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NEWSLETTER

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1990 Renewals

Penalties—Last year, some physicians had the unpleasant experience of having to pay a late renewal penalty of \$100 in addition to the usual \$100 renewal fee. By law, *renewal applications and fees are due on or before January 1*. As previously announced, *late payment penalties for 1990 renewals will be assessed for renewals postmarked after January 1, 1990*. In addition, licenses not renewed by January 31, 1990, will be suspended for non-renewal. Renewal notices were mailed on or about November 1, 1989. If you did not receive a renewal notice, contact the Board office.

Reduced Renewal Fees for Certain Physicians—The Board has authorized immediate implementation of reduced renewal fees for physicians who have withdrawn from practice and are either over 70 years of age or who suffer from disabilities precluding practice, but who nonetheless wish to maintain their medical license. Upon application to the Board for such reduction and observance of certain stipulations regarding practice and controlled substances privileges, renewal fees will be reduced by one-half for the current and subsequent renewal years.

Honors for Dr. Bordelon

The Board is proud to note that its Vice-President, F. P. Bordelon, Jr., M.D., Marksville, was honored this past summer as Physician of the Year by the Louisiana Academy of Family Physicians. The organization also nominated Dr. Bordelon for National Family Physician of the Year. An honoree must be an active member of the Academy who has made civil, religious and/or medical contributions to his/her community.

Born in Longbridge, Louisiana, in 1921, Dr. Bordelon graduated from Cottonport High School, received a B.S. degree from L.S.U., and his M.D. from L.S.U. School of Medicine in 1945. He served his internship at Charity Hospital in New Orleans. Following active duty in the U.S. Navy, in 1948 he opened his practice in Marksville, where he continues to practice today. He has served as Avoyelles Parish coroner since 1975 and has been the team physician for the Marksville high school for 30 years. Dr. Bordelon is a past president of the Louisiana State Medical Society (1968-69) and was named to its Hall of Fame in 1983. He's received numerous civil awards and holds a current AMA Physician's Recognition Award. Having served on the Board of Medical Examiners since 1979, he was elected Vice-President of the Board in the summer of 1988. Dr. Bordelon has also served on the Board of Practical Nurse Examiners since 1974 and became Chairman of that Board in February

1989. His long history of service to his patients, to the state of Louisiana and to organized medicine make him most deserving of his many awards.

Law Prohibits Prescription of Anabolic Steroids to Enhance Athletic Ability

In the last issue of the *Newsletter*, we reported that legislation was then pending before the legislative session to designate anabolic steroids as controlled substances. The Board invited comments and reports on the medically inappropriate use of anabolic steroids. The Board is most appreciative of those of you who took the time to communicate your observations and concerns. The letters were most informative.

Although legislation designating anabolic steroids as controlled substances was not adopted, in response to concerns over the use of steroids to enhance athletic ability, the Legislature did enact a law (Act 704) providing, in part, "A physician, dentist or veterinarian shall not prescribe, dispense, deliver or administer an anabolic steroid for human use or cause an anabolic steroid to be administered under his direction or supervision for human use except for a valid medical purpose and when required by demonstrable generally accepted medical indications. Bodybuilding, muscle enhancement or increasing muscle bulk or strength through the use of an anabolic steroid by a person who is in good health is not a valid medical purpose." La. Rev. Stat. § 40:1239(D). Anyone who violates the law is subject to suspension or revocation of his license to practice medicine, dentistry or veterinarian medicine by his governing board, and to a fine of up to \$5,000 and/or imprisonment with or without hard labor for up to five years.

Mental Illness/Disorder Treatment Contract

The Board is pleased to announce that after several months of effort, a monitoring protocol has been developed to assist the Board and physicians impaired by virtue of mental illness or disorder. The project was a cooperative effort by the Louisiana State Medical Society Impaired Physicians Program (LSMS-IPP) and the Louisiana Psychiatric Association (LPA). The Board particularly wishes to acknowledge the efforts of Sylvia J. Schneller, M.D., Jefferson Parish Medical Society Impaired Physicians Committee, who served as liaison between the Board and LPA and who works closely with the Board's Impaired Physicians Committee, and Eric Hoffman, Ph.D., Director of the LSMS-IPP, who coordinated the

effort between the Society and the LPA.

**Patient's Right to Medical/Hospital Records;
Length of Time Records Must Be Retained**

The last two issues of the *Newsletter* addressed one of the more common complaints received by the Board—the inability of patients to obtain their medical records. Act 205 (La. Rev. Stat. § 40:1299.96(A)) passed by the Louisiana Legislature and signed by the Governor June 26, 1989, addresses many questions relative to patient records. In summary, any patient or his/her authorized representative is legally entitled to obtain a copy of his/her record upon furnishing a signed authorization and payment of a reasonable copy charge (not to exceed \$1 per page for the first 25 pages, 50¢ per page for 25 to 500 pages, and 25¢ per page thereafter), a handling charge (not to exceed \$10 for hospitals and \$5 for other health care providers), and actual postage. Patients may also obtain copies of x-rays upon payment of reasonable reproduction costs. If the record is not provided within 15 days, the physician may be assessed court costs and attorney's fees in connection with a formal subpoena for the records. The monetary fine will not be imposed, however, unless the patient notifies the physician by certified mail of the failure to supply the records and the penalties which may be imposed and the physician does not release the records within five days of receipt of such notice.

A physician may deny access to a record if he/she concludes that knowledge of the information contained in the record would be injurious to the health or welfare of the patient or could reasonably be expected to endanger the life or safety of any other person.

The law further provides that medical records must be retained by a physician in the original, microfilmed or similarly reproduced form for a minimum period of six years from the date a patient was last treated by the physician. Graphic matter, images, x-ray films and the like must be retained, preserved, and properly stored in the original, microfilmed or similarly reproduced form for a minimum of three years from the date the patient was last treated, but must be retained for longer periods when requested in writing by the patient.