

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**FEBRUARY 17, 2020
NEW ORLEANS, LOUISIANA**

A meeting of the Louisiana State Board of Medical Examiners, pursuant to lawful notice, was convened and called to order at 8:30 a.m., Monday, February 17, 2020, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present as follows:

Roderick V. Clark, M.D., President
Joseph Kerry Howell, M.D., Vice-President, M.D.
Terrie R. Thomas, M.D., Secretary-Treasurer
Rita Y. Horton, M.D.
Lester Wayne Johnson, M.D.
Patrick K. O'Neill, M.D.
Kim S. Sport, JD
James A. Taylor, Jr., M.D.
Christy Lynn Valentine, M.D.
Leonard Weather, Jr., M.D.

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

Vincent A. Culotta, Jr., M.D., Executive Director
Denise Businelle, Deputy Executive Director
Lawrence H. Cresswell, DO, JD, Director of Investigations
Mary K. Peyton, Esq., General Counsel
Thadra C. White, Esq., Compliance Counsel
Aloma James, Director of Licensure
Leslie Rye, Compliance Investigator
Carol Chauvin, Compliance Investigator
Jacinta Duthu, Administrative Program Specialist
Rita L. Arceneaux, Executive Staff Officer

Legal counsel to the Board was present as follows:

Philip O. Bergeron
Don K. McKinney
Michael G. Bagneris (Ret)

Members of the public present as follows:

See list attached

1. **Pledge of Allegiance.** All recited the Pledge of Allegiance.
2. **Mission Statement.** Mr. Freddie Broussard, IT Technical Support Specialist, read the mission statement of the Board.
3. **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.
4. **Rulings and Advisory Opinions; Telemedicine Buprenorphine Clinic.** The Board reviewed an inquiry received from Christopher Rodgman, M.D., asking whether Louisiana law and/or the rules of the Board allow for a DATA waived physician working in conjunction with a nurse practitioner to operate a telemedicine buprenorphine clinic. He noted that federal regulations allow for specific situations. Dr. Rodgman also asked if there is a cap on the number of nurse practitioners with whom a physician can collaborate. Following review and discussion, it was the consensus of the Board to research and confirm the federal regulations on this matter and prepare a draft response for consideration at the next meeting of the Board.
5. **Rulings and Advisory Opinions; Personal Appearances; Medical Marijuana to Out-of-State Patients.** The Board reviewed electronic correspondence received from Christina Jones, M.D., seeking confirmation on whether it is legal for Louisiana physicians to recommend therapeutic medical marijuana to out-of-state patients. Kathryn Thomas, Healing Clinic, appeared before the Board on behalf of Dr. Jones, pointing to the fact that the law says “patients” and the rules of the Board say “Louisiana patients”. Jacob Irving, Esq., registered lobbyist, appeared and stated the intent of the law was that recommendation of medical marijuana was intended for all patients, in and out-of-state. Following their appearances, the Board stated that inasmuch as the Board’s rules pre-date the law, they would review the matter and provide a response.
6. **Rulings and Advisory Opinions; Coroner’s Emergency Certificate.** The Board reviewed a request for an advisory opinion from Majid Khan, M.D., on who can legally issue a Physician Emergency Certificate (“PEC”) or Coroner’s Emergency Certificate (“CEC”) and whether it is appropriate and/or encouraged for the CEC to be completed by nurse practitioners or physician assistants when psychiatrists are available. Dr. Khan also requested statistics for CEC’s not certified (i.e. patient does not meet the criteria for involuntary commitment) for the parishes of East Baton Rouge, Jefferson, Orleans and St. Tammany. Following review and discussion, it was the consensus of the Board to draft correspondence in response for review at

the next meeting of the Board advising him that the Board does not have jurisdiction over the coroner's office.

7. Rulings and Advisory Opinions; Physician Assistants; Scope of Practice; Removal of Percutaneous Intraaortic Balloon Pump. The Board reviewed the electronic correspondence received from Kathleen Degeyter, RHIA, CPMSM, Director of Medical Staff Services, Lafayette General Health, asking is the removal of a percutaneous intraaortic balloon pump within the scope of practice of a physician assistant. Following review and discussion, it was the consensus of the Board to research whether this is a delegable task and prepare a draft response for the next meeting of the Board.

8. Communication and Information; Louisiana Board of Pharmacy; Pharmacy Benefit Manager Monitoring Advisory Council. The Board noted that Act 124 of the 2019 Legislature created the Pharmacy Benefit Manager Monitoring Advisory Council of which the Board is one of twenty organizations named to the membership. Following review and discussion, Dr. Thomas volunteered to serve on this Council.

9. Communication and Information; Federation of State Medical Boards, Inc. The Board noted that the Federation of State Medical Boards, Inc., annual meeting was scheduled for April 30-May 2, 2020 in San Diego, California. Drs. Clark, Thomas, Valentine, Horton, Weather and O'Neill indicated they planned to attend.

10. General Administrative Matters; President's Report. The Board received the report of its President on his activities since the last meeting of the Board. No further action was taken or required on this matter.

11. General Administrative Matters; Executive Director's Report. The Board reviewed the report of its Executive Director on his activities since the last meeting of the Board. No further action was required or taken on this matter.

12. General Administrative Matters; License Certificates; Doctor of Osteopathy. The Board noted that the certificates for physicians graduating from osteopathic schools were different from those graduating from allopathic schools. The Board also noted that law and rules of the Board define physician as those holding an allopathic degree or an osteopathic degree from a medical school. Following review and discussion, on the motion of Dr. Valentine, duly seconded by Dr. Weather and passed by unanimous voice vote, the Board approved issuing certificates that state both osteopathic and allopathic are licensed to practice as a physician in the state of Louisiana.

13. General Administrative Matters; Personal Appearance; Jesse McCormick, Capitol Partners; Newsletter Article; Medical Marijuana and the Pain Rules. Jesse McCormick, Capitol Partners, representing the Louisiana Association of Therapeutic Alternatives, appeared before the Board to address their concerns regarding limiting pain patients to a single doctor for both their therapeutic marijuana recommendations and opiate prescriptions. Katie Mayers also appeared and offered comments relating to management of her pain from brain surgery and the many opiate prescriptions she has had since 2005. She finds medical marijuana helpful and felt being limited to one physician would be problematic. Jacob Irving, Esq., offered the suggestion

that the pain doctor and the physician recommending medical marijuana could work together. Following their appearance and discussion on this matter, it was the consensus of the Board to have staff look at the interpretation of the pain rules.

14. Rules and Regulations.

- a. **Final Rules/Amendments:** None since the last meeting.
- b. **Rules/Amendments; Noticed for Intent to Adopt: Physicians; Complaints and Investigations:** – Pursuant to the Board’s request, a rulemaking effort is being commenced to conform its rules on complaints and investigations to various changes in the law resulting from Act 599 (HB 778, Rep. K. Jackson) of the 2018 Regular Session of the Legislature. A draft was presented for initial review and consideration. Following review and discussion at its October 2018 meeting, it was the consensus of the Board to provide a preview draft to various stakeholders prior to providing *Notice of Intent* to adopt the amendments. Following a report that there had been no negative feedback from the various stakeholders, at its December 2018 meeting, the Board voted to provide *Notice of Intent*. At the request of the President, the rule effort was delayed until the March 2019 meeting to provide the Board the opportunity to consider a new rule on the assessment of fees in administrative disciplinary proceedings. During the June 2019 meeting, the Board voted to provide *Notice of Intent* to adopt the originally proposed amendments in the *Louisiana Register* and give further consideration to the rule on assessment of costs. The proposed changes were transmitted to and approved by the Occupational Review Commission. *Notice of Intent* appeared in the December 20, 2019 edition of the *Louisiana Register*. Following publication of the *Notice of Intent*, a public hearing was not requested and no written comments were received during the comment period. Notice was subsequently submitted to the LORC and a final report was transmitted for legislative oversight. It is anticipated that the final amendments will appear in the March 2020 edition of the *Louisiana Register*. **Physician Practice; Therapeutic Marijuana:** Act 284 (2019 Regular Session), amended state law governing medical marijuana in a manner that impacts the Board’s existing rules in several respects e.g., removes the: (i) requirement for annual reporting by the Board to the legislature as to any additional diseases or conditions that should be added or removed from the list of debilitating conditions; (ii) requirement that a physician utilize *step therapy or fail first* protocols; and (iii) physician domiciliary requirement for a physician to recommend marijuana. At its August 2019 meeting, the Board voted to provide *Notice of Intent* to adopt the rule amendments in the *Louisiana Register*. The proposed changes were transmitted to and approved by the Louisiana Occupational Review Commission at its meeting of October 30, 2019. The *Notice of Intent* appeared in the December 20, 2019 edition of the *Louisiana Register*. Technical errors by the *Louisiana Register* resulted in a republication of the *Notice of Intent* with an Editor’s Note of explanation in the January 2020 edition of the *Register*. Following publication of the *Notice of Intent*, a public hearing was not requested and no written comments were received during the comment period. Notice was subsequently submitted to the LORC and a final report was transmitted for legislative oversight. It is anticipated that the final amendments will appear in the March 2020 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. It was noted that an advisory opinion on *Physician Compounding is on our website*. Following discussion, it was the consensus of the Board to have this opinion placed on the Board's agenda for discussion at next month's meeting. **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 word 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 2016 meeting, the Board reviewed the additional information submitted by the various stakeholders and entertained brief presentations by interested parties. Following discussion, the Board voted to defer action on this rule-making effort pending further review and voted to designate 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. Following further discussion and consideration at its April 2017 meeting, the Board voted to provide *Notice of Intent* to adopt Draft 2(A). During the March 2018 meeting, the Board determined to defer moving forward to the next step of the rulemaking process until it had an opportunity to further explore and consider all other available options, as well as the outcome of a bill introduced in this session of the Louisiana Legislature that would remove its jurisdiction to act in this matter (See SB 186). It is anticipated that the Board will discuss moving forward on this matter on the next meeting of the Board. **Physicians; Licensure:** Amendments to the physician licensure rules as suggested by staff was presented for initial review and discussion to update generally for consistency with current standards and make other substantive and technical modifications made necessary by the passage of time and current practices. Following review and discussion at its January 2018 meeting, the Board suggested proceeding slowly with the proposed changes to consider how such changes may affect other Sections of the rules. In the interim, the Board approved moving forward with the suggested amendment to §417B to clarify that a renewal reminder would be mailed to licensees in lieu of an actual application. **Physicians; Complaints and Investigations; Assessment of Costs:** During its June 2019 meeting, the Board voted to provide *Notice of Intent* to adopt the originally proposed amendments in the *Louisiana Register* and to give consideration to a rule on assessment of costs. The draft remains under consideration by the Board. **Petitions for Rulemaking:** A rule for the form for petitions for adoption, amendment or repeal of a rule, and the procedure for their submission, consideration and disposition remains under consideration. **Physician Licensure; Waiver of**

Qualifications: The Board had been asked to extend the waiver of licensure qualifications (currently limited by §§315 and 327) to applicants appointed by a medical school to a full-time position at a rank of assistant professor or above) to applicants who will be full-time employees of a *major teaching hospital* as defined by the rules. Among proposed amendments to various other sections of the rules (e.g., §§311, 323, 361 and 363), the request also included a suggested definition for *major teaching hospital* as one which is a sponsor of at least four approved residency programs of which at least two are in certain specialties. A working draft of the proposed amendments was presented for initial review and discussion. On the motion of Ms. Sport, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board voted to provide *Notice of Intent* to amend its rules to extend a waiver of licensure qualifications. **Physician Licensure; International Medical Graduates (IMGs):** The Board has been asked to conform the requirements for post-graduate training (PGY) for international medical graduates (IMGs) with those applicable to US graduates, provided the applicant graduated from an approved medical school. Currently, IMGs are required to complete three years of PGY training in an accredited medical residency training program prior to licensure eligibility. U.S. medical graduates are required to complete 2 years of PGY accredited training or one (1) year with a commitment from the program for PGY-2 training with demonstration of completion of PGY-2 training as a condition to licensure renewal. Among other items, the request includes revising the criteria for approving foreign medical schools (e.g., treating them on par with U.S. Schools), which are accredited by some combination of the World Health Organization, the Accreditation Commission on Colleges of Medicine (ACCM), the National Committee on Foreign Medical Education and Accreditation (NCFMEA) and the Education Commission on Foreign Medical Graduates (ECFMG). A working draft of the proposed amendments was presented for the Board's initial review and consideration. Following review and discussion, it was the consensus of the Board to solicit input from the medical schools and other interested stakeholders prior to proceeding any further. **Physician Licensure; Continuing Medical Education:** On the motion of Dr. Howell, duly seconded by Ms. Sport, and passed by unanimous voice vote, the Board voted to defer action on the request to amend its continuing medical education ("CME") rules for all categories of licensees (starting first with physicians) to utilize an electronic reporting service for tracking and reporting CME hours. Notices will be sent at periodic intervals of the number of CME hours completed/required. A physician who does not satisfy the annual CME requirement will be ineligible for licensure renewal. A draft of the amendments will be presented at the next meeting of the Board. **Podiatry; Performance of History and Physicals:** Noting that a uniform podiatry 3 year postgraduate training program was implemented throughout all podiatry schools in 2013, the Board's Podiatry Advisory Committee has suggested a change in the current rules (1307G) to provide that licensed advanced practice podiatrists with 2 or more years of postgraduate training, may independently perform a complete history and physical ("H&P") on patients for the purpose of preoperative evaluation before podiatric procedure. The Committee also suggested that all licensed advanced practice podiatrists may independently perform a complete H&P for IRB approved podiatry research. The Committee appends its suggestions with the notes that (i) the H&P is done for evaluation and diagnosis only and (ii) there is no financial gain by the performance of H&Ps. On the motion of Dr. Valentine, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board voted to provide a *Notice of Intent* to adopt the proposed rule amendments in the *Louisiana Register*. **Complaints and Investigations ("C&I"):** In

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conformity with recommendations of the LLA, the Board directed the development of: (i) criteria for determining whether to issue public or non-public actions; and (ii) guidance to provide a framework to guide future disciplinary dispositions. Draft rules were compiled to address such criteria and guidance and were attached for consideration. Following review and discussion, it was the consensus of the Board to study the matter further before proceeding.

15. Proposed Legislation 2020. The Board reviewed draft proposed legislation for 2020. No further action was required to taken on this matter.

16. Report on Pending Litigation; New Business; Board Member Reimbursement of Legal Fees. On the motion of Dr. Taylor, duly seconded by Ms. Sport and passed by unanimous voice vote, the Board voted to take up an item of new business, Board member reimbursement of legal fees. The Board noted receipt of a response from the Attorney General giving its opinion that “if the Board determines that the Board member performed the alleged actions in his official capacity, then the Board may, but is not required to, reimburse necessary and reasonable legal expenses after the lawsuit has concluded and resulted in a judgment of no liability”. On the motion of Dr. O’Neill, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board voted to reimburse the legal fees to said Board member.

17. Minutes of January 27, 2020 Meeting. The Board reviewed the minutes of its meeting held January 27, 2019. On the motion of Dr. Taylor, duly seconded by Dr. O’Neill and passed by unanimous voice vote, the Board approved the minutes of the meeting with all the necessary corrections.

18. Public Comments. The President asked if anyone from the public had questions and/or any further comments. Hearing none the pubic session concluded.

[19.] Minutes of January 27, 2020 Executive Sessions. On the motion of Dr. O’Neill, duly seconded by Dr. Howell 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 27, 2020. Following review and discussion, the Board resumed in open session. On the motion of Ms. Sport, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board approved the minutes of the executive sessions conducted during its meeting of January 27, 2020 with any necessary corrections.

[20.] Report on Pending Litigation. On the motion of Dr. Howell, duly seconded by Dr. Thomas and passed by unanimous voice vote, 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.

[21.] Personal Appearances/Docket Calendar. On the motion of Dr. Horton, duly seconded by Dr. O’Neill, 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.

[22.] Healthcare Professionals' Foundation of Louisiana; Physicians Health Program; Personal Appearance; James David Hammond, M.D., Medical Director. On the motion of Dr. Thomas, duly seconded by Dr. Taylor and passed by unanimous voice vote, the Board convened in executive session to receive the report of James David Hammond, M.D., Medical Director, relating to physician health and well-being 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). No further action was required or taken on this matter.

[23.] General Disciplinary Matters; Personal Appearance; Mark Alan Parent, M.D.¹ On the motion of Dr. Howell, duly seconded by Dr. Thomas and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Mark Alan Parent, 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. Parent 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. On the motion of Ms. Sport, duly seconded by Dr. Thomas and passed by unanimous voice vote, the Board approved reinstatement of his license to a full, unrestricted status, off probation.

[24.] General Disciplinary Matters; Personal Appearance; Jacqueline Anne Macaluso, MDW. On the motion of Dr. Taylor, duly seconded by Dr. O'Neill and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Jacqueline Anne Macaluso, MDW, 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). Ms. Macaluso appeared before the Board in connection with her request for modification of the terms of her Order. Following her dismissal, the Board resumed in open session. On the motion of Dr. Valentine, duly seconded by Dr. Thomas and passed by unanimous voice vote, the Board approved modification of the terms of the Order with respect to her practice monitor.

[25.] General Disciplinary Matters; Personal Appearance; Brad Alan Boudreaux, M.D. On the motion of Dr. Howell, duly seconded by Dr. Thomas and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Brad Alan Boudreaux, 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. Boudreaux 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. On the motion of Dr. Weather, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board approved reinstatement of Dr. Boudreaux's license to a full, unrestricted status.

[26.] Investigative Report; Personal Appearance; Gerald Charles Morris, M.D. On the motion of Dr. O'Neill, duly seconded by Dr. Johnson and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Gerald Charles Morris, M.D., accompanied by his attorney, Sherif K. Sakla, M.D., Esq., as a matter relating to the character and professional conduct and allegations of misconduct of a licensee, La .Rev. Stat. §

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

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42:17A(1) and (4). Dr. Morris appeared before the Board in connection with the acceptance of his Consent Order. No further action was required or taken on this matter.

[27.] Investigative Report; Personal Appearance; Andrew Z. Williams, M.D. On the motion of Dr. Horton, duly seconded by Dr. Johnson and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Andrew Z. Williams, 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. Williams appeared before the Board in connection with the acceptance of his Consent Order. No further action was required or taken on this matter.

[28.] Investigative Reports. On the motion of Dr. Thomas, duly seconded by Dr. Howell, and passed by unanimous voice vote, the Board convened in executive session, to consider the investigative reports as a matter 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 Ms. Sport, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board made the following decisions:

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

Investigation No., 19-I-176
Investigation No., 20-I-109
Investigation No., 19-I-1114

Investigation No., 20-I-097
Investigation No., 20-I-083

b. Preliminary Review: The Board approved the request to commence preliminary review in the following matter:

Investigation No., 20-180

c. Formal Investigations: The Board approved an extension of 90 days to commence a formal investigation in the following matters:

Investigation No., 19-1015
Investigation No., 20-85
Investigation No., 20-86
Investigation No., 19-444
Investigation No., 19-894
Investigation No., 19-837
Investigation No., 19-937
Investigation No., 19-1073
Investigation No., 19-712
Investigation No., 19-948
Investigation No., 19-886
Investigation No., 19-631
Investigation No., 19-1042
Investigation No., 19-840

Investigation No., 19-1131
Investigation No., 20-88
Investigation No., 20-102
Investigation No., 20-58
Investigation No., 20-53
Investigation No., 20-101
Investigation No., 20-82
Investigation No., 20-63
Investigation No., 20-49
Investigation No., 20-96
Investigation No., 20-52
Investigation No., 19-1094
Investigation No., 20-75
Investigation No., 20-55

Investigation No., 19-956	Investigation No., 19-1127
Investigation No., 19-810	Investigation No., 19-1122
Investigation No., 19-999	Investigation No., 19-1130
Investigation No., 19-230	Investigation No., 19-1032
Investigation No., 19-229	Investigation No., 19-1144
Investigation No., 19-1010	Investigation No., 20-57
Investigation No., 19-1099	Investigation No., 19-912
Investigation No., 19-1084	Investigation No., 20-118
Investigation No., 20-117	Investigation No., 19-986
Investigation No., 19-965	Investigation No., 19-809
Investigation No., 20-28	Investigation No., 19-672
Investigation No., 18-768	Investigation No., 19-991
Investigation No., 18-665	Investigation No., 19-398
Investigation No., 19-1088	Investigation No., 19-451
Investigation No., 19-774	Investigation No., 19-496
Investigation No., 19-849	Investigation No., 19-527
Investigation No., 19-857	Investigation No., 19-735
Investigation No., 19-814	Investigation No., 19-782
Investigation No., 19-832	Investigation No., 19-541
Investigation No., 19-868	Investigation No., 19-824
Investigation No., 19-1035	Investigation No., 19-850
Investigation No., 19-1051	Investigation No., 19-853
Investigation No., 19-1056	Investigation No., 19-1033
Investigation No., 19-1083	Investigation No., 19-1034
Investigation No., 19-1102	Investigation No., 19-1058
Investigation No., 19-306	Investigation No., 19-1060
Investigation No., 19-419	Investigation No., 19-1052
Investigation No., 19-836	Investigation No., 19-1082
Investigation No., 19-537	Investigation No., 19-1090
Investigation No., 18-902	Investigation No., 19-1091
Investigation No., 19-1131	Investigation No., 19-1101

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

Matthew John Bourg, LRT, Docket No., 19-I-1086
 Laurence H. Smith, M.D., Docket No., 19-I-847
 Kathy Renee Willis, LRT, Docket No., 17-I-254
 Donna A. Walker, M.D., Docket No., 18-I-788
 Jamie Lee Dunn Perrotti, PA, Docket No., 19-I-253²
 Alex Lev Glotser, M.D., Docket No., 19-I-956
 Mohammad Khursheed Anwar, M.D., Docket No., 19-I-206³
 Mark Anthony Schneider, M.D., Docket No., 19-I-7377

² Ms. Sport was opposed to this motion.

³ Ms. Sport was opposed to this motion.

Barbara Ann Bruce, M.D., Docket No., 15-I-424⁴
Daniel Melder, CRT, Docket No., 17-I-937

e. Closed/Dismissed: The following matters were approved for closure/dismissal:

Investigation No., 19-1019	Investigation No., 19-I063
Investigation No., 19-1124	Investigation No., 19-917
Investigation No., 19-1127	Investigation No., 17-I-663
Investigation No., 16-I-694	Investigation No., 19-1133
Investigation No., 19-1144	Investigation No., 19-1067
Investigation No., 20-064	Investigation No., 19-1140
Investigation No., 19-1093	Investigation No., 19-996
Investigation No., 19-1100	Investigation No., 20-013
Investigation No., 19-1126	Investigation No., 19-709
Investigation No., 19-960	Investigation No., 20-017
Investigation No., 19-1123	Investigation No., 19-1062
Investigation No., 19-1004	Investigation No., 19-1045
Investigation No., 20-007	Investigation No., 19-1096
Investigation No., 19-1137	Investigation No., 19-1095
Investigation No., 19-499	Investigation No., 19-948
Investigation No., 19-786	Investigation No., 19-1139
Investigation No., 19-1018	Investigation No., 19-244
Investigation No., 19-775	Investigation No., 19-512
Investigation No., 18-072	Investigation No., 19-1058
Investigation No., 19-I-498	Investigation No., 19-1038

f. Closed/Dismissed: The following matter recommended for closure/dismissal was rejected:

Docket No., 19-609

g. Closed/Dismissed: The following matters recommended for closure/dismissal with a Letter of Concern were accepted:

Investigation No., 19-I-607	Investigation No., 19-I-576
Investigation No., 18-I-689	

h. Closed Complaints Cases: The Board reviewed the Closed Complaint Case Report for the month of January 2020.

[29.] Professional Liability Report. On the motion of Dr. Weather, duly seconded by Dr. Horton and passed by unanimous voice vote, the Board convened in executive session to consider the report on professional liability cases reviewed since the last meeting of the Board as

⁴ Dr. Taylor and Ms. Sport were opposed to this motion.

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 this matter.

[30.] General Disciplinary Matters. On the motion of Ms. Sport, duly seconded by Dr. Horton, the Board convened in executive session to consider the request 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. O’Neill, duly seconded by Ms. Sport and passed by unanimous voice vote, made the following decisions:

- a. Sanders, Shanna Bryan, OTA. – To approve the request of Shanna Bryan Sanders, OTA for reinstatement of her license to a full, unrestricted status, off probation.
- b. Jones, Parker Benjamin, M.D. – To approve the practice setting as requested by Parker Benjamin Jones, M.D., in accordance with the terms of his Order.
- c. Cropper, Rosalind Annette, M.D. – To approve the request of Rosalind Annette Cropper, M.D., to modify the terms of her order.
- d. Thomas, Vanessa, M.D.⁵ – To approve the practice site location as requested by Vanessa Jones, M.D., in accordance with the terms of her Consent Order.

[31.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian Medical Graduates. On the motion of Dr. Thomas, duly seconded by Dr. Taylor 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. Horton, duly seconded by Dr. O’Neill and passed by unanimous voice vote, made the following decisions:

- a. Approved – To approve the request of the following for a waiver of an examination attempt due to extenuating circumstances:

Beurlot, Michelle Renee

- b. Temporary Permits – To approve issuance of temporary permits for a period of 90 days to the following Fort Polk radiologists pending completion of the application process inasmuch as they were military physicians:

Boyette, Timothy Patrick
Cort, Samuel Fitzroy, Jr.
DiDomenico, Paul B.

Habakus, Scott Joseph
Pierpont, Christopher Edward
Pivawer, Gabriel

⁵ Dr. Taylor recused himself from any and all participation in discussion and/or consideration of this matter.

Friedman, Robert Aaron

Shogan, Paul Joseph

c. Temporary Permit – To approve issuance of a temporary permit for a period of 90 days to the following critical burn unit surgeon pending completion of the application process:

Phelan, Herbert Arthur

[32.] Licensure and Certification; Physicians and Surgeons; International/Foreign Medical Graduates. On the motion of Dr. Valentine, duly seconded by Dr. Thomas 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. Thomas, duly seconded by Dr. O'Neill and passed by unanimous voice vote, made the following decision:

Approved – To approve the following for licensure in accordance with §315 of the rules provided all other requirements had been met:

Vijay, Adarsh

[33.] General Administrative Matters; Legislative Auditors Performance Audit Report; Plan of Action; Follow-Up. On the motion of Dr. Valentine, duly seconded by Dr. Howell, and passed by unanimous voice vote, the Board convened in executive session, to consider the follow-up report on the Legislative Auditors Performance Audit Final Report, pursuant to, La.Rev.Stat., 42:17A(10). No further action was required or taken on this matter.

[34.] Act 2018-655 Complaints Report. On the motion of Dr. Horton, duly seconded by Dr. Johnson, and passed by unanimous voice vote, the Board convened in executive session to receive the 655 Complaint Report as a matter relating to the Board's actions and procedures in administrative matters relating to the character and professional conduct of licensees and the handling of those complaints and/or allegations of misconduct, La.Rev.Stat.§42:17A(1) and (4). No further action was required or taken on this matter.

[35.] General Administrative Matters; Personnel Matters; Concern about Board Member Comments. (Note: This item was not on the written agenda, but discussed by unanimous agreement.) On the motion of Dr. Valentine, duly seconded by Dr. O'Neill, and passed by unanimous voice vote, the Board convened in executive session to review a personnel and investigative matter, pursuant to La.Rev.Stat.§42:17A(1) and (4). Following review and discussion, the Board resumed in open session. On the motion of Dr. Taylor, duly seconded by Dr. O'Neill, and passed by majority voice vote, the Board voted to have counsel make recommendations to the Executive Director to identify and retain a third party to investigate the concerns expressed by Dr. Cresswell.

36. Next Meeting of the Board. The President reminded the members that the next meeting of the Board was scheduled for March 23, 24, 2020.

MINUTES OF MEETING
FEBRUARY 17, 2020

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 17, 2020 and approved by the Board on the 27th day of April 2020.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 27 day of April 2020.

Terrie Roselyn Thomas, M.D.
Secretary-Treasurer

Attest:

Roderick Vince Clark, M.D., MBA
President