

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS NEWSLETTER



630 Camp Street  
New Orleans, La. 70130  
Post Office Box 30250  
New Orleans, La. 70190-0250  
Telephone: (504) 524-6763  
Facsimile: (504) 568-8893

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## Board News & Notes

### Board moves into new home

On May 25, 1995, the Board moved its offices into a new home at 630 Camp Street in New Orleans. In addition to providing critically-needed space for our staff, our new facilities enable us to more efficiently accommodate the Board's meetings, disciplinary proceedings and public hearings and the many regular visitors to our office. The Board's new physical and mailing addresses are noted in the NEWSLETTER masthead above. Our telephone and facsimile numbers, also noted, are unchanged.

## Physician Licensing

### Licensure a privilege, not an entitlement

The Medical Practice Act provides that the practice of medicine is a "privilege granted by legislative authority and is not a natural right of individuals...." The same law declares that "the state of Louisiana deems it necessary as a matter of policy in the interests of public health, safety, and welfare to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of medicine...." These propositions impose a heavy responsibility that the Board takes most seriously in granting the privilege of practicing medicine in Louisiana.

Physicians, hospitals and others involved in recruiting physicians to practice medicine in this state should understand that the licensure process takes time, and that *licensure is not guaranteed* to any applicant. On average, the application process may take from four to eight weeks, depending on how long the applicant has been in practice and how many locations he or she has previously practiced in.

The application is an all-inclusive packet with instructions and information on all applicable requirements. Presentation of original credentials is necessary, and an interview may be required. All too often the Board is prevailed upon to waive requirements or to expedite the process, only to discover legitimate grounds to deny licensure. This can present a serious problem for the recruiting physician or hospital as well as for the applicant if the applicant has prematurely relocated his family, purchased property, or made other com-

mitments in reliance on issuance of medical licensure.

Since the Board meets to act on applications ten times each year, temporary permits are not generally available or issued. Only if an applicant is required to take the SPEX examination for licensure, holds a current license in another state, and completes all application requirements except for passage of the examination, may he or she be granted a temporary permit by the Board, to be in effect until the results of the next scheduled examination. The important thing to note here is that *the permit becomes null and void in the event the applicant fails the examination*. The applicant may take the examination up to four times, but may not practice again unless successful in no more than four attempts and approved for licensure by the Board.

Our advice? Plan ahead. As the saying goes, procrastination on your part will not constitute an emergency on our part. If you are recruiting a physician, make certain he or she contacts the Board as early in the process as possible. Then make certain the physician is licensable before you commit further resources to him or her.

For physicians planning to relocate to another state, our advice is the same. Be certain you understand the licensure procedures in your intended jurisdiction of practice before you commit your family and your financial resources to relocation. All states consider the practice of medicine in their jurisdiction to be a privilege, not an automatic right. All take seriously their duty to determine that an applicant is fit to practice with reasonable skill and safety to their citizens.

### BERNARD L. KAPLAN, M.D.

It is with great sadness that the Board notes the death of BERNARD L. KAPLAN, M.D., a member of the Board from May 29, 1987 until his untimely death August 14, 1995. During his tenure on the Board, he served as Vice-President, from August 1990 to August 1992, and as President, from August 1992 until August 1994. He also served as Chairman of the Board's Malpractice Committee. Dr. Kaplan will be missed not only by his family and loved ones, but by his many friends, physician-colleagues and his patients. His courage, leadership and integrity will be sorely missed by the medical profession. All those fortunate enough to have shared some part of his life will miss his good counsel.