

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**DECEMBER 4, 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, December 4, 2017, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present as follows:

Christy Lynn Valentine, M.D., President
Joseph Kerry Howell, M.D., Secretary-Treasurer
Kweli J. Amusa, M.D.
Mark Henry Dawson, M.D.

Board Members absent as follows:

Roderick V. Clark, M.D., Vice-President
Lester Wayne Johnson, M.D.
Daniel K. Winstead, M.D.

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

Vincent A. Culotta, Jr., M.D., Executive Director
Jennifer Stoler, Attorney, General Counsel
Lesley Rye, RN, Compliance Investigator
Cathy Storm, RN, Compliance Investigator
Lillie Rodgers, Investigations Manager
Aloma James, Licensing Analyst Supervisor
Kieshan Falls Williams, Administrative Program Specialist
Jacinta Duthu, Administrative Program Specialist

Rita L. Arceneaux, Executive Assistant

Legal counsel to the Board was present as follows:

Philip O. Bergeron
Michael G. Bagneris (Ret)

Members of the general public present as follows:

Emily Dixon, Performance Audit Manager, Legislative Auditor
Corey Marino, Senior Performance Auditor, Legislative Auditor
Derrell Cohoon – American Wells
Lauren B. Bailey Vice President, Legal Affairs, Louisiana State Medical Society
Jennifer Thomas – Kean Miller
Shelly Sullivan Tynan – Ochsner Health System
David Houghton – Ochsner Health System
Catherine Levendis – Ochsner Health System
David Halil
A.J. Herbert

- 1. Public Comments.** Emily Dixon, Performance Audit Manager, Legislative Auditors Office, informed the Board that their purpose for attendance at this meeting was to observe the public meeting. No further action was required or taken on this matter.
- 2. Minutes of October 16, 2017 Meeting.** The Board reviewed the minutes of its meetings held October 16, 2017. On the motion of Dr. Dawson, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board approved the minutes of the meetings with all necessary corrections.
- 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. Ruling and Advisory Opinions; Michael D. Kotler, M.D., RemoteMD, Performance of Physical Examinations Utilizing Telemedicine.** The Board reviewed correspondence received from Michael D. Kotler, M.D., [REMOTE MD](#)® seeking an opinion from the Board on the utilization of elective physical examinations with the physician remotely visualizing certain functions and relying on “physician extenders” to palpate, percuss, feel for any masses, hernias, etc., in international waters. Following review and discussion, it was the consensus of the Board to advise Dr. Kotler that the ability to “palpate, percuss, and feel for any masses, hernias, etc.,” are diagnostic techniques utilized by physicians to rule out or assist in the diagnoses of various illnesses, diseases, conditions and injuries that require the exercise of independent medical judgment, which constitutes the practice of medicine as defined by the Louisiana Medical Practice

Act and are not delegable and in order comply with the laws and rules governing telemedicine in this state should only be performed by a Louisiana licensed physician, PA or APRN.

5. Ruling and Advisory Opinions; Administration of Ketamine in the Hospital Setting.

The Board reviewed correspondence received from Peter DeBlieux M.D., Chief Medical Officer, University Medical Center, New Orleans, concerning the use of Ketamine as an agent for pain management and sedation in the hospital setting, advising that because the drug is classified as an anesthetic agent, a Declaratory Statement issued by the Louisiana State Board of Nursing ("LSBN") prevents its administration by nurses who are not Certified Registered Nurse Anesthetists ("CRNA"). The correspondence asked the Board's assistance in changing the classification of Ketamine in the hospital setting. Following review and discussion, it was the consensus of the Board to inform Dr. DeBlieux that because the Declaratory Statement was issued by the LSBN it must defer to them on this issue, as they are the agency responsible for the licenses for the healthcare professionals that are impacted by the statement.

6. Ruling and Advisory Opinions; Intradiscal Autologous Stem Cell Injections.

The Board reviewed electronic correspondence received from C. Ann Conn, M.D., requesting information regarding bone marrow aspirate and reinjection in the intradiscal space for treatment of chronic back pain under monitored anesthesia care. Following review and discussion, it was the consensus of the Board to provide Dr. Conn a copy of the Board's Statement of Position, "The Use of Non-FDA Approved Stem Cell Products," and advise her that the use of stem cell products should comply with federal and state regulations.

7. Ruling and Advisory Opinions; Refusal of Patient for Surgical Treatment.

The Board reviewed correspondence received from Megan Killion, Branstetter, Stranch & Jennings, PLLC, asking whether a physician may refuse a patient for surgical treatment. Following review and discussion, it was the consensus of the Board to advise Ms. Killion that the Board's response is limited to the interpretation and enforcement of the Louisiana Medical Practice Act ("the Act") and its governing rules. Pursuant to the §1285 of the Act, the Board may take action against a physician for patient abandonment and/or unprofessional conduct. Because determination of this nature are fact-specific, more information is required for an investigation into the matter.

8. Ruling and Advisory Opinions; Respiratory Therapy; Scope of Practice; Placement of PICC; Follow-Up.

The Board reviewed the opinion of the Respiratory Therapy Advisory Committee that the insertion of peripherally inserted central catheter ("PICC") lines for the purpose of administering fluids pertinent to the practice of respiratory therapy is within their scope of practice. Following review and discussion, it was the consensus of the Board to seek information on changes in the practice of respiratory care that formed this opinion.

9. Communication and Information; Compounded and Repackaged Medications for Office-Use.

The Board noted receipt of a communication forwarded to State Medical Boards/State Board of Pharmacy regarding the Federal Drug Administration implementation of the Drug Quality and Security Act ("DQSA", P.L. 113-54) and its impact on patient access to compounded medications. No further action was required or taken on this matter.

10. Communication and Information; American Society of Addiction Medicine (“ASAM”), the American Association of Nurse Practitioners (“AANP”); the American Academy of Physician Assistants (“AAPA”). The Board reviewed correspondence received from the ASAM, the AANP and the AAPA urging the Board to help facilitate their innovation project regarding the ability of nurse practitioners and physician assistants to prescribe buprenorphine for the treatment of addiction. Following review and discussion, it was noted that a special designation would be required for nurse practitioners and physician assistants to be able to prescribe buprenorphine.

11. General Administrative Matters; President’s Report. The Board received the report of its President on her activities since the last meeting of the Board. Dr. Valentine reported on her presentation at the meeting of the Louisiana Medical Association and meetings regarding telemedicine issues and training permits. She concluded her report stating that she would like to revisit the requirement of personal appearances by applicants before a Board member.

12. General Administrative Matters; Executive Director’s Report. The Board received the report of its Executive Director on his activities since the last meeting of the Board. Dr. Culotta reported on his attendance at the CTel Conference regarding eHealth and telemedicine and meeting with the Medical Psychology Advisory Committee who are working on changes to their rules relative to passage of a national examination.

13. 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 October 18, 2017 in Baton Rouge submitted by Jennifer Martin Stolier of the Board’s staff. Mrs. Stolier reported that statistics reported through the third quarter of the year showed an increase in queries from prescribers, pharmacists and their delegates and 17 different states now share information via the PMP Interconnect. No further action was required or taken on this matter.

14. General Administrative Matters; Façade Condition Survey Services Proposals. The Board reviewed proposals submitted for an examination of the exterior of the building to ascertain the extent of repairs needed to fix water intrusion and any other repairs needed. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Howell the Board approved the lowest proposal submitted.

15. General Administrative Matters; Professional Legal Contract; Adams and Reese, LLC. The Board noted that the professional legal contract with Adams and Reese, LLC, expired December 31, 2017. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Howell, and passed by unanimous voice vote of the members present, the Board authorized renewal of the contract and struck the following resolution:

WHEREAS, Adams and Reese, LLC, provides professional legal services to the Board, and serves as the Board’s official legal counsel; and

WHEREAS, Adams and Reese, LLC, provides professional legal services to the Board relative to the Board’s rules and regulations, legislation, Board actions, and disciplinary hearings and adjudications regarding alleged violations of rules and regulations promulgated by the Board; and

WHEREAS, Adams and Reese, LLC, appears and advises the Board at its regular and special meetings, represents the Board in formal and informal disciplinary matters, provide legal advice and assistance to the Board, provides other legal services that are required by the Board and agreed on by the parties to this agreement and represents the Board in litigation filed against or by the Board.

WHEREAS, Adams and Reese, LLC, may provide such other legal or other professional services and assistance as the Board may from time to time deem necessary or appropriate in the discharge of its responsibilities under the Act and Other Governing Laws. Such services, however, shall not include any professional legal services with respect to the defense or other representation of the Board, its members, officers, employees or agents in any suit, action or claim in tort or for worker's compensation benefits; and

WHEREAS, this resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that the Louisiana State Board of Medical Examiners, pursuant to La. R.S. 42:262, does hereby retain and employ, Adams and Reese, LLC, as counsel of record; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract be submitted to the Attorney General for the State of Louisiana for approval.

16. General Administrative Matters; Professional Legal Services Contract; Couhig Partner, LLC. The Board reviewed the proposed professional legal services contract with Couhig Partners, LLC. Following review and discussion, on the motion of Dr. Howell, duly seconded by Dr. Dawson and passed by unanimous voice vote of the members present, the Board approved the professional legal services contract of Couhig Partners, LLC and struck the following resolution:

WHEREAS, Couhig Partners, LLC, will provide professional legal services to the Board, and serves as the Board's conflict attorney; and

WHEREAS, Couhig Partners, LLC, will provide professional legal services to the Board relative to the Board's rules and regulations, legislation, Board actions, and disciplinary hearings and adjudications regarding alleged violations of rules and regulations promulgated by the Board; and

WHEREAS, Couhig Partners, LLC, will appear and advise the Board at its regular and special meetings, represents the Board in formal and informal disciplinary matters, provide legal advice and assistance to the Board, provides other legal services that are required by the Board and agreed on by the parties to this agreement and represents the Board in litigation filed against or by the Board.

WHEREAS, Couhig Partners, LLC, may provide such other legal or other professional services and assistance as the Board may from time to time deem necessary or appropriate in the discharge of its responsibilities under the Act and Other Governing Laws. Such services, however, shall not include any professional legal services with respect to the defense or other representation of the Board, its members, officers, employees or agents in any suit, action or claim in tort or for worker's compensation benefits; and

WHEREAS, this resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that the Louisiana State Board of Medical Examiners, pursuant to La. R.S. 42:262, does hereby retain and employ, Couhig Partners, LLC; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract be submitted to the Attorney General for the State of Louisiana for approval.

17. General Administrative Matters; Annual Report. The Board reviewed the 2017 Annual Report prepared for submission to the Governor in accordance with La. Rev. Stat. 1283. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Amusa, and passed by unanimous voice vote of the members present, the Board approved the annual report.

18. General Administrative Matters; Financial Reports.

a. 2018 Board Budget. The Board reviewed the proposed budget for 2018, which had been prepared in compliance with the Louisiana Licensing Agency Budget Act of 1989, for submission to the Office of the Legislative Auditor, the Legislative Fiscal Office, the Joint Legislative Committee on the Budget and the Senate and House Committees on Health and Welfare. Following review and discussion, upon the motion of Dr. Howell, duly seconded by Dr. Dawson and passed by unanimous voice vote of the members present, the Board approved the budget as proposed. The Executive Director was instructed to send copies of the budget and notice of the approval to the aforementioned offices and committees as required by law.

b. 2018 Clinical Laboratory Personnel Budget. The Board reviewed the proposed budget for 2018, which had been prepared in compliance with the Louisiana Licensing Agency Budget Act of 1989, for submission to the Office of the Legislative Auditor, the Legislative Fiscal Office, the Joint Legislative Committee on the Budget and the Senate and House Committees on Health and Welfare. Following review and discussion, upon the motion of Dr. Howell, duly seconded by Dr. Dawson and passed by unanimous voice vote of the members present, the Board approved the budget as proposed. The Executive Director was instructed to send copies of the budget and notice of the approval to the aforementioned offices and committees as required by law.

19. Rules and Regulations.

a. **Final Rules/Amendments:** None since the last meeting of the Board.

b. **Rules/Amendments – Noticed for Intent to Adopt: 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 IMGs. Finally, it considered staff's recommendation that an increase in PGY training should result in a decrease in physician disciplined by the Board. 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 considered an initial 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 rule amendments in the *Louisiana Register*. Prior to providing such notice, the Board approved additional amendments at its February 2017 meeting. The *Notice of Intent* appeared in the July 2017 edition of the *Louisiana Register*. Several written comments were received during the comment period and a public hearing was held on August 28, 2017, to receive data, views, arguments, information or comments. The written comments and a copy of the hearing transcript were presented for review and discussion. Following review and discussion at its October 2017 meeting, the Board suggest several substantive amendments to address the concerns raised commenters. It is anticipated said changes will appear in the Potpourri Section of the December 2017 edition of the *Louisiana Register*. **Physicians; Collaboration with APRNs:** The President of the Board directed staff to reach out to the Louisiana State Board of Nursing to address a number of issues previously identified as problematic for

collaboration between physicians and advanced practice registered nurses. Representatives of the respective agencies met in December 2016 to discuss the effort, which focused on solutions within the structure of the current law. This meeting was collegial and productive. The Board reviewed a draft of the rules dealing with physicians who collaborate with APRNs. In April 2017, the Louisiana State Board of Nursing considered amendments to its rules on APRN collaboration that incorporate the same concepts as the Board's draft rules. At its May 2017 meeting, the Board approved the draft amendments and voted to provide *Notice of Intent* to adopt the amendments in the *Louisiana Register*. The *Notice of Intent* appeared in the October 2017 edition of the *Louisiana Register* and the corresponding Board of Nursing rules appeared in the November 2017 edition of the *Louisiana Register*. **Physicians, Podiatrists, PAs; Mandatory Access and Review of Prescription Monitoring Program Data:** At its July 2017 meeting, the Board reviewed Act 76 (2017 Regular Session of the Legislature) which, among other items, also requires licensing boards regulating practitioners with prescribing authority that includes opioids, to adopt rules requiring the prescriber or his delegate to access and review a patient's Prescription Monitoring Program ("PMP") data prior to initially prescribing any opioid to the patient. The Act further provides that the prescriber or his delegate shall access and review the patient's PMP data at least every ninety days if the patient's course of treatment continues for more than ninety days. The Act also provides for specific exceptions and enforcement. Following review and discussion, the Board voted to undertake a rulemaking effort to comply with Act 76. A draft was presented for initial consideration at its August 2017 meeting. A revised draft, including suggestions and recommendations is presented for further consideration. Following review and discussion, the Board approved the proposed rules and authorized publication of a *Notice of Intent* to adopt the rules in the *Louisiana Register*. Said *Notice of Intent* appeared in the October 2017 edition of the *Louisiana Register*. The Board reviewed the one comment received and noted no change was necessary in the rule-making effort.

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 consideration 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 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). **Physicians, Podiatrists, PAs, Medical Psychologists; Controlled Dangerous Substances, Continuing Medical Education:** At its July 2017 meeting, the Board reviewed Act 76 (2017 Reg. Session of the Legislature) which, among other items, requires health care providers who prescribe controlled dangerous substances (CDS) to obtain 3 hours of continuing medical education ("CME") pertaining to drug diversion training, best practices regarding prescribing of controlled substances, appropriate treatment for addiction, and any other matters pertaining to the prescribing of CDS that are deemed appropriate by the licensing board. The CME is a one-time requirement and the three credit hours are considered among those required by the licensing board for license renewal. Act 76 provides that the CME requirement may be waived if the practitioner submits a certification form developed by the licensing board, attesting that she/he has not prescribed, administered or dispensed a CDS during the entire applicable reporting period. The certification must be verified by the Board through the PMP, which must submit aggregate annual compliance documentation to the Senate and House Committees on Health and Welfare. The law makes professional licensing boards responsible for developing rules and enforcement of the new requirements. Following review and discussion, the Board voted to undertake a rulemaking effort to comply with Act 76. The Board will not have a course on its website for licensees. The Board's website will only point to a link of approved courses that licensees may utilize to meet the requirements of Act 76 of the 2017 Louisiana Legislature. Further revisions providing for acceptance of CME from all approved CME providers was considered by the Board at its October 2017 meeting, following which the Board voted to provide *Notice of Intent* to adopt the rules in the *Louisiana Register*. It is anticipated said *Notice of Intent* will appear in the December edition of the *Louisiana Register*.

20. Public Comments. The President asked if anyone from the public had questions and/or comments. Hearing none, the public session of the meeting ended.

[21.] Minutes of October 16, 2017 Executive Sessions. On the motion of Dr. Dawson, 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 October 16, 2017. Following review and discussion, the Board resumed in open session and on the motion of Dr. Howell, duly seconded by Dr. Dawson and passed by unanimous voice vote approved the minutes of the executive sessions conducted during its meeting of October 16, 2017.

[22.] Report on Pending Litigation. On the motion of Dr. Amusa, duly seconded by Dr. Dawson, 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.

[23.] Personal Appearances/Docket Calendar. On the motion of Dr. Howell, duly seconded by Dr. Dawson, 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.

[24.] Investigative Reports. On the motion of Dr. Amusa, duly seconded by Dr. Dawson, and passed by unanimous voice vote, the Board convened in executive session, to consider the 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. Dawson, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board approved the following:

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

Docket No., 16-I-444

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

Docket No., 17-I-813
Docket No., 17-I-840
Docket No., 17-I-808
Docket No., 17-I-865

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

Investigation No., 17-525
Investigation No., 17-527
Investigation No., 17-552¹
Investigation No., 17-I-493

d. Preliminary Review: The Board approved a three-month extension to complete the preliminary review of the following matter:

Investigation No., 17-527

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

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

Randall Ivan Davis, M.D., Docket No., 17-I-428
Lisa Smith Hodges, M.D., Docket No., 10-I-887
Walter Wright Ellis, M.D., Docket No., 16-I-420²
Ratnakar Pernenkil, M.D., Docket No., 17-I-311
Matthew Eugene Britt, CLP, Docket No., 16-I-619

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

Docket No., 17-I-444
Docket No., 17-I-584
Docket No., 16-I-1070

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

Docket No., 15-I-702
Docket No., 17-I-068
Docket No., 15-I-1056
Docket No., 17-I-456
Docket No., 17-I-429

- h. Closed/Dismissed: The following dismissal/closure was denied:

Docket No., 16-I-867³

- i. Closed Complaints Cases: The Board reviewed the Closed Complaint Cases Report for October 2017.

[25.] Healthcare Professionals' Foundation of Louisiana; Personal Appearance; James David Hammond, M.D., Medical Director. On the motion of Dr. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board convened in executive session to receive the report of James David Hammond, M.D., Medical Director, 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.

[26.] General Disciplinary Matters; Personal Appearance; Kendall Thomas Pilgreen, PA. On the motion of Dr. Dawson, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Kendall Thomas

2 Dr. Valentine recused herself from any and all participation in discussion and/or consideration of this matter.

3 Dr. Valentine recused herself from any and all participation in discussion and/or consideration of this matter.

Pilgreen, PA, 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. Pilgreen appeared before the Board in connection with her request for reinstatement of her license to a full, unrestricted status. Following her dismissal, the Board resumed in open session. On the motion of Dr. Howell duly seconded by Dr. Amusa and passed by unanimous voice vote of the members present, the Board approved reinstatement of the license of Kendall Thomas Pilgreen, PA, to a full, unrestricted status, off probation.

[27.] General Disciplinary Matters; Personal Appearance; Robert Michael Anderson, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Robert Michael Anderson, 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. Anderson 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 Dr. Howell duly seconded by Dr. Amusa and passed by unanimous voice vote of the members present, the Board approved reinstatement of the license of Robert Michael Anderson, M.D., to a full, unrestricted status, off probation.

[28.] General Disciplinary Matters; Personal Appearance; Martin F. Schreeder, M.D. On the motion of Dr. Dawson, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Martin F. Schreeder, 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. Schreeder 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 Dr. Dawson duly seconded by Dr. Howell and passed by unanimous voice vote of the members present, the Board approved reinstatement of the license of Martin F. Schreeder, M.D., to a full, unrestricted status, off probation.

[29.] Investigative Matters; Personal Appearance; Lisa Smith Hodges, M.D. On the motion of Dr. Dawson, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Lisa Smith Hodges, 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. Hodges appeared before the Board in connection with the acceptance of her Consent Order. Dr. Hodges acknowledged she understood the terms of the order.

[30.] General Disciplinary Matters; Personal Appearance; Benjamin John Palombo, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Benjamin John Palombo, 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. Palombo appeared before the Board in connection with his request for early reinstatement of his license to a full, unrestricted status, off probation. Following his dismissal, the Board resumed in open session. On the motion of Dr. Howell duly seconded by Dr. Amusa and passed by unanimous voice vote of the members

present, the Board denied the request of Benjamin John Palombo, M.D., for early reinstatement of his license to a full, unrestricted status, off probation.

[31.] Professional Liability Report. On the motion of Dr. Dawson, duly seconded by Dr. Howell 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 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.

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

- a. Carpenter, Kami L., OT – To approve the request of Kami L. Carpenter, OT, for reinstatement of her license to a full, unrestricted status.
- b. Holman, Amanda Huston, RRT – To approve the request of Amanda Huston Holman, RRT, for reinstatement of her license to a full, unrestricted status, off probation in accordance with the terms of her Consent Order dated December 10, 2012.

[33.] Licensure and Certification; Athletic Trainer 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 non-routine application for licensure as a matter of the character, professional competence, or physical or mental health of an applicant, pursuant to La. Rev. Stat. 42:17A(1). Following review and discussion, the Board resumed in open session, and upon the motion of Dr. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, approved the following for licensure provided all other requirements had been met:

Miley, Emilie

[34.] Licensure and Certification; Clinical Laboratory Personnel. On motion of Dr. Amusa, duly seconded by Dr. Howell 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 upon the motion of Dr. Amusa, duly seconded by Dr. Clark and passed by unanimous voice vote of the members present, approved the following for licensure provided all other requirements had been met:

Phlebotomist

Fruge, Kristine B.

Generalist

Godair, Amanda

[35.] Licensure and Certification; Respiratory Therapist. 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 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. Howell, duly seconded by Dr. Amusa and passed by unanimous voice vote, approved the following for licensure provided all requirements had been met:

Norman, Adrin Lynette

[36.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian Medical Graduates. On the motion of Dr. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board convened in executive session to consider the non-routine applications for licensure as a matter of the character, professional competence, or physical or mental health of an applicant, pursuant to La.Rev.Stat. 42:17A(1). Following review and discussion, the Board resumed in open session and on the motion of Dr. Clark, duly seconded by Dr. Howell and passed by unanimous voice vote, approved the following for licensure provided all requirements had been met:

Amato, Robert J.
Bowe, Collin
Fehr, Adrienne D.
Filsoof, David M.
Gould, Michael Alan
Narayan, Dwayne Avanish
Olds, Tyson James

Perkins, Jonathan
Prost, Monika M.
Punjabi, Vikas R.
Simmons, Christopher
Strain, Thomas Wesley
Whelan, Vincent Patrick
Winter Lauren Katherine

[37.] Licensure and Certification; Foreign/International Medical Graduates. On the motion of Dr. Dawson, duly seconded Dr. Howell 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 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, made the following decisions:

a. Approved – To approve the request for a waiver of licensure requirements for following in accordance with §315 of the Board’s rules provided all requirements had been met:

Pirgousis, Phillip

b. Denied - To deny the request of the following for a waiver of an examination attempt:

Kaul, Arvinder

[38.] Licensure and Certification; Physicians and Surgeons; Telemedicine Permit; U.S./Canadian Medical Graduates. On motion of Dr. Dawson, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board convened in executive session to consider the non-routine application for a training permit 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. Amusa and passed by unanimous voice vote of the members present, approved the following for issuance of a telemedicine permit provided all requirements had been met:

Hime, Joseph Henry III

39. Licensure and Certification; Short-Term Residency Program. The Board considered the application for a short-term residency program submitted by Ivo Lukitsch, M.D., Program Director, Nephrology Fellowship, Ochsner Clinic Foundation. Following review and discussion, on the motion of Dr. Dawson, duly seconded by Dr. Amusa and passed by unanimous voice vote, approved the Short-Term Residency Program.

[40.] Licensure and Certification; Other Miscellaneous Matters; Issuance of Permit/Full Licensure; Visa Status; Follow-Up. On the motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session to consider issuance of permits or full licenses for applicants in the United States on a J1 Visa, pursuant to La.Rev.Stat. 42:17A(3). The Board reviewed the follow-up information provided on the status of physicians whose licenses were issued while on a Visa status. No further action was required or taken on this matter.

41. Next Meeting of Board. The President reminded the members that the next meeting of the Board was scheduled for January 8, 2018.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 3:40 p.m., on Monday, December 4, 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 December 4, 2017 and approved by the Board on the 8th day of January, 2018.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 8th day of January 2018.

MINUTES OF MEETING
DECEMBER 4, 2017

Joseph Kerry Howell, M.D.
Secretary-Treasurer

Attest:

Christy Lynn Valentine, M.D.
President