

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS NEWSLETTER



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A Message from the Physicians' Health Foundation of Louisiana

The Physicians' Health Foundation of Louisiana (PHFL) Physicians' Health Program (PHP) offers assistance to physicians who have substance abuse, chemical dependency, psychiatric illness, disruptive behavior and/or physical limitations that may impair their ability to practice medicine with reasonable skill and safety to their patients. Over the years the PHP has observed many physicians who have progressed to a moderate or severe level of their illness before seeking help on their own volition or before being intervened upon by the PHP, their families, practice partners, hospitals where they have privileges and/or the Louisiana State Board of Medical Examiners (the "Board"). It is completely understandable that physicians may avoid seeking help at any cost due to a number of reasons. The most obvious of these is the perceived consequences for having their illness made known to others. Many physicians believe, for example, that they may lose their license to practice medicine or have it restricted, lose hospital privileges and malpractice insurance, DEA registration, state narcotic license, have to pay increased premiums, be dropped from insurance/health plans or reported to the National Practitioners Data Bank. Couple this with the societal disapproval and lack of understanding and/or knowledge of these illnesses, particularly the "disease concepts" and it becomes increasingly difficult for these physicians to believe that they can access help without some or all of these adverse results becoming a reality. When avoidance occurs and the illness is allowed to progress to a moderate or severe level, it most often does result in some or all of these consequences. However, with early intervention in the progression of the disease, most if not all of them can be avoided.

Physicians who experience impairment-related problems for the first time can self-report to the PHP without any obligation on the part of the PHP to report the physician to the Board. Physicians who have reported to the PHP, cooperate with its recommendations, enter into a monitoring agreement and comply with its terms and conditions are not required to self-report to the Board. The majority of hospitals and malpractice insurance carriers have been very amenable to allowing physicians to maintain their privileges and malpractice coverage if a physician cooperates and complies with the PHP's recommendations.

Insurance companies and health plans have also been amenable to allowing physicians to remain enrolled in their networks, albeit some more than others, if a physician cooperates and complies with the recommendations of the PHP. Again, early intervention is the key to avoiding these consequences from occurring.

Our goal and that of the Board is to help physicians address these problems before they progress and/or escalate to a level that affects their ability to practice medicine with reasonable

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DELMAR RORISON

It is with great sadness that the Board notes the death of Delmar Rorison who served as an employee of the Board for thirty-eight years and was its first Executive Director. She began her career with the Board as a Stenographer Clerk in 1962. She resigned in 1964 to give birth to her first child. Upon returning in 1968 Mrs. Rorison worked as a Stenographer Clerk II, providing instruction and guidance to physicians on the requirements for licensure and performing numerous other duties. In 1976 she was promoted to Administrative Assistant to J. Morgan Lyons, M.D., now deceased, who served as the Secretary-Treasurer and Chief Executive Officer of the Board. The following year Mrs. Rorison was appointed Executive Assistant to coordinate the Board's investigative and prosecutorial activities and functions. Upon determining that its growth necessitated the hiring of an Executive Director, and after conducting an extensive search that included more than thirty other applicants, Mrs. Rorison was selected as the Board's first Executive Director on September 16, 1987. She worked tirelessly for the Board until her retirement in September 2000.

Mrs. Rorison died suddenly at her home of natural causes on May 4, 2003 at the age of 62. She is survived by her two sons, Rory and Stan, their spouses and three grandchildren. We hope that those of you who knew Mrs. Rorison join the Board in expressing sincere condolences to her family and join them in mourning their loss. Those of us who had the privilege of knowing and working with her realize that she was a great boss, loving mother and wonderful cook. We shall all miss her.

skill and safety to their patients. If you are experiencing difficulties that may potentially impair your ability to practice medicine, please contact the PHP and allow us the opportunity to help you before potential consequences become a reality.

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Rules and Regulations

Podiatry-Postgraduate Year One (Internship) Training; Continuing Medical Education

POST GRADUATE (INTERNSHIP) TRAINING/CONTINUING MEDICAL EDUCATION—Commencing in 2005 Louisiana will require initial podiatric applicants to have completed one year of accredited postgraduate (“PGY-1”) training in order to obtain full licensure. Individuals wishing to serve their internship or first year of postgraduate training in Louisiana will be required to register with the Board and will be issued an Intern Registration. The training requirement, brought about by a 2001 amendment of the Louisiana Podiatric Practice Act, La. Rev. §37:613(5), is consistent with the Louisiana Podiatric Medical Association’s (“LPMA”) request that the Board develop rules similar to those applicable to physicians, requiring PGY-1 training as a requirement to initial podiatric license consideration, as well as continuing medical education (“CME”) as a prerequisite to annual license renewal or reinstatement. Working with the LPMA and its Podiatric Advisory Committee, the Board developed and recently adopted rules concerning PGY-1 training and CME concerning podiatric licensure. The rules were promulgated with and became effective upon publication in the July 20th edition of the *Louisiana Register*. Individuals seeking initial podiatric licensure on or after January 1, 2005 must have obtained PGY-1 training no later than December 2004. During that same year (2004), and annually thereafter, podiatrists seeking license renewal or reinstatement must have completed 20 hours of CME. The new rules may be accessed *via* the Board’s web page www.lsbme.org or by calling the Board directly (504) 568-6820, Ext. 225.

Licensure Fees

The Board takes this opportunity to provide advance notice to physicians and those allied health care professionals it regulates that it plans to amend its rules to increase fees charged for an initial license and license renewal commencing in the year 2004. By way of background, it is important to understand that the Board is sustained by self-generated funds, mainly resulting

from licensing fees, without reliance on the state’s general fund for operating expenses. In addition to physicians, the Board licenses ten categories of allied health care professionals *i.e.*, acupuncturists and assistants, athletic trainers, midwives, clinical laboratory personnel, clinical exercise physiologists, private radiologic technicians, podiatrists, physician assistants, occupational therapists and assistants, respiratory therapists and assistants. Every few years a new category of allied health professionals is added to its jurisdiction.

Despite expansion in the scope and nature of its duties, the last fee increase for any category of licensees by the Board was nearly a decade ago (physicians and physician assistants). Due in large measure to an amendment to Louisiana’s constitution requiring that any fee increase be approved by a two-thirds vote of both houses of the legislature, the other nine categories of health care professionals regulated by the Board have not been increased for *nearly two (2) decades*, with all but one of these professions enjoying the same fee now as when the category of license was initially created. To rectify the situation this year the legislature authorized the Board to increase fees, by rule, for physicians and all other categories of health care professionals that it licenses. For physicians the Board is authorized to charge up to \$350 for an initial license and \$300 for a renewal. For allied health care professions these figures are \$300 and \$200 respectively.

To place matters in perspective, currently in Louisiana the initial fee for a physician’s license is \$200 with the annual renewal fee thereafter costing \$150. Added to either of these fees is a \$32 assessment imposed by law for designated services (\$25 for Physicians’ Health Program (PHP); \$7 for continuing medical education (CME)). Only seven other states charge *less* than Louisiana for an initial physician license. More than half (26) charge *more* than Louisiana for annual license renewal. The average cost for an initial medical license for the surrounding six southern states of Alabama, Arkansas, Florida, Georgia, Mississippi and Texas is approximately \$650. The renewal average for the same southern states is approximately \$300. Without the PHP/CME assessment, Louisiana’s initial licensee fee is the lowest; with it, only one of these states charges less, while two states charge *nearly 4 times as much* and another more than *twice as much* as Louisiana for an initial medical license.

The disparity between Louisiana and other state fees for the Board’s other health care professionals is much the same as with physicians, with Louisiana’s fees being some of the lowest in the country. For physician assistants, for instance, Louisiana’s initial fee is the lowest among the southern states identified above, with most states charging substantially more. One of our bordering states charges *more than three times* as much as Louisiana’s \$155 for an initial physician assistant license. And Louisiana’s physician assistant annual renewal fee of \$25.00 appears to be the lowest in the country. Similarly, the fees for initial and renewal podiatric licensure are among the lowest in the country, as are those for midwives, acupuncturist assistants and the other health care professionals licensed by the Board.

Two or even one decade ago the Board had a handful of employees, a fraction of current licensees and a small leased office space. It now has approximately seventy employees, thousands of licensees, allied health care advisory committees

for each licensee category, a continuing education department, a Physicians' Health Program for those suffering from substance abuse or psychiatric problems and a Physician Orientation Program. It also processes criminal records history information requests for all applicants, has a website, a network computer system and is faced with complex and ever-changing state and federal laws and regulations impacting the practice of medicine and its responsibilities and duties to the citizens of Louisiana.

While the Board is still in the process of formulating the specific increases to be included in its rule-making efforts, even with an increase to the maximum level authorized by law, an initial medical license in Louisiana would still be nearly half the average cost of the above noted southern states, while the cost of renewal would be approximately equal to such average.

Who are the Members of the Board?

The Board is comprised of seven members appointed by the Governor from nominees submitted by the Louisiana State Medical Society ("LSMS"), the Louisiana Medical Association ("LMA") and the Louisiana Academy of Family Physicians ("LAFP"). Current members are noted in the masthead of this *Newsletter*. Each member serves a term of four years and, as of the year 2000, is eligible for reappointment to three consecutive terms. In an effort to better acquaint licensees with its members this and future editions of the *Newsletter* will introduce a different member of the Board. Featured in the last two editions were Dr. Ferdinand and Dr. James. This edition will focus on Elmo J. Laborde, M.D.



Elmo J. Laborde, M.D.

Dr. Laborde received his undergraduate degree from Southwestern Louisiana Institute (now University of Louisiana) in Lafayette, Louisiana, and his medical degree from Tulane University School of Medicine, New Orleans, Louisiana, in 1948. His postgraduate training included internship at Charity Hospital in New Orleans followed by a year of family practice training at Charity Hospital in Lafayette. He began his medical practice in Marksville as a family practitioner before entering Louisiana State University's surgical residency training program. Upon completion of his residency in 1962 he began a surgical practice in Lafayette.

Certified by the American Board of Surgery, Dr. Laborde is also a Fellow of the American College of Surgeons, a member of the Southeastern Surgical Society, member and a Past-President of the Surgical Society of Louisiana and a Past-President of the James D. Rivers Surgical Society. He is also a member of the LSMS, the American Medical Association ("AMA") and the Southern Medical Association. Over the years Dr. Laborde has served on many committees of his local hospitals, including Chairman of the surgical staffs, and President of Staff of Our Lady of Lourdes Hospital.

Dedicating his time and energy to organized medicine, Dr. Laborde has distinguished himself among his colleagues and peers on both a local and statewide basis. He served as an instructor in the Department of Surgery at University Medical Center in Lafayette where he participated in the training of LSU residents. He was a charter member of the Academy of Family Practice and has held all elective offices in his local (Avoyelles and Lafayette Parishes) medical societies, including that of President, and he has filled many posts in the LSMS, *i.e.*, AMA delegate and Alternate Delegate, LSMS Delegate (1962-present), Vice-President (second/third), Legislative Committee representative, Governmental Affairs Committee, Councilor representing the 3rd and 9th District for a total of eight years, *etc.*, and was elected to the LSMS' *Hall of Fame* in 1999.

Dr. Laborde was appointed to the Board in 1985. During his tenure he has held all elective positions, *i.e.*, Secretary, Treasurer, Vice-President and President. He has chaired a number of significant committees, including the Joint Administration Committee for prescriptive authority for advanced practice registered nurses, the Committee on the Management of Chronic Pain, the Committee on the Treatment of Obesity and the Physicians' Health Committee of the Board and was instrumental in beginning the Board's *Newsletter* and the Physician Orientation Program for newly licensed physicians. He is currently serving a second term as President of the Board and as chair of its rules' committee on Office-Based Surgery. Dr. Laborde has represented the Board at the national level, having served on the Federation of State Medical Boards of the United States (of which all state medical boards are members), committee for the development of guidelines for the treatment of chronic pain and as the Board's voting delegate to the Federation. Last year Dr. Laborde was appointed by the Governor to Louisiana's Health Works Commission that was designed to integrate and coordinate resources within state agencies and the healthcare industry relative to healthcare workforce and development. The preceding year he was named by the Governor to serve on the study commission on legislation for anesthesia assistant training and education.

A veteran of World War II, Dr. Laborde served in the United States Navy as a hospital corpsman attached to the fleet marine. He also served as a captain in the Army Medical Service during the Korean war. He has been married to Rosemary for 53 years and together they have reared seven children, including two physicians, an advanced practice registered nurse, a speech pathologist, a nutritionist and two attorneys. He has one grandchild in medical school, is a fervent believer that others will follow and has been known to complain of suffering from "mal-tuition." The Labordes have been ardent advocates of education and have endowed a Chair in the School of Nursing at the University of Louisiana at Lafayette in honor of Rosemary, a registered nurse by profession and a Past-President of the Ladies' Auxiliary of the LSMS. Named as outstanding Benefactor of the Cathedral-Carmel Elementary School, the school library was named the "Laborde Library" in their honor.

Dr. Laborde has devoted himself to the betterment of the medical profession and protection of the citizens of this state. His experience and service have and continue to be an invaluable asset to the Board. We are deeply appreciative of his service.