

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**FEBRUARY 13, 2017
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, February 13, 2017, by order of the Vice-President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana,

Board Members present as follows:

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

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

Keith C. Ferdinand, M.D., FACC, FAHA, Interim Executive Director
Cecilia Ann Mouton, M.D., Director of Investigations
Denise Businelle, Director of Operations
Emily Dianne Eisenhauer, M.D., Assistant Director of Investigations
Jennifer Stoler, Attorney, General Counsel 1
Lesley Rye, RN, Compliance Investigator
Cathy Storm, RN, Compliance Investigator
Lillie Rodgers, Investigations Manager
Shelley Humphrey, Assistant Investigations Manager
Aloma James, Licensing Analyst Supervisor
Rita L. Arceneaux, Executive Assistant

Legal counsel to the Board was present as follows:

Judge Michael G. Bagneris (Ret)

Philip O. Bergeron

- 1. General Administrative Matters; John Michael Burdine, M.D., President.** The Board noted John Michael Burdine, M.D., President, submitted his resignation from the Board effective January 16, 2017 and ordered a plaque struck for his service to the Board.
- 2. General Administrative Matters; Oath of Office; Joseph Kerry Howell, M.D.** The Board welcomed Joseph Kerry Howell, M.D., recently appointed to the Board by Governor John Bel Edwards replacing Dr. Burdine. He was administered the Oath of Office by Dr. Farris which will be forwarded to the appropriate offices of the Governor for Senate confirmation.
- 3. General Administrative Matters; Election of Officers.** Dr. Farris called for the election of officers. On the motion of Dr. Dawson, duly seconded by Dr. Clark, Dr. Dawson nominated Dr. Farris for the office of President. There being no further nominations and the nominations duly closed, the Board elected Dr. Farris President by acclamation. Upon opening the nominations for the office of Vice-President, Dr. Dawson moved, duly seconded by Dr. Clark, Dr. Dawson nominated Dr. Valentine for the office of Vice-President. There being no further nominations and the nominations duly closed, the Board elected Dr. Valentine Vice-President by acclamation. Upon opening the nominations for the office of Secretary-Treasurer, upon the motion of Dr. Dawson, duly seconded by Dr. Valentine, Dr. Dawson nominated Dr. Clark for the office of Secretary-Treasurer. There being no further nominations, and the nominations duly closed, the Board elected Dr. Clark Secretary-Treasurer by acclamation.
- 4. Minutes of January 9, 2017 Meeting.** The Board reviewed the minutes of its meetings held January 9, 2017. On the motion of Dr. Amusa duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the minutes of the meetings with all necessary corrections.
- 5. 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.
- 6. Licensure and Certification; Ochsner Medical Center; Ochsner Sports Medicine Residency Program.** The Board reviewed the follow-up correspondence received from Christine A. Guillory, Associate General Counsel, Ochsner Health System, providing a copy of the Sports Medicine Assistant Residency Program as revised in accordance with the Board's feedback. Following review and discussion, it was the consensus of the Board to inform Ms. Guillory that while the revised program as outlined addressed many of the issues raised, some of the program descriptions indicate that unlicensed individuals may in certain areas exercise independent medical judgment and venture into the authorized practice of medicine.
- 7. Rulings and Advisory Opinions; Physician Assistant ("PA"); Scope of Practice; Do Not Resuscitate ("DNR") Orders.** The Board reviewed correspondence from Meredith M. Miceli, Associate General Counsel, Ochsner Health Systems, requesting an advisory opinion on whether or not a PA may enter and sign a DNR order for patients with or without the capacity to make health care decisions. Following review and discussion, it was the consensus of the Board

to advise Ms. Micheli, that in accordance with the Louisiana Declarations Concerning Life Sustaining Procedures Act, that while a PA may see patients or assist the supervising physician by eliciting history, gathering information and performing examinations, only a physician may lawfully issue a DNR order based on his or her personal evaluation of the patient.

8. Rulings and Advisory Opinions; Occupational Therapy; Scope of Practice; Systemic Dry Needling. The Board reviewed follow-up correspondence received from Michael A. Barnes, MS, OTR/L, CHT, Barnes Rehabilitation Center, asking the Board to reconsider its prior opinion regarding the ability of occupational therapists to perform dry needling. Following review and discussion, it was the consensus of the Board to inform Mr. Barnes that its previous opinion has not changed that dry needling is not within the scope of practice for occupational therapists.

9. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Performance of Pulmonary Function Testing. The Board reviewed correspondence received from Jacklyn Pitts, MSN, RN, Regulatory Manager, University Hospital and Clinics asking whether it is within the scope of practice for respiratory therapists to perform pulmonary function testing ("PFT") ordered by a physician, APRN, or PA, that were specified within the PFT protocol approved annually by the Respiratory Therapy Medical Director and the Medical Executive Committee. Following review and discussion, it was the consensus of the Board to concur with the Respiratory Therapy Advisory Committee that it is within the scope of practice for respiratory therapists to perform PFT through PFT protocol previously approved.

10. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Use of Continuous Nebulizer Medication on an Infusion Pump. The Board reviewed correspondence received from Brandon Garsee, BS, RRT, University Health- Shreveport asking whether it is within the scope of practice for respiratory therapists to setup and manage an infusion pump to deliver medication to the nebulizer. Following review and discussion, it was the consensus of the Board to concur with the Respiratory Therapy Advisory Committee that it is within the scope of practice for respiratory therapists to deliver continuous nebulizer medication through an infusion pump.

11. Rulings and Advisory Opinions; Respiratory Therapy; Scope of Practice; Nebulization of Narcan for Suspected Opioid Overdose. The Board reviewed correspondence received from Debbie Duet, Respiratory Coordinator, Terrebonne General Medical Center, asking whether it is within the scope of practice for respiratory therapists to administer nebulized narcan for suspected opioid overdose. Following review and discussion, it was the consensus of the Board to concur with the Respiratory Therapy Advisory Committee that it is within the scope of practice for respiratory therapists to administer nebulized narcan, a non-controlled substance, as ordered by a physician, APRN or PA.

12. Rulings and Advisory Opinions; Administration of Ketamine. The Board reviewed correspondence received University Medical Center regarding the Louisiana State Board of Nursing's Declaration on the Role and Scope of Practice relative to the administration of ketamine by non-certified registered nurse anesthetist. Following review and discussion, it was the consensus of the Board to refer this matter to the Louisiana State Board of Nursing for handling.

13. Communication and Information; HCR 113; Louisiana Commission on Preventing Opioid Abuse. The Board reviewed the report of Jennifer Stolier, Attorney, of the Board's staff on HCR 113 Louisiana Commission on Preventing Opioid Abuse on the meeting held January 19, 2017 in Room 118 of the Louisiana Department of Health, Bienville Building in Baton Rouge. No further action was required or taken on this matter.

14. Communication and Information; National Commission and Certification of Physician Assistants ("NCCPA"); Statistical Profile. The Board reviewed the 2015 Statistical Profile of Certified Physician Assistants by State, particularly Louisiana. No further action was required or taken on this matter.

15. Communication and Information; Training Matters; A Retrospective Study of Physician Disciplinary Actions by the Louisiana State Board of Medical Examiners, 1990-2010. The Board reviewed a copy of the article written by Susan H. Allen, Dr.Ph, MHA, Robert L. Marier, M.D., MHA, Cecilia Mouton, M.D., and Arti Shankar, PhD., *Training Matters: A Retrospective Study of Physician Disciplinary Actions by the Louisiana State Board of Medical Examiners, 1990-2010*, published in the Federation of State Medical Boards, Journal of Medical Regulation. No further action was required or taken on this matter.

16. Communication and Information; Public Understanding of Certification and/or Board Certification. The Board reviewed various articles relative to the public's understanding of certification and/or Board certification presented for information only.

17. General Administrative Matters; Merian Glasper, Director of Licensure. Dr. Ferdinand reported on the retirement of Merian Glasper, Director of Licensure, who had been an employee for 36 years and Director of Licensure for nearly fifteen years. Following his report, on the motion of Dr. Amusa, duly seconded by Dr. Clark, and passed by unanimous voice vote, the Board approved a plaque to be given to Ms. Glasper expressing the Board's appreciation for her years of service.

18. General Administrative Matters; Interim Executive Director's Report. The Board received the report of its Interim Executive Director on his activities since the last meeting of the Board. Dr. Ferdinand reported that a medical marijuana meeting took place with the Louisiana State Board of Pharmacy to discuss the logistics of the medical marijuana law and its implementation for physicians who choose to recommend marijuana for medicinal usage. He reported that the development of an application package as well as an online course needed to be in place once other aspects of the law are available. Following his report, on the motion of Dr. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board approved the development of an application package along with an online course in accordance with the law and the Board's rules.

19. General Administrative Matters; Prescription Monitoring Program ("PMP") Advisory Council. The Board received the report of the quarterly meeting of the Prescription Monitoring Advisory Council held on January 11, 2017 in Baton Rouge submitted by Jennifer Martin Stolier of the Board's staff. Mrs. Stolier reported that an increasing number of states is utilizing the PMP

and Louisiana is now able to share information with 14 other states via the PMP Interconnect. No further action was required or taken on this matter.

20. General Administrative Matters; Pathology Assistants. The Board reviewed the request of its Clinical Laboratory Personnel Committee for a written statement relative to the licensure requirement of pathology assistants. Following review and discussion, it was the consensus of the Board to invite, Patsy Jarreau, Associate Director, Clinical Laboratory Personnel, to appear at the next meeting of the Board to discuss this matter and in the interim to note that at present, the Board does not license pathology assistants.

21. General Administrative Matters; Clinical Laboratory Personnel Committee; Nominations. The Board reviewed the list of nominees for appointment to the Clinical Laboratory Personnel Committee. Following review and discussion, it was the consensus of the Board to defer action on the appointment from the Board pending receipt of additional information.

22. General Administrative Matters; Financial Reports. The Board reviewed the highlights of the Board's Financial Report submitted by Denise Businelle, Director of Operations along with the budgeted expenditures versus actual through January 31, 2017, the Budget Analysis-Detailed for 2016 and the request for reinstatement of the performance adjustments for FY 2015-16. Following her report, it was the consensus of the Board to defer action on the request relative to the reinstatement of performance adjustments for FY 2015-16 pending receipt of additional information on approval from the Louisiana Department of State Civil Service.

23. General Administrative Matters; Personal Appearance; Luis Alvarado, M.D., Immediate Past President, Louisiana State Medical Society. On motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board voted to take up an item of new business, personal appearance Luis Alvarado, M.D., Immediate Past President, Louisiana State Medical Society. Dr. Alvarado appeared before the Board to urge a new era of communication between the LSMS and Board to lay aside past differences and begin to build bridges for the betterment of the medical profession and the call to serve the citizens of Louisiana.

24. Rules and Regulations.

- a. **Final Rules/Amendments:** None published since the last meeting of the Board.
- b. **Rules/Amendments – Noticed for Intent to Adopt: Physicians; Medical Marijuana:** Act 96 (SB271, Sen. Mills) of the 2016 Session of the Louisiana Legislature made several changes to the law applicable to therapeutic marijuana. Among other items, the amendments: (i) change the terminology of the act of ordering the drug for a patient from "prescription" to "recommend;" (ii) change the term for, and expand the medical conditions by, "eligible diseases and conditions" to a "debilitating medical condition;" (iii) provide for certain exceptions in the event of approval of the drug by the USFDA; and (iv) necessitate various other changes to the Board's current rules. In order to accommodate such changes, an initial draft of the amendments were prepared and presented to the Board for review and discussion at its July 2016 meeting, along with a copy of Act 96 for ease of reference. Following due consideration, the Board and staff suggested additional changes and incorporated them into a revised draft. Following further discussion and

consideration at its August 2016 meeting, the Board approved the amendments and voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. Said NOI appeared in the October 2016 edition of the *Louisiana Register*. During the comment period, timely comments were received. Following due consideration at its December 2016 meeting, the Board voted to reject the comments and promulgate the amendments in the same form as previously noticed by and upon publication in the *Louisiana Register*. It is anticipated that the final amendments will become final by and upon promulgation in the February 20, 2017 edition of the *Louisiana Register*. **Physicians; Telemedicine:** Acts 630 (Rep. Schroder) and 252 (Rep. K. Jackson) of the 2016 Session of the Louisiana Legislature made several changes to the laws applicable to telemedicine. In order to accommodate such changes, an initial draft of amendments was prepared and presented to the Board for review and discussion along with copies of the Acts and an annotated version of the resulting changes to the Louisiana Medical Practice Act at its July 2016 meeting. Following due consideration, the Board and staff suggested additional changes that were incorporated into a revised draft and presented for review and discussion at its August 2016 meeting following which the Board approved the amendments and voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. Said NOI appeared in the October 2016 edition of the *Louisiana Register*. Timely comments (of appreciation) were received during the comment period; however, no comment required a substantive change to the proposed amendments. Following due consideration at its December 2016 meeting, the Board voted to promulgate the amendments, in the same form as previously noticed, by and upon publication in the *Louisiana Register*. It is anticipated that the final amendments will become final by and upon promulgation in the February 20, 2017 edition of the *Louisiana Register*.

c. **Rules/Amendments Under Development: 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 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. During the May agenda, the Board reviewed the additional information submitted by the various stakeholders and entertained brief presentations by the plastic and cosmetic surgeons along with a comment from a dermatologist. Following their dismissal, it was the consensus of the Board to form a Special Committee consisting of

individuals recommended by the deans of the state's medical schools and a former Board member, to provide information on the processes involved in the accreditation of physician post-graduate training. During its January 2017 meeting, the Board received the committee's input. Following discussion, the Board requested certain changes to the draft previously appearing on its agenda, along with additional information for its consideration. This will be presented in due course. In the interim, information on the public's understanding of the concept of Board Certification was included as a separate agenda item as noted above. **Athletic Trainers:** The Board's Athletic Trainer Advisory Committee worked 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. The Committee submitted additional changes that were incorporated into a draft presented to the Board for review and discussion at its July 2016 meeting. Following further review and consideration at its August 2016 meeting, the Board approved the amendments and approved publication of a *Notice of Intent* to adopt the rule amendments in 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 is 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 solicited the input of its PA Advisory Committee ("PAAC") and the Louisiana Association of Physician Assistants ("LAPA") respecting the amendments made necessary by virtue of Act 453. A draft of proposed amendments were received from PAAC in conjunction with the LAPA in August 2016. Following a meeting between staff and representative of the PAAC/LAPA, a revised draft presented for consideration was approved by the Board. At its January 2017 meeting, the Board approved suggested amendments and authorized with one additional change to 1521B.5 respecting the development of an educational activity, and voted to provide *Notice of Intent* to adopt the amendments in the *Louisiana Register*. **Physicians; Training:** During its December 2015 meeting, the Board received a further report from staff outlining the review and analysis of data, which correlates 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 staff's recommendation 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. The Board gave initial consideration to the draft during the April 2016 meeting. Following further review and discussion at its June 2016 meeting, the Board approved providing a *Notice of Intent* to adopt rules requiring three years of post-graduate training for both US and International Medical Graduates commencing January 2019. **Acupuncture:** Act 550 (HB 557 Rep. Jay Morris) of the 2016 Session of the Louisiana Legislature made several changes to the laws governing the practice of acupuncture in this state. A rulemaking effort is needed to conform the Board's existing rules to the changes. In the interim, the law as amended by Act 550 controls any disparity with the rules. The Board has received the input of the Acupuncture Association of Louisiana. At its December 2016 meeting the draft amendments were presented for initial

review and consideration. Following due consideration at its January 2017 meeting, the Board approved the amendments and approved publication of a *Notice of Intent* to adopt the amendments in the *Louisiana Register*.

[25.] Minutes of January 9, 2017, Executive Sessions. On the motion of Dr. Valentine, 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 January 9, 2017. 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 minutes of the executive sessions conducted during its meeting of January 9, 2017.

[26.] Report on Pending Litigation. On the motion of Dr. Amusa, duly seconded by Dr. Clark, 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. The Board also noted that there was no response received to their request for a meeting with the Office of the Attorney General. Following review and discussion, it was the consensus of the Board to forward a follow-up letter regarding this matter.

[27.] Communication and Information; Tulane University; School of Medicine; Department of Orthopaedics. On the motion of Dr. Clark, duly seconded by Dr. Valentine and passed by unanimous voice vote, the Board convened in executive session, to consider correspondence relating to the character and professional conduct of a licensee, and allegations of misconduct, La. Rev. Stat. §42:17A(1) and (4). The Board considered the correspondence received from Charles R. Billings, M.D., Assistant Professor Tulane University School of Medicine relative to narcotics prescribing profile. Following review and discussion, the Board resumed in open session. On the motion of Dr. Amusa, duly seconded by Dr. Howell, and passed by unanimous voice vote, the Board acknowledged receipt of certain revisions to the narcotics prescribing profile of the Tulane Department of Orthopaedics and called their attention to the Board's pain rules to the extent that they are applicable.

[28.] Personal Appearances/Docket Calendar. On the motion of Dr. Valentine, duly seconded by Dr. Clark, and passed by unanimous voice vote, the Board convened in executive session, to review the calendar of personal appearances and docketed hearings, as matters relating to the character and professional conduct of a licensee and allegations of misconduct, La. Rev. Stat. 42:17 A(1), (4). No further action was required or taken on this matter.

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

- a. Interim Action: The Board approved the Interim Action handled by the President and/or the Vice-President in his absence:

Docket No., 16-I-885

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

Investigation No., 16-I-714
Investigation No., 15-I-424

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

Peter Andrew Zimmerman, M.D., Docket No., 16-I-377
Randy Joseph Lamartiniere, M.D., Docket No., 14-I-1084
Shanna Bryan Sanders, OTA, Docket No., 14-I-573
Keishan Lynn Chaudoir, CLP, Docket No., 17-I-038
Ashley Elizabeth Roe, CLS, Docket No., 16-I-083
Trevor Michael Volleweider, ATH, Docket No., 17-I-082

- d. Closed/Dismissed: The following matters were closed/dismissed with a Letter of Concern:

Docket No., 16-I-1046
Docket No., 13-I-982

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

Docket No., 15-I-235
Docket No., 14-I-799
Docket No., 16-1064
Docket No., 16-I-719

- f. The Board reviewed the Closed Complaint Cases Report for January 2017.

[30.] General Administrative Matters; Selection Committee; Executive Director. On the motion of Dr. Clark, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board convened in Executive Session to receive the report of the Selection Committee relative to the search for an Executive Director pursuant to La.Rev.Stat. 42:17A(3). Dr. Valentine reported that the Committee reviewed all resumes/curriculum vitae submitted. Following her report, the Board resumed in open session. It was the consensus of the Board to adhere to the recommendations of the Selection Committee to interview five applicants at the March meeting of the Board.

[31.] General Administrative Matters; Collaborative Practice Subcommittee on Advanced Practice Registered Nurses. On motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board voted to take up an item of new business, Collaborative Practice Subcommittee on Advance Practice Registered Nurses. The Board received the report

of its Subcommittee. Following the report, the Board resumed in open session. It was the consensus of the Board to follow-up with Karen Lyon, Executive Director, Louisiana State Board of Nursing.

[32.] General Administrative Matters; Termination of Professional Service Contract. On the motion of Dr. Amusa, duly seconded by Dr. Clark, the Board convened in executive session to discuss termination of professional services contract, pursuant to La. Rev. Stat. 42:17A (1), as recommended by its Interim Executive Director. Following review and discussion, the Board resumed in open session. On the motion of Dr. Clark, duly seconded by Dr. Amusa, and passed by unanimous voice vote, the Board voted to terminate the professional consulting contract.

[33.] Physicians Health Program. On the motion of Dr. Amusa, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session to receive the report of Brian Zganjar, M.D., Interim 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.

[34.] General Disciplinary Matters; Personal Appearance; Lawrence Francis Chenier III, M.D. On the motion of Dr. Valentine, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session for the personal appearance of Lawrence Francis Chenier 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. Chenier 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. Valentine and passed by unanimous voice vote, approved the request of Dr. Chenier for a full, unrestricted license, off probation.

[35.] General Disciplinary Matters; Personal Appearance; Kevin T. Schlamp, M.D. On the motion of Dr. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session for the personal appearance of Kevin T. Schlamp, 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. Chenier 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. Clark, duly seconded by Dr. Valentine and passed by unanimous voice vote, approved the request of Dr. Schlamp for a full, unrestricted license, off probation.

[36.] General Disciplinary Matters. On the motion of Dr. Dawson, duly seconded by Dr. Amusa, and passed by unanimous voice vote 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. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, made the following decisions:

- a. Morris, Jed Lane, M.D. – To defer action on the request of Jed Lane Morris, M.D., for reinstatement of his license to a full, unrestricted status, off probation pending a personal appearance before the Board.
- b. Prats, Lester J., Jr., M.D. – To approve the request of Lester J. Prats, Jr., M.D., for reinstatement of his license to a full, unrestricted status, off probation.
- c. Foy, Mark Edward, LRT – To approve the request of Mark Edward Foy, LRT, for reinstatement of his license to a full, unrestricted status, off probation.
- d. Work, Kevin Govan, M.D. – To deny the request of Kevin Govan Work, M.D., for reinstatement of his inactive license.
- e. Butler, Christopher Thomas, PA – To deny the request of Christopher Thomas Butler, PA, for early reinstatement of his license to a full, unrestricted status, off probation.

[37.] Professional Liability Report. On the motion of Dr. Clark, duly seconded by Dr. Amusa 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.

[38.] Investigative Reports; Other Matters; Criminal Justice Conference on Sexual Assault. On the motion of Dr. Valentine, duly seconded by Dr. Clark, and passed by unanimous voice vote, the Board convened in executive session to receive the report on the Criminal Justice Conference on Sexual Assault attended by Jennifer Stolier, Attorney, Lesley Rye, RN and Cathy Storm, RN, of the investigative staff, held in New Orleans, February 1-3, 2017. No further action was required or taken on this matter.

[39.] Licensure and Certification; Clinical Laboratory Personnel. On the motion of Dr. Dawson, 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 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:

Generalist

Wilson, Matthew Jason

Specialist

Nordman, David

[40.] Licensure and Certification; Medical Psychology. On motion of Dr. Dawson, duly seconded by Dr. Howell 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. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, approved the following for licensure provided all other requirements had been met:

Schechter, Lynn R.

[41.] 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 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. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote made the following decisions:

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

Collin, Carlos
Grossman, Clifford N.
Lekic, Tim
Lescale, Tim

Mangat, Gagandeep
Sheeban, Patrick John
Sommers, Kimberly Ann

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

Riccardi, Patrizia
Rich, Brian Keith

Saracino, Dino Peter

[42.] Licensure and Certification; International Medical Graduates. On the motion of Dr. Valentine, duly seconded 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). The Board reviewed the follow-up information presented relative to this matter. Following the review, the Board resumed in open session. On the motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the application of Abhishek Mathur, M.D., for licensure provided all other requirements had been met.

[43.] Licensure and Certification; Other Licensure Matters; Continuing Medical Education (“CME”). On motion of Dr. Amusa, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session to consider the list of physicians submitted for suspension due to non-compliance of CME documentation 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, deferred action on the suspension of their medical licenses and voted to send a certified letters to those requiring documentation and to contemplate a rule change for CME requirements.

[44]. General Administrative Matters; Board Communications. On motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session to consider the draft correspondence prepared relative to communication to outside entities as a matter of the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:17A(3). Following review and discussion, on the motion of Dr. Clark, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board approved the draft correspondence as prepared for dissemination.

45. Next Meeting of Board. The President reminded the members that the next meeting of the Board is scheduled for March 13, 14, 2017.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 3:30 p.m., on Monday, February 13, 2017.

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 February 13, 2017 and approved by the Board on the 13th day of March, 2017.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 13^h day of March 2017.

Roderick V. Clark, M.D.
Secretary-Treasurer

Attest:

Kenneth Barton Farris, M.D.
President