also reported on the Telehealth Conference she attended in Washington, DC, and provided the Board several articles of interest relating to physician competency and adverse surgical outcomes.
- 6. General Administrative Matters; Joint Statement of Position; Collaboration and Collaborative Practice.** The Board reviewed a draft of the Joint Statement of Position; Collaboration and Collaborative Practice. Following review and discussion, on the motion of Dr. Amusa, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board made several modifications to the Joint Statement and asked that the revised draft be returned to the agenda for review at the August meeting before transmittal to the Louisiana State Board of Nursing for acceptance.
- 7. Rules and Regulations; Rules/Amendments Under Development; Marijuana for Medical Purposes.** The Board reviewed a copy of Act 261 (SB 143 Sen. Mills) of the 2015 Session of the Louisiana Legislature which directed the Board to: (i) promulgate rules by January

1, 2016, authorizing physicians to prescribe marijuana for specified conditions (glaucoma, symptoms resulting from administration of chemotherapy cancer treatment and spastic quadriplegia); and (ii) annually submit a report to the Senate and House Health & Welfare Committees as to any additional conditions that should be added to the list. Following review and discussion, on the motion of Dr. Farris, duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board approved the formation of a Marijuana Advisory Committee consisting of appointments from the deans of the three medical schools to assist in this legislative mandate.

8. Rules and Regulations; Rules/Amendments Under Development; Marijuana for Medical Purposes; Commenters; Jacob Irving, Louisiana Candidate Association and Markalain Dery, DO, Tulane University Health Sciences Center. The Board received the comment of Jacob Irving, Louisiana Candidate Association, on the adoption of the marijuana rules. He stated he was born in 1992. He is a quadriplegic born with spina bifida relating to the muscles. Mr. Irving asked that prescription language be included to help strengthen the 1991 Marijuana Law. Dr. Markalain Dery thanked the Board for its consideration of the rule-making effort and offered to submit a list of medical conditions used by other countries for marijuana use. He stated that there was no current research available in the US.

9. General Administrative Matters; Louisiana Pathology Society. The Board reviewed the list of nominees submitted for appointment to the Clinical Laboratory Personnel Advisory Committee. On the motion of Dr. Busby, duly seconded by Dr. Amusa, and passed by unanimous voice vote, the Board approved the appointment of Beverly Ogden, M.D., to the Clinical Laboratory Personnel Advisory Committee representing the Louisiana Pathology Society.

10. General Administrative Matters; Office of Debt Recovery. The Board reviewed information provided on the Office of Debt Recovery ("ODR"). The ODR serves as a centralized collection unit within the LA Department of Revenue for debt owed to the State. They asked the Board to participate in the program wherein the Board would provide a list of licensees who are renewing their license for the purpose of ascertaining whether anyone on the list owed debt to the State. If debt is owed, the Board would provide information for the licensee to set up arrangement with the ODRs and if the licensee did not comply, the Board would suspend the license due to non-compliance. Following review and discussion, on the motion of Dr. Valentine, seconded by Dr. Busby and passed by unanimous voice vote, the Board voted not to participate in the program at this time.

11. General Administrative Matters; Financial Reports. The Board reviewed a statement on the revenue and expenses for the period ending May 31, 2015, and approved all expenditures as noted therein. The Board also reviewed the status of investments as of May 31, 2015. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending May 31, 2015 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of May 31, 2015.

12. General Administrative Matters; Prescription Monitoring Program Advisory Council. The Board reviewed the report of the quarterly meeting of the Prescription Monitoring Advisory Council meeting held on July 8, 2015 in Baton Rouge. Following review and discussion, it was the consensus of the Board to agree with purging all data over 9.5 years old. No further action was required or taken on this matter.

13. General Administrative Matters; Pennington Biomedical Research Center; Exemption to Obesity Rules. The Board reviewed the request of Kishore M. Gadde, M.D., and William T. Cefalu, M.D., Pennington Biomedical Research Center, for an exemption to the Board's Rules on Medications Used in the Treatment of Obesity. Following review and discussion, it was moved by Dr. Burdine, duly seconded by Dr. Amusa and passed by unanimous voice vote to grant the exemption.

14. Rules and Regulations.

a. Final Rules/Amendments: Physician Assistants: During the October 2014 meeting, the Board elected to undertake a rulemaking effort to remove the co-signature requirement for PA services from its existing rules and replace it with alternative methods of physician oversight (e.g., chart review) based on experience and changes in a PA's major area of practice. At its December 2014 meeting, the Board considered suggestions based on the discussions at its October meeting and direction from the President, along with separate suggestions offered by the LAPA. Following discussion and further suggested modifications to the draft at its January 2015 meeting, the Board elected to provide *Notice of Intent* to adopt the amendments. Said *Notice of Intent* appeared in the February 2015 edition of the *Louisiana Register*. The comment period closed during which the Board received a number of comments in support of the proposed amendment. No adverse comments were received. At its April 2015 meeting, the Board voted to adopt the rule amendments upon publication in the May 2015 edition of the *Louisiana Register*. In conformity with the Board's instructions, a final report was submitted to the Legislature, commenters were notified and the final rule was submitted for promulgation in the May 20, 2015 edition of the *Register* in the identical form as previously noticed, concluding this rulemaking effort.

b. Rules/Amendments – Noticed of Intent - 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. The rule was also to include a prohibition against physician prescribing of controlled substances to one's self or immediate family members in the absence of an emergency. Pursuant to the Board's directions, a draft was submitted for initial review and discussion at its August and September 2013 meetings. 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*. Said *Notice of Intent* appeared in the October 2014 edition of the *Louisiana Register*. At its December 2014 meeting, the Board considered the written comments received in response to the *Notice of Intent*. Following review and discussion, the Board rejected some of the comments and decided to accept and address others by technical and substantive amendments. An annotated draft of the changes appeared in the January 2015 edition to the *Louisiana Register* noting a public hearing was scheduled for February 26, 2015. At the February 2015 meeting, the Board discussed the current status of the rule project. The Potpourri hearing that was noticed was postponed to discuss additional changes. At the March and April 2015 meetings, the Board discussed potential ways to further address

concerns over the proposed amendment to Section 7603A.9 regarding a physician representing himself or herself as a specialist. Following discussion, the Board voted to defer this aspect of the amendments and to rely on the prohibition contained in the Medical Practice Act on false advertising as a basis to deal with future complaints along those lines. The Board also voted to proceed only with that part of the amendments addressing self-prescribing.¹ Following review and discussion, the Board voted to defer proceeding at this time on the amendments original proposed in §7603A.9 (e.g., holding one's self out as a *specialist*) and proceed only with the proposed amendments addressing self-prescribing. A Potpourri Notice has been sent to the *Louisiana Register* and a hearing has been scheduled for August 20, 2015 at 10:30 a.m., to receive comments on the substantive changes. **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 were 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. A revised draft incorporating additional changes was presented at the August 2014 meeting at which time the Board approved providing a *Notice of Intent* in the *Louisiana Register*. Such *Notice of Intent* appeared in the October 2014 edition of the *Louisiana Register*. At its December 2014 meeting, the Board considered the written comments received during the comment period and voted to forward the comments to the OT Advisory Committee for their input. In furtherance of this issue, the Committee/staff reached out to the commenters and the Louisiana Association of Occupational Therapists ("LOTA"). Their input and the Committee's suggested revisions were received; however, given the resulting delay there was insufficient time to make substantive changes, hold a public hearing and conclude the rulemaking effort within the 1 year limit provided by law. Following consideration, on the motion of Dr. Busby, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board voted to proceed with formal adoption of the rules without amendment by publication in or before the October 2015 *Louisiana Register* and committed to commence a new rule effort to amend two (2) of the sections of the rules (§1939 and §4919) made the basis of the comments. **Telemedicine:** Act 442 of the 2014 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 at which time the Board authorized publication of a *Notice of Intent* to adopt the amendments. Said *Notice of Intent* appeared in the October 2014 edition of the *Louisiana Register*. At its December 2014 meeting, the Board considered the written comments received in response to the *Notice of Intent*. Following review and discussion, the Board rejected some of the comments and decided to accept and address others by technical and substantive amendments. An annotated draft of the changes appeared in the January 2015 edition of the *Louisiana Register* noting a public hearing was scheduled for February 26, 2015. At the February 2015 meeting, the Board discussed the current status of the rule project. The Potpourri hearing that was noticed was postponed to discuss additional changes. A clean

¹ Dr. Farris was not in favor of the motion.

draft was thereafter prepared showing how the rules would appear if all the proposed changes in the original *Notice of Intent* and Potpourri notice were adopted by the Board. At the request of the Chair of the House H&W Committee, a meeting was held with representatives of the Board, lobbyists for the LSMS, LHA and various other stakeholder organizations to discuss the Board's proposed telemedicine rule amendments. It was clear that the concerns focused on the limitations on the physician's ability to prescribe controlled substances by telemedicine. In an effort to accommodate these concerns, additional changes were made and presented for the Board's consideration. Despite this effort, HCR 4 (Rep. Simon) was filed, heard and passed by the House H&W Committee. At its May 2015 meeting, the Board reviewed the status of the rulemaking effort, reviewed HCR 4, which has been adopted by the Legislature and voted to provide *Notice of Intent* of the additional substantive changes previously suggested in the *Louisiana Register*. A Potpourri Notice has been sent to the *Louisiana Register* and a hearing has been scheduled for August 20, 2015 at 9:30 a.m., to receive comments on the substantive changes.

c. **Rules/Amendments Under Development:** **Midwifery:** The Board reviewed the initial draft of rule amendments to the existing rules governing licensed midwife practitioners. The amendments incorporate changes made to the Louisiana Midwifery Practice Act during the 2012 session of the Legislature, update the rules generally and rearrange sections for ease of reference. The amendments were presented for initial review at the Board's December 2014 meeting. The Board further reviewed and discussed the proposed changes at its January and February 2015 meetings. At its April 2015 meeting, the Board considered a suggestion that a licensed midwife be permitted to continue providing prenatal care to a woman with *one* prior cesarean section provided arrangements have been made with a physician and documented in the midwife's chart, for a planned hospital delivery at the onset of labor. The Board asked staff to solicit comments on the revised draft rules and present a follow-up revision at a subsequent meeting of the Board. **Physician Compounding Medication:** At its December 2014 and January 2015 meetings, the Board reviewed Emergency Rules adopted by the Louisiana Board of Pharmacy to reflect certain changes in federal law concerning compounded medication. Following review and discussion, the Board elected to undertake a rulemaking effort as to physicians who compound medication in order to insure consistency with federal and state law and regulations. A draft will be presented for initial review and discussion in due course. **Clinical Laboratory Personnel:** At the request of its Clinical Laboratory Personnel ("CLP") Advisory Committee, the Board agreed to undertake a rulemaking effort to amend its CLP Rules to reduce the term of a temporary permit from six months to three months. It directed that a draft be prepared and presented for review and approval. In conformity with the Board's direction, a draft was presented for initial review and discussion at the April 2015 meeting. At its May 2015 meeting the Board approved publication of a *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. **Physician Advertising:** **Board Certification:** At its March 2015 meeting, the Board determined to undertake a rulemaking effort to establish a process for its approval of certifying boards, alternative to the ABME and AOA, for purposes of physician advertising of *Board Certification*. The Board directed that a draft be prepared and presented for review and approval. In conformity with the Board's direction, a draft is presented for initial review and discussion at the April 2015 meeting. At its May 2015 meeting, the Board approved publication of a *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. **Complaints and Investigations:** The President directed that staff/counsel commence a rule-making effort detailing the

processes used by the Board for handling complaints and investigations given the concerns raised by HB 576, subsequently HB 843 (Act 442, Rep. Hazel). The matter appeared on the Board's May 2015 agenda for consideration and discussion of the rulemaking effort. The new law requires the Board to promulgate rules by January 1, 2016. The Board reviewed copies of Act 441, the Board's existing rules on Adjudication (§§9901-9931) and a draft of the proposed rules. **Athletic Trainers:** The Board's Athletic Trainer Advisory Committee is working on amendments to the athletic trainer rules to conform them to the 2014 amendments to the Athletic Trainer Practice Act. The Committee's draft has been received. It is anticipated that a draft will be presented for initial review and consideration at the September meeting. **Podiatry:** The Podiatry Advisory Committee ("PAC") has requested amendments to the Board's Podiatry Rules to: i) remove the requirements for board certification or eligibility as to an applicant for advanced practice who has completed a three year podiatry medical surgical residency training (PM&S 36) program; ii) make the Board's rules on unprofessional conduct equally applicable to podiatrists; and iii) include podiatrists in the Board's current effort on Board certification for advertising purposes. As to item i., the draft presented during its May 2015 meeting has been revised per the input of the PAC and item ii will require a separate effort that will be presented in due course; and, item iii requires further research. It is anticipated that representatives of the PAC will appear during the August 2015 meeting to provide input on the requested amendments. **Physician Assistants:** Act 453 (SB 115, Sen. Mills) modified the law governing physician assistants ("PAs) in a number of ways. A rulemaking effort is required to conform the Board's existing rules to the changes in the law. In the interim, the law as amended by Act 453 controls any disparity with the rules.

15. Legislation 2015. The Board reviewed a report on 2015 Legislation that was enacted into Law having an impact on the Board, including Senate and House Concurrent Resolutions. With respect to SCR No 19, on the motion of Dr. Valentine, duly seconded by Dr. Amusa, and passed by unanimous voice vote, the Board appointed Dr. Burdine to serve on the Physical Therapy Patient Access Review Committee.

[16.] Minutes of May 18, 2015 and June 27, 28, 29, 2015; Executive Sessions. On the motion of Dr. Busby, duly seconded by Dr. Valentine 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 May 18, 2015 and June 27, 28, 29, 2015. Following review and discussion, the Board resumed in open session and on the motion of Dr. Valentine, duly seconded by Dr. Busby, and passed by unanimous voice vote, approved the minutes of the executive sessions conducted during its meeting of May 18, 2015 and June 27, 28, 29, 2015 meetings with all necessary corrections.

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

[18.] 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.

[19.] Investigative Reports. On the motion of Dr. Busby, duly seconded by Dr. Farris, 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. On the motion of Dr. Burdine, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board approved the following:

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

Docket No., 14-I-964²
Docket No., 15-I-439
Docket No., 15-I-088
Docket No., 15-I-119

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

Keitha Renee Smith, M.D., Docket No., 14-I-049
Barbara Ann Denais Smith, M.D., Docket No., 14-I-788
Rebecca Lee Honeycutt, MDW, Docket No., 15-I-364
Joshua Michael Pahl, Ath, Docket No., 15-I-329
Jason Deran Williams, Poly, Docket No., 15-I-363
Laura Ann Waples, Ath, Docket No., 15-I-331
Carmen Hebert Sampey, CLP, Docket No., 15-I-273
David Rian Mocklin, Ath, Docket No., 15-I-329
Kirt Joseph Talamo, PA, Docket No., 14-I-626

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

Docket No., 15-I-100
Docket No., 14-I-257
Docket No., 13-I-1099
Docket No., 14-I-842
Docket No., 13-I-564
Docket No., 14-I-1073
Docket No., 15-I-028
Docket No., 14-I-398
Docket No., 15-I-036
Docket No., 14-I-863
Docket No., 14-I-633
Docket No., 15-I-035
Docket No., 14-I-1008

- d. Closed Complaint Cases: The Board reviewed the Closed Complaint Cases Reports for June and July, 2015.

² Dr. Busby recused himself from any and all participation in this matter.

[20.] Professional Liability Report. On the motion of Dr. Farris, duly seconded by Dr. Busby 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.

[21.] Physicians Health Program. On the motion of Dr. Valentine, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board convened in executive session to receive the report of Louis Cataldie, M.D., Medical Director, Physicians' Health Foundation 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.

[22.] General Disciplinary Matters; Personal Appearance; John Henry Smith III, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of John Henry Smith III, 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. Smith 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 upon the motion of Dr. Farris, duly seconded by Dr. Burdine and passed by unanimous voice vote, approved reinstatement of the license of John Henry Smith III, M.D., off probation to include reinstatement of his prescribing privileges.

[23.] General Disciplinary Matters; Personal Appearance; Stephen Christopher Ayers, M.D. On the motion of Dr. Burdine, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Stephen Christopher Ayers, 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. Ayers appeared before the Board in connection with his request for reinstatement of his license to a full, unrestricted status, off probation. Following his dismissal, the Board resumed in open session and upon the motion of Dr. Amusa, duly seconded by Dr. Farris and passed by unanimous voice vote, approved reinstatement of the license of Stephen Christopher Ayers, M.D., to a full, unrestricted status, off probation.

[24.] General Disciplinary Matters; Personal Appearance; Denardo D. Dunham, DPM. 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 Denardo D. Dunham, DPM, 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. Dunham 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 upon the motion of Dr. Amusa, duly seconded by Dr. Valentine and passed by unanimous voice vote, approved reinstatement of the license of Denardo D. Dunham, DPM, to a full, unrestricted status, off probation.

[25.] General Disciplinary Matters; Personal Appearance; Jose Edgard Merced, M.D. On the motion of Dr. Valentine, duly seconded by Dr. Farris and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Jose Edgard Merced, 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. Merced 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 a motion was made by Dr. Amusa, duly seconded by Dr. Busby to deny the request of Dr. Merced. Inasmuch as there were three members in favor of the motion, Drs. Amusa, Busby and Dawson and three members opposed to the motion, Drs. Valentine, Burdine and Farris, and no one to break the tie, the motion failed and Dr. Merced licensure status will remain on probation.

[26.] General Disciplinary Matters. On the motion of Dr. Amusa, duly seconded by Dr. Farris, the Board convened in executive session to consider the 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 the motion of Dr. Busby, duly seconded by Dr. Burdine and passed by unanimous voice vote, took the following actions:

- a. Bruno, Carlos Alberto, M.D. – To approve the request of Carlos Alberto Bruno, M.D., for reinstatement of his license to a full, unrestricted status, off probation.
- b. Steib-Martin, Syrita R., CLP – To approve the request of Syrita R. Steib-Martin, CLP for reinstatement of her license to a full, unrestricted status, off probation in accordance with the terms of her Consent Order.
- c. Billings, Brook Mallory, CLP – To approve the request of Brook Mallory Billings, CLP, for reinstatement of her license to a full, unrestricted status, off probation in accordance with the terms of her Consent Order.
- d. Chiverton, James Alfred, M.D. – To approve the request of James Alfred Chiverton, M.D., for reinstatement of his ability to prescribe, dispense or administer controlled substances.
- e. Jackson, Nedra Clem, M.D. – To deny the request of Nedra Clem Jackson, M.D., that requests for public records regarding her disciplinary action reflect expungement of her federal charges.

[27.] Licensure and Certification; Clinical Laboratory Personnel. On motion of Dr. Farris, 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 the motion of Dr. Valentine, duly seconded by Dr. Farris and passed by unanimous voice vote, approved the following for licensure provided all other requirements had been met:

Technician

Robinson, Lakreshia S.

[28.] Licensure and Certification; Podiatry; Advanced Practice; Conservative Treatment of the Ankle. 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 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 on the motion of Dr. Busby, duly seconded by Dr. Amusa and passed by unanimous voice vote, approved the following for advanced practice, conservative treatment of the ankle licensure provided all other requirements had been met:

Conservative Treatment of the Ankle

Kadish, Robert Jarrett

Patel, Chirag M.

Surgical Treatment of the Ankle

Maraist, David V.

[29.] Licensure and Certification; Physicians and Surgeons; Foreign Medical Graduates. On motion of Dr. Valentine, 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 on the motion of Dr. Busby, duly seconded by Dr. Valentine and passed by unanimous voice vote, made the following decisions:

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

Talreja, Ramesh Parmanand, M.D.

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

Bassam, Bassam Ali, M.D.

c. Denied – To deny the request of the following for removal of the stipulation associated with the granting of licensure in Louisiana:

Gonzalez Roman, Arturo

[30.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian 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 on the motion of Dr. Busby, duly seconded by Dr. Valentine and passed by unanimous voice vote, approved the following non-routine applicants for licensure provided all requirements had been met:

Ayyar, Siva
Holden, Jennifer Leigh
Nelson, Lawrence Edward

Pearson, Michael Clarke
Rudny, Kevin Peter
Runfalo, Clayton Frank

[31.] Licensure and Certification; Other Licensure Matters; Intern/Examination Registration. On motion of Dr. Amusa, duly seconded by Dr. Burdine 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

Bosmia, Anand Natwarlal

[32.] Licensure and Certification; Other Licensure Matters; Reinstatement/Relicensure. On 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 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 the motion of Dr. Burdine, duly seconded by Dr. Amusa and passed by unanimous voice vote approved the following for reinstatement provided all other requirements had been met:

Castillo, Sergio Alberto, M.D.

[33.] Licensure and Certification; Other Licensure Matters; Polysomnography Technician. On motion of Dr. Busby, duly seconded by Dr. Burdine and passed by unanimous voice vote, the Board convened in executive session to consider the request of Delonsaletta I. Perry for reconsideration of her request to take and pass the polysomnography examination and to be granted a permit in the interim 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 the motion of Dr. Burdine, duly seconded by Dr. Amusa and passed by unanimous voice vote deferred her request pending receipt of additional information.

[34.] Licensure and Certification; Other Licensure Matters; Occupational Therapy. On motion of Dr. Valentine, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board convened in executive session to consider the request of Tiffany Shonta Brown for a waiver of an examination attempt due to extenuating circumstances 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, it was the consensus of the Board to defer action

on her request pending receipt of additional information.

35. Next Meeting of Board. The President reminded the members that the next regular meeting of the Board was scheduled for August 17, 18, 2015 and after review of the proposed meeting dates for 2016 asked that the dates be set for a week earlier, if possible.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 3:30 p.m., on Monday, July 20, 2015.

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 July 20, 2015 as approved by the Board on the 17th day of August, 2015.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 17th day of August, 2015.

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

Attest:

Mark Henry Dawson, M.D.
President