

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS NEWSLETTER



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Board News & Notes

Board Elects New Officers

As indicated on the masthead of this Newsletter, at its July 1996 meeting the Board elected new officers to serve for the succeeding two years. KEITH C. FERDINAND, M.D., a New Orleans cardiologist was elected as President of the Board. Dr. Ferdinand was nominated to serve on the Board by the Louisiana Medical Association and is the first African-American president of the Board. MARY LOU APPLEWHITE, M.D., a dermatologist practicing in Baton Rouge and Metairie, will serve as Vice-President. And TRENTON L. JAMES, II, M.D., a Baton Rouge physician in family practice has been elected as the Board's Secretary-Treasurer.

The Board's election of new officers marked the end of the term of F. P. BORDELON, JR., M.D., of Marksville, as President of the Board. In recognition of his outstanding service to and capable leadership of the Board over the past two years, the members of the Board recently presented Dr. Bordelon with a plaque bearing a resolution commending Dr. Bordelon for his Presidency and expressing the Board's deep appreciation for the time, energy and commitment he had devoted to that role.

Telemedicine

Practice of Medicine Across State Lines

Most simply stated, any medical act that results in a written or documented medical opinion, order or recommendation that affects the diagnosis or treatment of a patient constitutes the practice of medicine in this state. Any time this occurs involving a patient in Louisiana and a physician located in another state, the physician is practicing medicine across state lines. If that physician is not licensed in Louisiana and thus is not directly accountable and answerable to the Board for the competence of his practice and his compliance with Louisiana laws and regulations governing the practice of medicine, the Board cannot ensure appropriate standards of care for the protection of the patient.

It is the Board's position, more particularly, that any diagnosis, or prescription, recommendation or administration of treatment for or with respect to an individual who is a resident of or located in Louisiana, constitutes the practice of medicine in this state, which is unlawful in the absence of a

medical license issued by the Board. This prohibition would not prevent a Louisiana physician from seeking and obtaining consultation on a Louisiana patient (*i.e.*, a second opinion) from an out-of-state physician, provided that the requesting physician is capable of making and responsible to the patient for the primary diagnosis.

Anorectics Redux

Medications Used in Obesity

The Board has recently received quite a few inquiries regarding the use of anorectic medications in the treatment of obesity. Most of the questions have recently related to the anorectic use of dextfenfluramine hydrochloride (ReduxTM), a medication new to the American marketplace, and to whether such medication is subject to the limitations prescribed by the Board's rules and regulations governing the prescription of medications used in the treatment of obesity. The Board would want all licensees to be aware that dextfenfluramine hydrochloride is a Schedule IV controlled substance and so long as it is controlled, physicians must adhere to the current rules and regulations, La. Admin. C. §§ 46:XLV.6901-6913, which limits prescription and use to 12 weeks in any 12-month period. Violation of or failure of compliance with the rules would provide cause for the Board to take disciplinary action.

Available exceptions to these rules are covered by La. Admin. C. § 46:XLV. 6911, requiring submission of individual requests directly to the Board. Physicians who seek Board authorization for exceptions to the rules in individual cases should be aware that exceptions are granted in reliance on the representations and medical judgment of the requesting physicians as to the need and justification for an exception to the rules. The granting of an exception does not represent a medical judgment by the Board as to the propriety or efficacy of anorectic therapy for the physician's patient, and the Board cannot and does not accept any medical or legal responsibility for the consequences or complications which may attend extended anorectic therapy. A physician who obtains Board authority to extend anorectic prescriptions beyond 12 weeks should, accordingly, ensure the patient has given informed consent to the use of anorectics beyond the limitations prescribed by the Board's rules.

Also, in response to many inquiries concerning the concomitant prescription of fenfluramine and phentermine (recently referred to as "fen-phen"), the Board does not believe

that the concurrent usage of such medications is prohibited by the applicable rules, provided the prescriptions otherwise conform to the conditions and limitations set by the rules for anorectic usage.

Board Meetings

Dates for 1997 Set

The Board's meetings for 1997 have been scheduled to be held on the dates set forth below. To be included on a meeting agenda, items must be received in the Board's office, in writing, not less than 14 working days prior to the first day of the meeting. The Board's meetings are regularly held in its offices in New Orleans at 630 Camp Street.

Those interested in attending Board meetings are reminded that a substantial portion of each Board meeting agenda is devoted to matters—such as disciplinary hearings, review of applications and special requests—which are considered by the Board in executive session not open to the public. With respect to particular matters, interested persons may be able to contact Board staff to determine an approximate time that the Board may consider a particular item on its agenda.

1997 MEETING DATES

January 29-31	July 23-25
February 19-21	August 20-22
March 26-27	September 17-19
May 21-23	October 22-24
June 18-20	December 10-12