

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**APRIL 11, 12, 13, 2016
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, April 11, 2016, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present as follows:

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

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

Cecilia Ann Mouton, M.D., Director of Investigations
Emily Diana Eisenhauer, M.D., Assistant Director of Investigations
Jennifer Stoler, Attorney, General Counsel 1
Lesley Rye, RN, Compliance Investigator
Cathy Storm, RN, Compliance Investigator
Aleshia B. Madison, MBA, Administrative Manager
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 Michael G. Bagneris (Ret)

Philip O. Bergeron

First Session
Monday, April 11, 2016

- 1. Minutes of March 14, 2016 Meeting.** The Board reviewed the minutes of its meetings held on March 14, 2016. On the motion of Dr. Clark duly seconded by Dr. Amusa 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; Dermal Rolling, Branding, Scarification; Request for Guidance.** The Board reviewed the follow-up request received from Brian Warren, R.S., M.S., Department of Health and Hospitals, Office of Public Health, Sanitarian Services, regarding the Board's response to their inquiry as to whether microdermal needling (aka dermal rolling), branding and scarification are "medical procedures" that can only be performed by a physician or other health care professional. Mr. Warren informed that Board that their response did not cover microblading of which they received numerous inquiries. Following review of information provided concerning this matter, it was the consensus of the Board to advise Mr. Warren that microblading did not fall within the practice of medicine as defined by the Medical Practice Act, and, therefore would not be regulated by this agency.
- 4. Rulings and Advisory Opinions; Use of Nitrous Oxide in Office-Based Setting.** The Board reviewed the draft response prepared in response to the inquiry received from Neil Baum, M.D., regarding use of nitrous oxide in procedures performed in an office-based setting. Following review and discussion, on the motion of Dr. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board approved the draft response for dissemination to Dr. Baum stating that while nitrous oxide is a relatively safe agent, that because it induces an alteration of consciousness, it should only be used by a physician adequately trained in its administration and in compliance with the Board's office-based surgery rules. The rules provide certain standards for the facility, personnel, equipment and patient monitoring.
- 5. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Peripherally Inserted Central Catheter ("PICC") Insertion.** The Board reviewed the request received from Robyn Rushing asking the Board to revisit the matter regarding PICC insertion by respiratory therapists. Following review and discussion, it was the consensus of the Board to seek the input of the Respiratory Therapy Advisory Committee and to advise Ms. Rushing that following receipt of their opinion, a response would be forthcoming.
- 6. Communication and Information; Louisiana State Medical Society ("LSMS").** The Board noted receipt of a communication from Luis M. Alvarado, M.D., President, Louisiana State Medical Society, thanking the Executive Director for his meeting with the LSMS, pledging their support of the Board, and offering assistance in whatever they can do to help. Dr. Alvarado concluded his correspondence inviting the Board Members to attend the LSMS' Board of Governor's meetings scheduled for June 8th, September 14th and December 14th of this year.

7. Communication and Information; Louisiana State Medical Society; Act 441, Infographic. The Board reviewed a copy of the Louisiana State Medical Society, Act 441, Infographic entitled "Protecting Good Doctors from Bad Complaints" contained on their website at www.lsms.org. No further action was required or taken on this matter.

8. Communication and Information; Peter B. Boggs, M.D.; Physician Compounding. The Board reviewed a request from Peter B. Boggs, M.D., Clinical Professor of Medicine and Pediatrics, Shreveport, regarding a draft position of the Federation of State Medical Board relative to physician compounding. Following review and discussion it was the consensus of the Board to acknowledge receipt of Dr. Boggs' correspondence and advise him that the Board is taking his suggestion under advisement.

9. Communication and Information; Federation of State Medical Boards ("FSMB"); USMLE State 2 Clinical Skills. The Board noted the update from the FSMB on the USMLE Step 2 Clinical Skills testing stating they have posted FAQs on the FSMB website. No further action was required or taken on this matter.

10. General Administrative Matters; Executive Director's Report. The Board received the report of its Executive Director on his activities since the last meeting of the Board. Mr. Torres reported on his activities with the legislative session and gave an update on proposed 2016 legislation.

11. General Administrative Matters; Athletic Trainer; Request for Formal Review; Follow-up. The Board reviewed the draft response to Ray Castle, PhD, ATC, LAT, who sought the Board's review of the law respective to athletic trainers in this state and their treatment by physical therapy clinics throughout the state along with the draft response to Louisiana Physical Therapy Board regarding this matter. Following review and discussion, on the motion of Dr. Amusa, duly seconded by Dr. Dawson, and passed by unanimous voice vote, the Board approved the responses as written.

12. General Administrative Matters; Occupational Therapy Advisory Committee; Inactive Members. The Board reviewed the request of its Occupational Therapy Advisory Committee seeking approval to replace its inactive members. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Farris, and passed by unanimous voice vote, the Board approved the Committee's request to replace its inactive members.

13. General Administrative Matters; Pathologist's Assistant. The Board reviewed the request of staff seeking confirmation that Pathologist's Assistants are not required to be licensed under the category of Clinical Laboratory Personnel as expressed by the CLP Advisory Committee. Following review and discussion, it was the consensus of the Board to defer action pending further input from its CLP Advisory Personnel Committee.

14. General Administrative Matters; Clinical Laboratory Personnel; Acceptance of Phlebotomy Examination. The Board reviewed the request from the American Medical Certification Association to become an approved phlebotomy examination offered in the state of Louisiana. The Board noted that its CLP Advisory Committee had approved the examination in June 2015. Following review and discussion, on the motion of Dr. Farris, duly seconded by Dr.

Clark and passed by unanimous voice vote, the Board approved the phlebotomy examination for listing on the website under state approved examination.

15. General Administrative Matters; Draft Newsletter. The Board reviewed a revised draft of the next issue of the *Newsletter*. Following review and discussion, on the motion of Dr. Amusa, duly seconded by Dr. Clark, and passed by unanimous voice vote, the Board approved the revised draft for publication.

16. General Administrative Matters; Financial Reports. Financial Statement – The Board reviewed the budgeted expenditures versus actual through February 29, 2016, the Balance Sheet through February 29, 2016 and a statement on the revenue and expenses for the period ending February 29, 2016 and approved all expenditures as noted therein. The Board also reviewed the status of investments as of February 29, 2016. The Board also reviewed a balance sheet and income statement for Clinical Laboratory Personnel for the period ending February 29, 2016 and approved all expenditures as noted therein. The Board also reviewed the status of investments for Clinical Laboratory Personnel as of February 29, 2016. Finally, the Board noted the Income Statement for the Physicians Health Program through February 29, 2016. No further action was required or taken on this matter.

17. Rulings and Regulations; Rules Under Development; Personal Appearance; Denise Elliott, Podiatry Advisory Committee; Podiatry; Scope of Practice; Performance of Histories and Physicals (“H&Ps”). Denise Elliott, DPM, Podiatry Advisory Committee, appeared before the Board to discuss the draft rules relative to podiatry scope of practice dealing with the ability of podiatrists to perform H&Ps. During her appearance Dr. Elliott expressed concerns with the rules and stated she would report back to the Board on this matter.

18. Ruling and Advisory Opinions; New Business; Ketamine Infusion Center On the motion of Dr. Busby, duly seconded by Dr. Valentine and passed by unanimous voice vote, the Board voted to consider new business relative to the request of Brian Ball, M.D., for approval to open a Ketamine Infusion Center. Following review and discussion, it was the decision of the Board to defer action on this matter pending further research.

19. Ruling and Advisory Opinions; New Business; Podiatry; Scope of Practice; Gastrocnemius Resection. On the motion of Dr. Clark, duly seconded by Dr. Farris, and passed by unanimous voice vote, the Board voted to take up an item of new business relative to the inquiry of Raymond P. DeCorte, M.D., Chief Medical Officer, East Jefferson General Hospital, as to whether a podiatrist with a basic DPM (Doctor of Podiatric Medicine) license is able to do a gastrocnemius resection when doing an Achilles repair procedure. Following review and discussion, it was the consensus of the Board to inform Dr. DeCorte that the scope of practice of a podiatrist with a basic DPM license does not include the performance of a gastrocnemius resection.

20. Rules and Regulations.

- a. Final Rules/Amendments: None since the last meeting of the Board.
- b. Rules/Amendments – Noticed of Intent: **Physicians; Complaints and Investigations**: During its October 2015 meeting, the Board considered a draft containing various changes (Sections 8315, 9707, 9709 and 9711) to its proposed rules on Complaints

and Investigations of physicians, which were *Noticed for Intent* in the September 2015 *Louisiana Register*. Following discussion and consideration, the Board elected to proceed with a new rule effort and provide *Notice of Intent* to adopt the changes in the *Louisiana Register*. Such notice appeared in the December 2015 edition of the *Register*. Neither comments nor a request for a public hearing were received during the comment period. It is anticipated that the amendments will be promulgated in the same form as previously noticed and become effective upon publication in the April 20, 2016 edition of the *Louisiana Register*.

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 suggested language was included in a revised draft for review and consideration. The Louisiana Midwives Association has provided input on the suggested changes and input for another stakeholder has been received and it is being reviewed by staff. A revised draft was presented for review and consideration incorporating the suggested changes along with technical and drafting changes. The Board approved the rule amendments at its January 2016 meeting and voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. It is anticipated that said *Notice of Intent* will appear in the April 20, 2016 edition of the *Louisiana Register*. **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. The Board directed that a draft be prepared and presented for review and discussion. 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*. Said notice appeared in the February 2016 edition of the *Louisiana Register*. Neither comments nor a request for a public hearing were received during the comment period. It is anticipated that the amendments will be promulgated in the same form as previously noticed in the May 20, 2016 edition of the *Louisiana Register*. **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. **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 ABMS 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 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*. An additional wording change was discussed and pre-notice input was received (as noted above) from interested parties. Following review and discussion, the Board elected to defer this effort to allow further consideration and input by other stakeholders. Inasmuch as further input had not been received, it was the consensus of the Board to write to several interested parties to ask for their input by the May meeting of the Board. **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 and reviewed by staff. A revised draft was submitted to the Athletic Trainer Advisory Committee for their final input. Staff has been advised that the Committee has additional changes and as soon as they are received and incorporated into the current draft, it will be presented to the Board for consideration. **Podiatry; Eligibility for Advanced Practice:** The Podiatry Advisory Committee ("PAC") has requested amendments to the Board's Podiatry Rules to 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; The draft resented during its May 2015 meeting has been revised per the input of the PAC. Following discussion and consideration, the Board approved the draft during the August 2015 meeting and voted to *Notice of Intent* to adopt the amendments in the *Louisiana Register*. It is anticipated that such *Notice of Intent* will appear in the April 20, 2016 edition of the *Louisiana Register*. **Physician Assistants:** Act 453 (SB 115, Sen. Mills) modified the law governing physician assistants ("PAs) in a number of ways. A rulemaking effort will be needed 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. The Board has solicited the input of its PA Advisory Committee and the Louisiana Association of Physician Assistants respecting the amendments made necessary by virtue of Act 453. **Physicians; Training:** During its December 2015 meeting, the Board received a further request from staff outlining the review and analysis of data which demonstrates a decrease in disciplinary action with an increase in post-graduate year medical education. It also discussed the PGY requirements of other state medical boards and considered the current requirements in Louisiana for both US and international medical graduates. Finally, it considered the notation of staff that an increase in PGY training should result in a decrease in the amount of discipline. Following lengthy discussion and consideration, the Board asked that a draft rule be prepared for its review that would prospectively require physician applicants to complete an ACGME residency as a prerequisite to medical licensure. A draft was presented for initial review and consideration. Following review and consideration, it was the consensus of the Board to forward the draft to various stakeholders for their input. **Podiatry; Histories and Physicals:** During its December 2015 meeting, the Board heard the request of the Louisiana Podiatric Medical Association ("LPMA") and the Board's Podiatry Advisory Committee ("PAC") for a rule-making effort or advisory opinion authorizing the performance of histories and physicals ("H&Ps") by podiatrists in Louisiana. Following discussion, the Board asked the Association and the PAC to submit their suggestions to staff for its preparations of a draft rule addressing the topic for its further consideration. Following the receipt of the suggestions from the LPMA and input from interested parties, the Board reviewed a draft prepared. XXXXXX Following review and discussion of the draft, several changes were suggested. A revised draft will be presented following input from the LPMA and the PAC. **Physicians, Medications Used in the Treatment of Obesity:** At its March

2026 meeting, the Board requested amendments to its obesity rules that would permit the prescribing of the individual ingredients of any non-controlling drug approved by the USFDA in the treatment of exogenous obesity. An initial draft of amendments were presented to the Board for review and consideration. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Clark, and passed by unanimous voice vote, the Board voted to provide a *Notice of Intent* to adopt the rule amendments.

21. General Administrative Matters; Personal Appearance; Seth Kunen, PhD, PsyD, MP, Executive Director, Healthcare Professionals' Foundation of Louisiana; Annual Report. Seth Kunen, PhD, PsyD, MP, Executive Director, Healthcare Professionals' Foundation of Louisiana appeared before the Board to present the annual report. No further action was required or taken on this matter.

[22.] Minutes of March 14 2016; Executive Sessions. On the motion of Dr. Clark, duly seconded by Dr. Amusa 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 March 14, 2016. Following review and discussion, the Board resumed in open session and on the motion of Dr. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote approved the minutes of the executive sessions conducted during its meeting of March 14, 2016.

[23.] 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.

[24.] 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.

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

- a. Administrative Complaint: The following Administrative Complaint was accepted and scheduling of a formal hearing:

Docket No., 16-I-119

- b. Interim Action: The Board approved the Interim Action that had been handled by the President:

Docket No., 16-I-290

- c. Formal Investigations: The Board approved commencing formal investigations in the following matters:

Investigation No., 16-007
 Investigation No., 15-I-175
 Investigation No., 15-1-666
 Investigation No., 15-946

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

Benjamin John Palombo, M.D., Docket No., 15- I-812
 Brooke Ashley Legros, Poly, Docket No., 15-I-1062
 Timothy Thomas Johnson, CLP-Gen, Docket No., 15-I-1063
 Juanita Anderson Webb, CLP-TCH, Docket No., 14-I-830
 Theresa Ann Cain, OT, Docket No., 15-I-833

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

Docket No., 15-I-697
 Docket No., 15-I-893
 Docket No., 15-I-998

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

Docket No., 14-I-329¹

- g. Closed Complaint Cases: The Board reviewed the Closed Complaint Cases Report.

[26.] 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. 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.

[27.] Personal Appearance/Docket Calendar; Formal Hearing; Martha Coppage-Hoover, M.D. On the motion of Dr. Farris, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session for conclusion of the formal hearing in the matter of Martha Coppage-Hoover, 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 the conclusion, the Board resumed in open session and on the motion of Dr. Clark, duly seconded by Dr. Farris and passed by unanimous voice vote, rendered a decision in the matter of Martha Coppage-Hoover, M.D., and ordered George Papale, Esq., Independent Counsel to prepare an Opinion and Order.

¹ Dr. Clark recused himself from any and all participation in discussion and/or consideration of this matter

[28.] General Administrative Matters; New Business; HB955. On the motion of Dr. Farris, duly seconded by Dr. Valentine and passed by unanimous voice vote, the Board voted to convene in executive session and to take up an item of new business HB955 introduced by Representative Katrina Jackson. Following review and discussion, the Board resumed in open session and on the motion of Dr. Farris, duly seconded and passed by unanimous voice vote, approved reconfiguration of the organizational chart in line with HB955.

[29.] Physicians Health Program. On the motion of Dr. Clark, duly seconded by Dr. Busby and passed by unanimous voice vote, the Board convened in executive session to receive the report of Seth Kunen, PhD, PsyD., MP, Executive 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). No further action was required or taken on this matter.

[30.] General Disciplinary Matters; Personal Appearance; Robert A. Brocato, 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 Robert A. Brocato, 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. Brocato 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. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote, approved the request of Dr. Brocato for reinstatement of his license to a full, unrestricted status, off probation.

[31.] General Disciplinary Matters; Personal Appearance; Charles Edward Baxter, 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 Charles Edward Baxter, 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. Baxter appeared before the Board in connection with his request for reinstatement of his license to a full, unrestricted status. Following his dismissal, the Board resumed in open session and upon the motion of Dr. Clark, duly seconded by Dr. Dawson and passed by unanimous voice vote, approved the request of Dr. Baxter for reinstatement of his license to a full, unrestricted status, off probation.

[32.] General Disciplinary Matters. On the motion of Dr. Valentine, duly seconded by Dr. Busby, the Board convened in executive session to consider the request relating to the execution or modification of a Decision and/or Consent Order as a matter relating to the character and professional conduct of licensees, pursuant to La. Rev. Stat. §42:17A(1) and (4). Following review and discussion, the Board resumed in open session and upon the motion of Dr. Valentine, duly seconded by Dr. Dawson and passed by unanimous voice vote, made the following decisions:

- a. Sylvest, Ronald Dane, M.D. – To deny the request of Ronald Dane Sylvest, M.D., for reinstatement of his license to a full, unrestricted status.
- b. Mixon, Kelly, PA – To approve the request of Kelly Mixon, PA for additional supervising physicians.

c. Allied Health Monitoring Report – To note receipt of the Allied Health Monitoring Report showing the active participants in the program for the 1st quarter of 2016.

d. Investigation Summary Report – To note the Investigation Summary Report for 2015.

[33.] Licensure and Certification; Occupational Therapy Assistants. On the motion of Dr. Dawson, 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. Dawson, duly seconded by Dr. Valentine and passed by unanimous voice vote approved the following for licensure provided all requirements had been met:

Beckler, Andrea Suzonne

Nunez, Andrew Lee

[34.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian Medical Graduates. On the motion of Dr. Clark, 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 on the motion of Dr. Clark, duly seconded by Dr. Valentine and passed by unanimous voice vote approved the following for licensure provided all requirements had been met:

Delay, Kenneth Jackson
Edson, Steven Bryan
Jacobson, Richard David
Kane, Steven Montgomery

Koch, Christopher Troy
Smalling, William Edward
Vincent, Jill Nichole

[35.] Licensure and Certification; Physicians and Surgeons/International Medical Graduates. On the 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 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. Dawson, duly seconded by Dr. Valentine and passed by unanimous voice vote, denied the request of the following for a waiver of the licensure requirements inasmuch as he did not meet the requirements of the rules:

Samant, Hrishikesh Vasudeo, M.D.

36. Licensure and Certification; Telemedicine Permit. On the motion of Dr. Clark, duly seconded by Dr. Amusa, and passed by unanimous voice vote, the Board voted to consider an item of new business, telemedicine permits. The Board noted that in processing the applications for telemedicine permits, FCVS is not required. Following review and discussion on the motion of Dr. Clark, duly seconded by Dr. Amusa, and passed by unanimous voice vote, the Board approved the requirement of FCVS for a telemedicine permit to commence in June 2016.

[37.] Personal Appearance/Docket Calendar; Formal Hearing; Arnold Erwin Feldman, M.D.² On the motion of Dr. Farris, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session for the formal hearing in the matter of Arnold Erwin Feldman, 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.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 7:00 p.m., on Monday, April 11, 2016, to reconvene at the offices of the Board at 8:00 a.m., Tuesday, April 12, 2016.

***Second Session
Tuesday, April 12, 2016***

The meeting of the Louisiana State Board of Medical Examiners reconvened at 8:00 a.m., Tuesday, April 12, 2016 at the offices of the Board with members of the hearing panel present as follows: Drs. Amusa, Clark, Busby and Farris.

[38.] Personal Appearance/Docket Calendar; Formal Hearing; Arnold Erwin Feldman, M.D.³ On the motion of Dr. Farris, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board reconvened in executive session for continuation of the formal hearing in the matter of Arnold Erwin Feldman, 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.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 4:30 p.m., on Tuesday, April 12, 2016, to reconvene at the offices of the Board at 9:00 a.m., Wednesday, April 13, 2016.

***Third Session
Wednesday, April 13, 2016***

The meeting of the Louisiana State Board of Medical Examiners reconvened at 9:00 a.m., Wednesday, April 13, 2016 at the offices of the Board with members of the hearing panel present as follows: Drs. Amusa, Clark, Busby and Farris.

[39.] Personal Appearance/Docket Calendar; Formal Hearing; Arnold Erwin Feldman, M.D.⁴ On the motion of Dr. Busby, duly seconded by Dr. Amusa and passed by unanimous voice

² Drs. Burdine and Dawson recused himself from any and all participation in discussion and/or consideration of this matter.

³ Drs. Burdine and Dawson recused himself from any and all participation in discussion and/or consideration of this matter.

⁴ Drs. Burdine and Dawson recused himself from any and all participation in discussion and/or consideration of this matter.

vote, the Board reconvened in executive session for continuation of the formal hearing in the matter of Arnold Erwin Feldman, 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.

40. Next Meeting of Board. The President reminded the members that the next meeting of the Board was scheduled for May 9, 10, 2016.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 3:00 p.m., on Wednesday, April 13, 2016.

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 April 11, 12, 13, 2016 and approved by the Board on the 9th day of May, 2016.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 9th day of May, 2016.

Christy Lynn Valentine, M.D.
Secretary-Treasurer

Attest:

J. Michael Burdine, M.D.
