Greetings, and hope that you and yours are well. Last month the board met in person for the first time here in New Orleans. We are considering having some of our board meetings in other cities, to make them more accessible to the public.

The meeting of the Louisiana Legislature was lively as usual and resulted in various legislation that affects the board and our licensees. We wish to express our thanks to the many licensees who participated in the legislative process and shared their views with our elected representatives.

The Louisiana Department of Health (LDH) would very much like to learn more on how the COVID-19 pandemic has impacted you, your opinion about the COVID-19 vaccines, and your thoughts on how the state has managed its response to the pandemic. We partnered with them in this effort and sent out an email blast with their survey. If you have not yet responded, please do so as soon as possible:

https://tinyurl.com/LSBMEsurvey

As of this writing, many of you have not yet signed up for our electronic education tracking system, or CE Broker. We want to make sure you know that all licensees, with the exception of physician assistants and acupuncturists are required to sign up for this system, effective January 2022. Anyone who is not signed up will not be able to renew their license.

The number and severity of Covid cases are on the rise in Louisiana, and the increasingly virulent and contagious Delta variant accounts for an ever larger number of these. We urge you to be mindful and take steps to protect yourselves, your patients, and your families.

Lastly, by the time you read this, this agency may have at least one new board member, and new officers. We congratulate all on their new responsibilities.

Best regards,

Vincent A. Culotta, Jr., MD
LEGISLATIVE UPDATE

The information below contains brief summaries of the legislation passed in the 2021 regular session of the Louisiana Legislature that is pertinent to licensees of the LSBME, or to the processes and procedures of the agency.

ACTS ENROLLED

**HB 187** sponsored by Representative Bagley, signed by the governor for approval as **Act 181** amends laws relative to home health. Extends definition of “authorized healthcare providers” to include advanced nurse practitioners and physician assistants; permits newly defined practitioners to write orders to admit patients for skilled care. Augments experience requirements for administrators of home health agencies. Effective 06/11/2021.

**HB 197** sponsored by Representative Owen, signed by the governor for approval as **Act 279** Provides for expedited occupational licensure for dependents of healthcare professionals who relocate to Louisiana. Dependents include spouses, children under 21, disabled dependent children of any age, and students under the age of 24. Dependents applying for licensure must have similar licensure in another state where they are in good standing, and have at least three years experience in the field to qualify for expedited status. Effective 08/01/2021.

**HB 270** sponsored by Representatives Magee, Bagley et. al and signed by the governor as **Act 266** amends laws relative to telemedicine and telehealth. Defines Telemedicine as practiced by physicians and Telehealth as practiced by other healthcare practitioners. Defines various technologies as permissible to deliver care, but excludes electronic mail messages, texts or communications via facsimile unless they are delivered through HIPAA compliant systems. Effective 08/01/2021.

**HB 391** sponsored by Representatives Magee, Bryant et. al. and signed by the governor as **Act 424** authorizes the recommendation of medical marijuana in raw or crude form and limits the dispensing of such product to no more than seventy-one ounces of product per patient every fourteen days. Requires patients less than 21 years of age to have specific recommendation from licensed physician for product in crude or raw form. Effective 01/01/2022.

RESOLUTIONS

**HR 117** sponsored by Representative Beaullieu, urges/requests the LSBME to clarify administrative rules pertaining to certain nonsurgical cosmetic procedures performed with medical lasers. Presented to the Secretary of State 06/09/2021.

**HR 223** sponsored by Representatives Bagley and authorizes and directs the House Committee on Commerce and the House Committee on Health and Welfare, or a subcommittee composed of members of these committees, to meet and function as a joint committee to study the role and effects of noncompetition agreements relative to physicians in this state and to report the findings of the joint committee to the House of Representatives of the Legislature of Louisiana. Presented to the Secretary of State 06/15/2021.

PHYSICIAN EXPERTS NEEDED

The LSBME seeks physician experts to consult on content-specific cases when a standard(s) of care determination is needed. Examples of specialty fields where physician experts are needed include, but are not limited to: dermatology, orthopedics, neurosurgery, neurology, internal medicine, plastic surgery and general surgery. Please contact Carol Chauvin, RN Compliance Officer (504-568-1077 or cchauvin@lsbme.la.gov) with questions or to sign up for this special duty of the Board.
DISCIPLINARY ACTIONS, JANUARY – JUNE 2021

Below is a list of all licensees who were subject to a public board disciplinary action. Click on the name to see the documentation related to the board action.

Jessica L. Babineaux, MD, Consent Order for probation, 02/22/2021
Gray Wesley Barrow, MD, Consent Order for suspension, 05/24/2021
Matthew John Bourg, LRT, Consent Order for suspension, 02/22/2021
Jonathan Nicholas Chandler, MP, Consent Order for reprimand, 02/22/2021
Sebastian J. Ciacchella, MD, Voluntary Surrender of license, 03/29/2021
Madelyn Howe Corkern, DO, Consent Order for probation, 02/22/2021
Jonathan Claude Cutrer, LRT, Consent Order for probation, 05/24/2021
April Justine Fox, MD, Consent Order for probation, 03/29/2021
Alex Lev Glotser, MD, Voluntary Surrender of license, 04/26/2021
William Paul Hudson, MD, Consent Order for probation, 04/26/2021
Naiyer Imam, MD, Consent Order for reprimand, 01/25/2021
Timothy Thomas Johnson, CLP-GEN, Board Order for suspension of license, 03/01/2021
Sarah Carswell Lee, MD, Consent Order for reprimand, 03/29/2021
Christopher Todd Nichols, MD, Consent Order for probation/limited, 03/29/2021
Mayor Abumere Okoloise, MD, Consent Order for reprimand, 01/25/2021
Ratnakar Pernenkil, MD, Consent Order for suspension, 05/24/2021
Lester J. Prats Jr., MD, Consent Order for probation, 01/25/2021
Amanda J. Strawbridge, CLP-PHLEB, Consent Order for probation, 03/29/2021
John Clark Simon, MD, Consent Order for reprimand, 02/22/2021
Regan Claire Terry, LRT, Consent Order for probation, 03/29/2021
Bruce Lord Wilder, MD, Board Order for suspension of license, 03/01/2021
Sreedevi Yerrapraggada, MD, Consent Order for reprimand, 03/29/2021

DISCIPLINARY ACTIONS. Information on disciplinary actions may be found on the board’s website at http://www.lsme.la.gov. A summary of Board Orders, Consent Decrees and Reprimands for the past 10 years and related documents may be found by selecting the “Disciplinary Actions” blue box on the home page.
RULEMAKING SINCE APRIL NEWSLETTER

The following rules were promulgated in June and published in the June edition of the *Louisiana Register*:

**Rules of Adjudication; Assessment of Costs and Fees, Chapter 46:XLV.9935**
The Board amended its rules governing adjudication, by inserting a new section (§9935), pertaining the assessment of costs and fines, which may be imposed in conjunction with Board proceedings.

**Physician Licensure and Certification, Chapter 46:XLV.315, 415 and 417**
Amendment to §315.A expands the existing discretionary waiver of certain license requirements for applicants appointed to a full-time position by a medical school or college, at a rank of assistant professor or above, to an applicant who would be a full-time employee of an academic medical center whose duties and responsibilities are devoted primarily to training residents and fellows and other academic endeavors within post-graduate medical education. As with medical school professors, the proposed amendments would limit the applicant’s practice to the academic medical center, as defined in §315.B, for which he or she has been approved by the board and affiliated hospitals and clinics of such center within the same geographic area of the state. As is the case under the existing rules (§327), amendments would be available to medical educators who graduated from either U.S. or international medical schools and the waiver of qualifications would expire upon termination of the appointment (§415.B). These changes to §417.B are intended to conform the rules governing notification of license renewal to current agency practices (electronic notification), which resulted from the Board's transition from sending out paper license renewals to electronic renewals and courtesy notices over the past several years.

**International Medical Graduates Qualifications and Applications for Licensure, Chapter 46:XLV.323, 361 & 363**
The Board amended the requirements for postgraduate training (PGY) for international medical graduates (IMGs) with those applicable to US graduates, provided the applicant graduated from an approved medical school. Currently, IMGs are required to complete three years of PGY training in an accredited medical residency training program prior to licensure eligibility. U.S. medical school graduates are required to complete 2 years of PGY accredited training or one (1) year with a commitment from the program for PGY-2 training with demonstration of completion of PGY-2 training as a condition to licensure renewal. The Board amended its rules governing licensure of foreign medical graduates, by adding additional language to a subsection (§323A.4), involving an alternative method for licensure for international medical graduates, and by repealing other subsections (§§361.G and 363.B).

**Podiatrists; Requirements and Qualifications for Licensure, Scope of Practice, Chapter 46:XLV.1307**
Noting that a uniform podiatry 3 year postgraduate training program was implemented throughout all podiatry schools in 2013, the Board changed the rules (§1307G) to provide that licensed advanced practice podiatrists with 2 or more years of postgraduate training may independently perform a complete history and physical (H&P) on patients for the purpose of preoperative evaluation before a podiatric procedure.

**Physicians; Continuing Medical Education, Chapter 46:XLV.433-449**
The Board amended its continuing medical education (CME) rules for all categories of licensees to utilize an electronic reporting service for tracking and reporting CME hours. Rather than capturing CME by a sampling of licensees (3%) by subsequent audit, all licensees will have their CME tracked and reported to the Board electronically by way of an electronic reporting service (CE Broker). Notices will be sent at periodic intervals of the number of CME hours completed/required. A licensee who does not satisfy the annual CME requirement will be ineligible for licensure renewal.
RULEMAKING, CONTINUED

Rules of Procedure; Petitions for Rulemaking, Chapter 46:XLV.9301
This rule provides the procedures for the public to follow when requesting the Board to adopt, amend, or repeal a Board rule.

Medical Professions; Restricted Temporary Permits; Emergency Temporary Permit, Chapter 46:XLV.402D, 412H and L
Pursuant to Emergency Declaration, adopted at an emergency meeting held on March 30, 2020, the Board exercised the emergency provision of the APA and amended, for a limited time, its existing rules (§402D and §412H) and adopted a new subsection (§412L) to provide for emergency temporary permits for formerly licensed Louisiana physicians and allied health care practitioners during the declared public health emergency. The rule makes this change permanent.

Complaints and Investigations; Guidelines for Determining Whether to Issue Public or Non-Public Actions, Chapter 46:XLV. 9714
In conformity with recommendations of the LLA, the Board created a new section of the rules to provide guidance as to the criteria the board may consider in determining whether informal complaint disposition is non-disciplinary (not public) or disciplinary (public).

The following rule was promulgated and published in the July edition of the Louisiana Register:

Complaints and Investigations; Complaint Disposition Guidelines
Chapter 46:XLV. 9716
In conformity with recommendations of the LLA, the Board created a new section of the rules to provide guidance as to the criteria the board may consider for complaint disposition in order to promote consistency in administrative disciplinary dispositions for similar violations.

For information on new and updated rules published in the 2021 Louisiana Register, see https://www.doa.la.gov/doa/osr/louisiana-register/

For more detail and the most up to date information on the status of each rule as it proceeds through the administrative rulemaking process, go to: http://www.lsbsme.la.gov/content/regulatory-progress-rule-making-and-regulatory-changes

---

Updating your contact information

All licensees should be aware that if you change your address or your email address, it is YOUR responsibility to log on to the LaMED dashboard at https://online.lsbsme.org/#/ and make the change to your record. (You can also go to the home page at www.lsbsme.la.gov, click For the Practitioner > LaMED Dashboard.) Board staff cannot do this for you. To make sure that emails and communication by regular mail are reaching you, please make a point of changing your contact information as necessary. Please remind your colleagues of this if you hear someone mentioning that, "I didn't get that announcement...” or “I didn't hear about that....”
Electronic Education Tracker Required for Renewal in 2022

Licensees are reminded that registration for a CE Broker Electronic Education Tracker account is mandatory for most licensees. Effective January 2022 if you do not have an account you will be unable to renew your license. See below for latest statistics on account registration by licensee group.

<table>
<thead>
<tr>
<th>Licensee type</th>
<th>% Registered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Trainers</td>
<td>78</td>
</tr>
<tr>
<td>Clinical Exercise Physiologists</td>
<td>61</td>
</tr>
<tr>
<td>Clinical Laboratory Personnel</td>
<td>28</td>
</tr>
<tr>
<td>Genetic Counselors</td>
<td>35</td>
</tr>
<tr>
<td>Licensed Midwives</td>
<td>68</td>
</tr>
<tr>
<td>Medical Psychologists</td>
<td>66</td>
</tr>
<tr>
<td>Occupational Therapy</td>
<td>48</td>
</tr>
<tr>
<td>Perfusionists</td>
<td>8</td>
</tr>
<tr>
<td>Physicians</td>
<td>47</td>
</tr>
<tr>
<td>Podiatrists</td>
<td>53</td>
</tr>
<tr>
<td>Polysomnography</td>
<td>51</td>
</tr>
<tr>
<td>Licensed Respiratory Therapists</td>
<td>47</td>
</tr>
</tbody>
</table>

In response to requests for a place to deposit documents after hours, the LSBME has created a drop box in the front of the building at 630 Camp street. Please use it as needed.