

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**FEBRUARY 19, 2018
NEW ORLEANS, LOUISIANA**

A meeting of the Louisiana State Board of Medical Examiners, pursuant to lawful notice, was duly convened and called to order at 8:30 a.m., Monday, February 19, 2018, 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
Roderick V. Clark, M.D., Vice-President
Joseph Kerry Howell, M.D., Secretary-Treasurer
Kweli J. Amusa, M.D.
Mark Henry Dawson, M.D.
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
Jacintha 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 public present as follows:

See list attached

- 1. Minutes of January 8, 2018 Meeting.** The Board reviewed the minutes of its meetings held January 8, 2018. On the motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the minutes of the meetings with all necessary corrections.
- 2. Rules; Marijuana for Therapeutic Use by Patients Suffering from a Debilitating Condition; Appearances.** Several speakers, including veterans and patients suffering with various pain issues addressed the Board requesting that the following conditions be added to the list for which marijuana may be recommended: PTSD, Chronic Pain, Arthritis, Chronic Migraine Headaches and Chronic Postsurgical Knee Pain. Following their appearances, it was the consensus of the Board to refer this list to the Medical Marijuana Advisory Group for their examination of the medical literature and further recommendations to the Board.
- 3. Rules; Marijuana for Therapeutic Use by Patients Suffering from a Debilitating Condition; Speaker; Jacob Irving, Esq.** Jacob Irving, Esq., addressed the Board regarding its marijuana rules relative to the requirement that patients are re-examined every 90 days for continued marijuana use. Following the conclusion of appearance, it was the consensus of the Board to advise Mr. Irving that the Board will take the matter under advisement.
- 4. Rules Under Development; Physician Advertising; Board Certification; Appearances.** Michael Hanemann, Jr., M.D., President, Louisiana Society Plastic Surgeons, Jeff Williams, Executive Vice President and CEO, Louisiana State Medical Society, Cindy Bishop, on behalf of the Louisiana Orthopaedic Association, Michael Hanemann, M.D., Radiology Society of Louisiana, Elizabeth Foley Bucher, M.D., Dermatology and Paul Hubbell, M.D., Louisiana Society of Interventional Pain Practitioners, American Society of Interventional Pain Practitioners, and the American Board of Pain Management, addressed the Board to formally request the adoption of Rule 2A regarding the advertisement of medical board certification. Following the final speaker, and noting the various requests on the agenda for this month, on the motion of Dr. Howell, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board voted to table this matter pending further review.
- 5. Rules; Marijuana for Therapeutic Use by Patients Suffering from a Debilitating Condition; Personal Appearance; R. David Brown, Esq., and Sue Sisley, M.D.** R. David Brown, Esq., appeared before the Board to request changes in the current rules to correct inadequacies to allow for a functioning marijuana program in Louisiana. Sue Sisley, M.D., gave an overview of the problems with the current rules as written, as well as her research and trial studies evaluating cannabis for various usages. Following their appearance, it was the consensus of the Board to advise Mr. Brown and Dr. Sisley that the Board would consider this as a request for rules changes and would review their information and respond in due course.
- 6. 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.

7. Rulings and Advisory Opinions; New Business; Use of Pro-Nox Nitrous Oxide; Personal Appearance; Kraig S. DeLanzac, M.D. On the motion of Dr. Clark, duly seconded by Dr. Amusa and passed by unanimous voice vote, the Board voted to consider an item of new business, personal appearance, Kraig S. DeLanzac, M.D., to provide information relative to a request for approval of the use of nitrous oxide in the office-based setting. Kraig S. DeLanzac, M.D., appeared, as requested, to give his opinion on the use of nitrous oxide, which he considered to be moderate sedation. Following his dismissal, on the motion of Dr. Dawson, duly seconded by Dr. Howell, and passed by unanimous voice vote, the Board voted to advise Dr. Stewart that in accordance with its previous ruling, that while nitrous oxide is a relatively safe anesthetic agent, because it induces an alteration of consciousness, it should only be used in compliance with the Board's Office-Based Surgery Rules.

8. Ruling and Advisory Opinions; Telemedicine Services; Speaker, Robert I. Hart, M.D., Chief Medical Officer; Ochsner Health System; Follow-up. The Board reviewed the draft correspondence written to Robert I. Hart, M.D., Chief Medical Officer, Ochsner Health System regarding the use of telemedicine services provided by Ochsner Health System. On the motion of Dr. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the correspondence as written stating that their plans to integrate telemedicine into the provision of patient care generally appears to satisfy the requirements of the law and the Board's rules and that the only issue that has surfaced has to do with the standard of care applicable to telemedicine which is the same as the traditionally face-to-face setting.

9. Ruling and Advisory Opinions; HIPAA Violations. The Board reviewed correspondence received from Donna U. Grodner, Attorney, Grodner Law Firm, seeking an opinion from the Board relating to prisoners and the review of their medical history without the consent of said prisoner. Following review and discussion, it was the consensus of the Board to advise Ms. Grodner that as she noted HIPAA is federally regulated by Department of Health and Human Services, Office of Civil Rights which is responsible for enforcing the Privacy and Security rules prescribed by HIPAA and, therefore, outside the jurisdiction of the Board. The Board can investigate physicians, under the Medical Practice Act, for unprofessional conduct, upon receipt of more fact-specific information.

10. Ruling and Advisory Opinions; Telepsychiatry/Telemedicine Program; Follow-up. The Board reviewed the draft response prepared in reply to the electronic correspondence received from Cody Roi, M.D., seeking clarification of the advisory opinion on the "Use of Telemedicine Technologies with Established Patients" dated March 24, 2014 posted on the Board's website for use in the development of a telepsychiatry program to improve access and care for patients with mental health needs. Following review and discussion, on the motion of Dr. Clark, duly seconded by Dr. Howell, the Board approved the response advising Dr. Roi that the Board's adoption/amendment of its telemedicine rules in 2015 and 2017, as well as a number of changes to the telemedicine law supersedes the advisory opinion.

11. Ruling and Advisory Opinions; Standard of Care with Respect to Telemedicine; Follow-up. The Board reviewed the draft correspondence relative to the standard of care with respect to telemedicine provided to patients in the home. Following review, on the motion of Dr. Howell, duly seconded by Dr. Dawson, and passed by unanimous voice vote, the Board approved the response prepared stating that the standard of care with respect to telemedicine service in this state is the same whether the services are provided in person or by telemedicine. Stated differently, if a physician's treatment of a patient by way of telemedicine would satisfy the

prevailing and usually accepted standards of medical practice as those in a traditional face-to-face setting, it would comply with the laws and rules governing telemedicine.

12. Ruling and Advisory Opinions; Occupational Therapy; Scope of Practice; Telehealth Services. The Board reviewed an inquiry from Ashley Scioneaux, an OT tech, asking whether she is able to perform evaluations, re-evaluations, and other services via telehealth. Following review and discussion, it was the consensus of the Board to advise Ms. Scioneaux that the Board is in the process of seeking input from the various allied health professional committees, including the Occupational Therapy Advisory Committee, regarding the development of telehealth rules made necessary by the Telehealth Access Act, La.R.S. 40:1223.1 et seq.

13. Communication and Information; Terence J. Alost, M.D., Opioid Prescribing Laws. The Board noted receipt of electronic correspondence from Terence J. Alost, M.D., MBA, FAAEM regarding changing the 5th vital sign as a measure for prescribing opioids. No further action was required or taken on this matter.

14. Communication and Information; Office of the Governor; Licensure of Military Spouses. The Board noted receipt of a communication from Governor John Bel Edwards regarding La R.S. 37:3651(C) that requires licensing boards to “issue a license, certification, or registration to a military spouse” provided he/she meets all other licensure requirements. Following review and discussion, it was the consensus of the Board to improve the process for the licensure of military spouses in this state.

15. Communication and Information; Federation of State Medical Boards (“FSMB”); Annual Meeting. The Board noted that the annual meeting for the FSMB is scheduled for April 26-28, 2018 in Charlotte, NC. Following review and discussion, it was noted that Dr. Valentine would serve as the voting delegate at this year’s annual meeting.

16. Communication and Information; Policy News Article; “2017: A Look Back At The Year in State Telemedicine Legislation.” The Board reviewed a copy of the article “2017: A Look Back at the Year in State Telemedicine Legislation”. No further action was required or taken on this matter.

17. 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 meeting at the Board of Governors’ Conference of the Louisiana State Medical Society in January wherein questions arose regarding CME. She reported she has been asked to make a presentation to the Shreveport Medical Society on March 20, 2018 and suggested we invite representatives of the Louisiana State Medical Society, Louisiana Medical Association and the Louisiana Academy of Family Physicians to address the Board on any of their concerns.

18. 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 updating/coordinating with the various advisory committees; meeting with Louisiana Department of Health on proposed legislation; and follow-up information on the purchase of the fingerprint machine to facilitate the licensure process.

19. General Administrative Matters; Prescription Monitoring Program (“PMP”) Advisory Council. The Board received the report of the quarterly meeting of the Prescription Monitoring

Advisory Council held January 10, 2018 in Baton Rouge submitted by Jennifer Martin Stolier of the Board's staff. No further action was required or taken on this matter.

20. General Administrative Matters; Shreveport Medical Society; Margaret M. Crittell, M.D., President. The Board reviewed correspondence received from Margaret M. Crittell, M.D., President, Shreveport Medical Society, soliciting help with removing the reporting requirement regarding mental health as it relates to seeking counseling and/or coaching to prevent or cope with symptoms of burnout. Following review and discussion, it was the consensus of the Board to defer action pending receipt of additional information and research.

21. General Administrative Matters; Mark McDonnell, M.D., Request for Clarification; Opioid Prescribing Laws. The Board reviewed the electronic correspondence received from Mark McDonnell, M.D., requesting clarification regarding the opioid prescribing laws. Following review and discussion, it was the consensus of the Board to prepare a response for the next meeting of the Board advising that the Board interprets the law *in toto* to mean the first time that an opioid is being prescribed to an adult patient for a particular condition; that neither the law or the Board's rules define an "acute condition", however, the Board's Pain Rules does define "chronic pain"; and that with respect to a prescription written for more than a seven day supply that may be dishonored by the pharmacist, the law waives the seven-day limit for opioid prescriptions in four instances.

22. General Administrative Matters; Employee Recognition; Lester St. Amant. The Board recognized Lester St. Amant, Compliance Investigator, for his years of service with the Board. Mr. St. Amant retired January 5, 2018 with over 17 years of service.

23. General Administrative Matters; Financial Reports. The Board reviewed the Income Statement, Budget vs Projected Costs for the twelve month period ending December 31, 2017 presented by Danny Allday, CPA. No further action was required or taken on this matter.

24. 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 by commenters. These amendments appeared in the Potpourri Section of the December 2017 edition of the *Louisiana Register*. Thereafter, the Board did not receive written comments during the Potpourri comment period and no one appeared at the January 24, 2018 public hearing to offer comment on the substantive changes. In conformity with the Board's direction, it is anticipated that the final rules will appear in the March 2018 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. 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*. Following publication of the *Notice of Intent*, the Board did not receive a request for a public hearing or written comments during the comment period. At its December 2017 meeting, the Board voted to adopt the rules in the same form as previously noticed by and upon publication in the *Louisiana Register*. It is anticipated that the final rules will appear in the February 2018 edition of the *Louisiana Register*, thereby concluding this rule-making project.

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*. Thereafter, a request for a public hearing was not received, however, one commenter submitted an inquiry questioning whether proposed Section 6935C.2 applies to intractable pain from any cause, or just intractable pain that is cancer-related. Following review at its December 2017 meeting, the Board elected to advise the commenter that the exception applies only to pain related to cancer, whether it is cancer-related pain or cancer-related intractable pain. The Board further voted to adopt the rules in the same form as previously noticed by and upon publication in the *Louisiana Register*. It is anticipated that the final rules will appear in the February 2018 edition of the *Louisiana Register*.

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. As part of that effort, the Board determined it will provide a link on its website 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*. Said notice appeared in the December 2017 edition of the *Louisiana Register*. Following such *Notice of Intent*, the Board did not receive any written comments or a request for a public hearing. On the motion of Dr. Amusa, duly seconded by Dr. Dawson and passed by unanimous voice vote, the Board voted to adopt in the rules in the *Louisiana Register*. It is anticipated that the rules will be noticed for final adoption in the April 2018 edition of the *Louisiana Register*.

c. **Rules/Amendments Under Development: Physician Compounding Medication:** At its December 2014 and January 2015 meetings, the Board reviewed Emergency Rules adopted by the Louisiana Board of Pharmacy to reflect certain changes in federal law concerning compounded medication. Following review and discussion, the Board elected to undertake a rulemaking effort as to physicians who compound medication in order to insure consistency with federal and state law and regulations. A draft will be presented for initial review and 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** - 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 in order to fully 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.

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

[26.] Minutes of January 8, 2018 Executive Sessions. On the motion of Dr. Dawson, duly seconded by Dr. Clark 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 8, 2018. Following review and discussion, the Board resumed in open session and on the motion of Dr. Clark, duly seconded by Dr. Dawson and passed by unanimous voice vote, approved the minutes of the executive sessions conducted during its meeting of January 8, 2018.

27. Minutes of December 4, 2017 Meeting. The Board reviewed corrections to the minutes of its meetings held December 4, 2017, previously approved at its meeting of January 8, 2018. On the motion of Dr. Howell, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board approved the corrections to the minutes of the December 4, 2017 meeting previously approved.

28. Physicians, Podiatrists, PAs, Medical Psychologists; Controlled Dangerous Substances, Continuing Medical Education. The Board reviewed a list of courses that will be linked on its website that may be utilized to meet the requirements of Act 76 of the 2017 Louisiana Legislature. On the motion of Dr. Clark, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board approved that it will not be necessary for physicians licensed and taking an approved course in another state to take the Board's course, provided the Board electronically received documentation from the course sponsor.

[29.] General Disciplinary Matters; Personal Appearance; Robert Lyle Cleveland, M.D. On the motion of Dr. Johnson, duly seconded by Dr. Clark and passed by unanimous voice vote, the Board convened in executive session, for the personal appearance of Robert Lyle Cleveland, 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. Cleveland appeared before the Board in connection with his request for reinstatement of prescribing privileges. Following his dismissal, the Board resumed in open session. On the motion of Dr. Howell duly seconded by Dr. Johnson and passed by unanimous voice vote, the Board approved modification of the Consent Order of Robert Lyle Cleveland, M.D., to allow for reinstatement of his prescribing privileges, Schedule IV-V only.

[30.] Report on Pending Litigation. On the motion of Dr. Winstead, duly seconded by Dr. Johnson, 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). Following review and discussion, the Board resumed in open session. On the motion of Dr. Clark, duly seconded by Dr. Howell, and passed by unanimous voice vote, the Board authorized filing an appeal of a court ruling, and to research hiring a public relations consultant to address this matter.

[31.] Personal Appearance; Mark R. Beebe, Esq. 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 items of new business, Attorney General's Opinion, Anti-Trust issues and possible personal exposure to prospective litigation, La. Rev. Stat. § 42:17A(2). Following review and discussion, the Board resumed in open session. On the motion of Dr. Johnson, duly seconded by Dr. Howell and passed by unanimous voice vote, the Board authorized Drs. Valentine and Culotta to communicate its concerns to Legislative Oversight Committees and to gather information to strengthen its immunity provision provided by law.

[32.] Personal Appearance/Docket Calendar; Formal Hearing; Jonathan Degnan, M.D. On the motion of Dr. Amusa, duly seconded by Dr. Winstead, and passed by unanimous voice vote, the Board convened in executive session for the formal hearing in the matter of Jonathan Degnan, M.D., as a matter relating to the allegations of misconduct and the character and professional conduct of a licensee, La.Rev.Stat§42:17A(4) and (10) and to conduct an administrative hearing as provided by the Legislature in the Louisiana Administrative Procedure Act, La.Rev.Stat.49:951, et.Seq.

[33.] Personal Appearances/Docket Calendar. On the motion of Dr. Johnson, duly seconded by Dr. Amusa, 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.

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

- a. Interim Actions: The Board approved the following Interim Actions that had been handled by the President:

Docket No., 17-I-808

Docket No., 18-I-051

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

Investigation No., 17-910

Investigation No., 17-806

Investigation No., 17-I-760¹

¹ Drs. Dawson and Howell recused themselves from any and all participation in discussion and/or consideration of this matter.

Investigation No., 17-668
 Investigation No., 18-I-051
 Investigation No., 17-658²

- c. Formal Investigation: The Board approved an extension of three months to commence a formal investigation in the following matter:

Investigation No., 17-690

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

Benjamin Andrew Deaton, M.D., Docket No., 16-I-514
 James Joshua M. Greer, M.D., Docket No., 17-I-868

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

Docket No., 17-I-563
 Docket No., 17-I-961

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

Docket No., 15-I-961

- g. Closed Complaints Cases: The Board reviewed the Closed Complaint Cases Report for January 2018.

[35.] Professional Liability Report. On the motion of Dr. Winstead, 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.

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

a. Cain, Theresa Ann, OT – To approve the request of Theresa Ann Cain, OT, for reinstatement of her license to a full, unrestricted status.

b. Weathers, Krystle Renee, LRT – To approve the request of Krystle Renee Weathers, LRT, for reinstatement of her license to a full, unrestricted status, off probation in accordance with the terms of her Consent Order dated December 5, 2016.

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

c. Rosales, Miguel C., PA – To deny the request of Miguel C. Rosales, PA, for reinstatement of his license to a full, unrestricted status, off probation.

d. Office-Based Surgery Report – To defer the year-end report and presentation on Office-Based Surgery until the next meeting of the Board.

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

Laboratory Assistant

Hall, Taneshia Lynette

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

Stephenson, Loren Carroll

[39.] Licensure and Certification; Physicians and Surgeons; U.S./Canadian Medical Graduates. On the motion of Dr. Howell, 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. Dawson, duly seconded by Dr. Howell and passed by unanimous voice vote, made the following decisions:

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

Bahador, Parham
Simpson, Jean Bing
Sinada, Musadag M.

Vij, Rajiv Shamsheer
Wagner, Elliott Jay
Williams, Julie L.

b. Deferred – To defer action on the request of the following for a waiver of an examination attempt pending receipt of additional information:

Arroyo, Cesar Hernandez, M.D.

c. Approved – To approve the residency program accredited by CFPC of Canada, thereby making her eligible for licensure provided all other requirements had been met:

Hawkins, Clare Arnot

d. Denied – To deny the request of the following for sponsorship to re-take the USMLE, Step 2, CK, inasmuch she is not eligible for licensure due to the number of failed attempts:

Beurlot, Michelle R.

[40.] Licensure and Certification; Physicians and Surgeons; USMLE; Sponsorship. 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. Dawson, duly seconded by Dr. Clark and passed by unanimous voice vote, denied the request of the following for USMLE Sponsorship previously approved inasmuch as he was not seeking licensure in Louisiana:

McLaughlin, Nathaniel

41. Next Meeting of Board. The President reminded the members that the next meeting of the Board was scheduled for March 12, 13, 2018.

Upon motion made, duly seconded and passed by unanimous voice vote, the meeting adjourned at 5:15 p.m., on Monday, February 19, 2018.

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 19, 2018 and approved by the Board on the 12th day of March, 2018.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 12th day of March 2018.

Joseph Kerry Howell, M.D.
Secretary-Treasurer

Attest:

Christy Lynn Valentine, M.D.
President