

**THE LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS**

**MINUTES
OF
MEETING**

**March 29, 2021
NEW ORLEANS, LOUISIANA**

A meeting of the Louisiana State Board of Medical Examiners, pursuant to lawful notice, was convened and called to order at 8:30 a.m., Monday, March 29, 2021, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana. The Board members participated via live streaming video and teleconferencing.

Board Members present as follows:

Roderick V. Clark, MBA, M.D., President
Lester Wayne Johnson, M.D., Vice President
Rita Y. Horton, M.D.
Patrick K. O'Neill, M.D.
Kim S. Sport, JD
James A. Taylor, Jr., M.D.
Christy Lynn Valentine, MBA, M.D.
Leonard Weather, Jr., M.D.
Lolie C. Yu, M.D.

Terrie R. Thomas, M.D., Secretary-Treasurer was absent for Roll Call

The following members of the Board's staff were present:

Vincent A. Culotta, Jr., M.D., Executive Director
Lawrence H. Cresswell, DO, JD, Director of Investigations
Patricia Wilton, Esq., Executive Counsel
Mary Peyton, Esq., General Counsel
Thadra C. White, Esq., Compliance Counsel
Aloma James, Director of Licensure
Alan W. Phillips, IT Director
Tracy Mauro, IT Specialist
Susie Allen, DrPH, MBA, Director of Education and Research
Leslie Rye, Compliance Investigator
Carol Chauvin, Compliance Officer
Cathy Storm, Compliance Officer

Lawrence Robinson, Compliance Investigator
Paula Pigford, Compliance Officer
Ronald Cayette, Compliance Investigator
Theresa Lockhart, Compliance Investigator
Joseph Bonck, Compliance Investigator
Esparonzia Spooner, Compliance Investigator
Lillie Rodgers, Investigations Program Director
Jacinta F. Duthu, Executive Staff Officer

Independent counsel to the Board was present as follows: Judge Michael G. Bagneris (Ret)

1. **Welcome.** Dr. Clark welcomed everyone to the meeting and asked for a moment of silence for the COVID-19 victims and all healthcare workers.
2. **Mission Statement.** Vincent A. Culotta, Jr., M.D., Executive Director, read the mission statement of the Board.
3. **General Administrative Matters; Public comments; Meeting Order;** Dr. Clark advised the public that any comments can be emailed to publiccomment@lsbme.la.gov. Dr. Clark reminded the members and staff to please respect the order of the meeting by using the hand raised function to be recognized. Dr. Clark verified the identity of all tele- and videoconference participants and he ensured the meeting was clear and audible to the public and those on the tele- and videoconference. Furthermore, Dr. Clark emphasized that any additions that need to be made to the executive or public agenda, be made before the completion of the public session, as we will no longer be able to make additions to the agenda after the close of the public session.
4. **Minutes of February 22, 2021 and Special Call Meeting March 16, 2021** The Board reviewed and discussed the minutes of its meetings held February 22, 2021 and March 16, 2021. On the motion of Ms. Sport, duly seconded by Dr. Horton and passed by unanimous roll call voice vote, the Board approved the minutes of its February 22, 2021 and March 16, 2021 meeting.
5. **Follow-Up Action Items; IV Catheters and Medical Assistants.** The Board reviewed the draft response to Christa Wilborn, Clinical Educator, regarding the Medical Practice Act and the rules and policies of LSBME to delegate to an unlicensed Medical Assistants to initiate IV catheter or monitor an IV when the MA is trained to do so and the physician is present and supervising. On the motion of Dr. Weather, duly seconded by Dr. Horton, and passed by unanimous voice vote, the Board approved sending the response to Ms. Wilborn.
6. **Follow-Up Action Items; Clinical Exercise Personnel Licensure.** The Board reviewed the draft response to Tim Edwards, in regard to whether his company may administer cardiopulmonary exercise stress testing by an exercise physiologist while the physician is in the building to supervise. On the motion of Dr. Valentine, duly seconded by Dr. O'Neill and passed by unanimous voice vote, the Board approved sending the draft response.
7. **Follow-Up Action Items; Application Questions.** The Board reviewed an update to the LSBME licensure application questions in regard to Initial Physicians' Oath question 17 and Renewal Physicians' Oath question 14, to include a wider net of collecting intentional conduct claims and not only medical malpractice claims. After discussion the Board agreed to defer this agenda item for more specific language regarding the application questions.
8. **Communication and Information; LLA Report on the Massage Board.** The Board reviewed the LLA report in regard to legislative scrutiny and that regulators should either improve their oversight of massage parlors or the Legislature will pass the necessary laws to do so. No further action was needed or taken on this matter.

9. Communication and Information; 2009 Public Citizen Report on Hospital Reporting. The Board reviewed the 2009 Public Citizen report in regard to how the lack of detection and widespread under reporting to the National Practitioner Data Bank raises serious questions about hospital peer review. No further action was needed or taken on this matter.

10. Communication and Information; Dental Scope of Practice and Sleep Apnea Concerns. The Board reviewed correspondence from Kannan Ramar, AASM President, with regard to a recently published position statement by the American Academy of Dental Sleep Medicine on the use of home sleep apnea test by dentist. No further action was needed or taken on this matter.

11. General Administrative Matters; President Report. The President happily informed the Board, that the Resolution recently passed at the Special Meeting has been requested for information by both Chairs of the Health and Welfare Senate and House Committees. The President updated the Board that the Physicians' mental health program is continuing, but has slowed a little as we work out other issues. The President also updated the Board on Dr. Allen's study and presentation regarding physician death in Louisiana (1990-2015) and whether there is a relationship to the practice. He is hoping to have the preliminary report by the next meeting. The President asked the Board to keep their calendars as open as possible for the upcoming as we enter legislative session, as it is important for the Board to have a presence. The President presented the Board with the following interim decisions with a request that each be ratified:

- a. Approval of the serving President and the Executive Director to fill the vacant seats on the Interstate Medical Licensure Compact Commission. On the motion of Ms. Sport, duly seconded by Dr. Taylor and passed by unanimous voice vote, the Board ratified the interim action.
- b. Approval of the Executive Director to advertise for a full-time Assistant Director of Investigations to fill the current vacancy. On the motion of Dr. Valentine and duly seconded by Dr. O'Neill, and passed by 8 YEAS and 2 NAYS, the Board ratified the interim action.
- c. Denial of a licensee's request that the Board remove/expunge disciplinary action from 36 years ago. On the motion of Dr. Valentine and duly seconded by Dr. Weather and passed by unanimous voice vote, the Board ratified the interim action.

12. General Administrative Matters; Executive Director's Report. The Board reviewed the report by Executive Director, Dr. Culotta, on his activities since the last meeting of the Board. The Executive Director informed the Board of the following:

- The document scanning is going well. We are just about to complete scanning of a large number of investigation files. When this is complete, we will remove the shelving and plan to add new cubicles on the 4th floor to afford more work space for the investigations department. We will soon begin scanning the minutes and agendas that go back to the 1800's, and converting them to a typewritten version for the OCR scanning.
- We have now had a six zoom conferences on the use of CE broker. Numbers continue in an upward direction. More CME providers are now engaging in Electronic Education Tracker to automatically report credit hours earned by our licensees, making this process even easier for our licensees. (The Executive Director presented a demonstration of how to use CE broker)
- We are beginning the annual legislative audit. The letter of engagement was authorized and sent to the accounting firm performing our audit.
- Our new CFO, LaKenya Collins, CPA, was introduced to the Board, and has been on the job for a week now.

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- I met with General Landry who has a keen understanding of our problem to address tort accusations against the board members and also proposed a legislative solution to resolve the antitrust allegations. General Landry is currently working to expand ORM's coverage to include tort matters, and address the antitrust issues and advised the Board to propose legislation that creates an optional fund to allow Boards and Commissions to participate and pay a licensee fee to fund this account. We have a legislator that will introduce the bill, and I will be asking many of my counterparts to take an active role in the attempt to pass the legislation.

13. General Administrative Matter; Financial Reports. The Board reviewed the Income Statement and Cash Balance Summary for the period ending January 2021. On the motion of Dr. Valentine, duly seconded by Dr. Weather, and passed by unanimous roll call voice vote, the board accepted the Financial report.

14. Next Meeting of the Board; The President reminded the members that the next meeting of the Board was scheduled for April 26, 27, 2021, and asked the Board to make a decision of when the Board will begin meeting in person. On the motion of Dr. O'Neill, duly seconded by Dr. Weather and passed by unanimous voice vote, the Board approved to continue to meet by Zoom, and reassess this decision monthly.

15. Rules and Regulations. Rules/Amendments.

On the motion of Dr. Valentine, duly seconded by Dr. Horton, and passed by unanimous voice vote, the Board approved the regulatory report.

Physicians; Assessment of Costs— At the Board's June 29, 2020 meeting, it approved promulgation of a proposed rule (listed on the regulatory progress page of our website as 2020-5) regarding assessment of fees and costs with the insertion of a new section, LAC 46:XLV.9935. The First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. The next step is to submit the rule again to the appropriate legislative committees, and the OLRC. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Petitions for Rulemaking- A rule regarding the form for petitions to adopt, amend and/or repeal a Board rule, and the procedure for submission, consideration, and/or disposition of those petitions, was first considered by the Board at its February 2020 meeting as proposed LAC 46:XLV.Chapter 93 and the Board confirmed approval of the draft rule at its June 29, 2020 meeting. (listed on the regulatory progress page of our website as 2020-7) Thereafter, the First Report to the OLRC was considered and approved at the OLRC's September 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. The next step is to submit the rule again to the appropriate legislative committees, and the OLRC. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Physician Licensure (IMGs). The Board was asked to conform 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 new rule draft (adding language to LAC 46:XLV.323 and repealing subsections 361.G and 363.B), includes a revision of the criteria for approving foreign medical schools to include those which are accredited by some combination of accreditation entities including (a) the World Health Organization, (b) the Education Commission on Foreign Medical Graduates (ECFMG) which, commencing in 2023, will require medical school accreditation as a requirement for ECFMG certification (e.g., for an IMG to enter and participate in post-graduate training in the U.S.), (c) the World Federation of Medical Accreditation (WFMA), which is currently identified by the ECFMG to recognize organizations that accredit medical schools in different countries and (d) the National Committee on Foreign Medical Education and Accreditation, of the U.S. Department of Education (NCFMEA), which evaluates international medical school accreditation standards and practices to determine their comparability to U.S. standards and practices for purposes of determining the ability of international medical schools to participate in U.S. federal education loan programs. Following initial consideration and discussion of the draft amendments at its February 2020 meeting, the Board elected to solicit input from the medical schools and other interested stakeholders prior to proceeding. At its April 2020 meeting, the Board considered correspondence received from the Dean of LSUMC-NO and deferred further action pending consideration of further comments.

At the June 29, 2020 meeting, the Board voted to approve the draft rule changes (listed on the regulatory progress page of our website as 2020-2). Thereafter, the First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Physician Licensure (CME). The Board decided to amend 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 (100%) will have their CME tracked and reported to the Board electronically by way of an electronic reporting service (e.g. 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. Given the Board's direction to proceed with a rulemaking effort at its January 2020 meeting, a working draft was prepared (adding language at LAC 46:XLV.433-449), and following consideration and discussion during its April 2020 meeting, the Board approved the draft in its June 29, 2020 meeting (listed on the regulatory progress page of our website as 2020-4). Thereafter, the First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative

committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Podiatry (History & Physicals). Noting that a uniform podiatry 3 year postgraduate training program was implemented throughout all podiatry schools in 2013, the Board's Podiatry Advisory Committee suggested a change in the current 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. The Committee also suggested that all licensed advanced practice podiatrists may independently perform a complete H&P for IRB approved podiatry research. The Committee appends its suggestions with the notes that (i) the H&P is done for evaluation and diagnosis only and (ii) there is no financial gain by the performance of H&P. Based on these suggestions, the Board considered a draft of the proposed rule changes at its February 2020 meeting, and the proposed rule changes (adding language to and removing language from LAC 46:XLV.1307) were approved at the June 29, 2020 meeting (listed on the regulatory progress page of our website as 2020-3). Thereafter, the First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Complaints and Investigations (C&I). In conformity with recommendations of the LLA, the Board directed the development of: (i) criteria for determining whether to issue public or nonpublic actions; and (ii) guidance to provide a frame work to guide future disciplinary dispositions. A draft rule was compiled and discussed at the Board's February 2020 meeting and approved for promulgation (adding LAC 46:XLV.9714 and 9716) at its June 29, 2020 meeting (listed on the regulatory progress page of our website as 2020-1). Thereafter, the First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Emergency Temporary Permit. 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 its existing rules (LAC 46:XLV.402D and 412H) and adopting a new subsection (LAC 46:XLV.412L) to provide for emergency temporary permits for formerly licensed Louisiana physicians and allied health care practitioners during the declared public health emergency. Since the temporary emergency rule will lapse, the Board, at its June 29, 2020 meeting, voted to promulgate these rule changes permanently (listed on the regulatory progress page of our website

as 2020-6). Thereafter, the First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

Physician Licensure - Waiver of Qualifications. The Board was asked to extend the waiver of licensure qualifications (currently limited by §§315 and 327) to applicants appointed by a medical school to a full-time position at a rank of assistant professor or above) to applicants who will be full-time employees of a major teaching hospital as defined by the rules. The request also suggested an amended definition for major teaching hospital to include one which is a sponsor of at least four approved residency programs two of which are in certain specialties. A working draft of the proposed amendments (adding language to LAC 46:XLV.315, 415 and 417) was presented for initial review and discussion at the Board's February 17, 2020 meeting (listed on the regulatory progress page of our website as 2020-8) and approved at the June 29, 2020 Board meeting. The First Report to the OLRC was considered and approved at the OLRC's July 23, 2020 meeting. Thereafter, the Notice of Intent, proposed rule changes, and FEIS were published in the October 2020 Louisiana Register, with a request for any public comment and notice of public hearing. Simultaneously, it was also sent to the appropriate Louisiana legislative committees. A public hearing on the proposed rule changes was held on November 24, 2020. No public comments were made and there were no appearances at the hearing. We are in the process of drafting this second report and the lapse of the required 100 days from first publication until promulgation. **OLRC has scheduled a meeting for March 25, 2021 and we submitted our 2nd OLRC report for same.**

16. Proposed Rule(s) Topics and/or Drafts. On the motion of Dr. Weather, duly seconded by Ms. Sport, and passed by unanimous voice vote, the Board accepted moving forward with the draft of the proposed rule for Physician Licensure (IMLC).

- I. **Physicians Licensure (IMLC)** — A draft of the proposed new rules, attached to minutes as **Exhibit A**, are proposed so as to accommodate the passage of the Interstate Medical Licensure Compact Law, La. R.S. 37:1310.1, attached to the minutes as **Exhibit B**. Please note the law states that to the extent La. R. S. 37:1310.1 conflicts with other Louisiana laws and/or rules, it supersedes those laws and rules. The IMLC law does not provide for our license application "Oath questions", determination of citizenship and/or an annual CME requirement. In order to conform the requirements of those holding IMLC licenses, with our usual licensees, please see Exhibit A, a working draft of proposed rules. The working draft provides that failure to produce the information/documentation within 90 days of notice is grounds for the Board to proceed with investigation of the violation or potential violation, and possible discipline under La. R.S. 37:1285. Likewise, the responses to the Oath questions may also provide grounds for the Board to proceed with investigation of the violation or potential violation, and possible discipline under La. R.S. 37:1285.
- II. On the following matters, the President of the Board asked that drafts of proposed rules for the topics below be brought back to the Board for discussion and possible

approval:

- Pro Tem DOI - qualifications for and establishment of same to match DOI's under La. R.S. 37:1270(9).
- Recusal of DOI and/or Assistant DOI for bias and/or interest, adding to LAC 46:XLV.9920
- Revocation of Marijuana LAC 46:XLV.Chapter 77 due to change in the law.
- Rules for CLP's – CLP committee has made several suggested changes, which will be put on the agenda once reviewed and revised, if needed, for due process
- Rules for OT's – OT Committee members have suggested changes to the rules regarding qualifying CME courses for renewal of licensure, which will be put on the agenda once reviewed and revised, if needed, for due process and equal protection.

[17.] Minutes of Executive Sessions. On the motion of Dr. O'Neill, duly seconded by Dr. Valentine, and passed by unanimous voice vote, the Board convened in executive session pursuant to La. R.S. 42:17A to receive and review the minutes of the executive session of its February 22, 2021 and March 16, 2021 meetings. On the motion of Ms. Sport, duly seconded by Dr. Valentine, and passed by a unanimous vote, the February 22, 2021 and March 16, 2021 Executive Session minutes were approved.

[18]. Report on Pending Litigation. On the motion of Dr. O'Neill, duly seconded by Dr. Taylor and passed by unanimous voice vote, the Board convened in executive session to receive the report of legal counsel on pending litigation to which the Board is a party, and the status of proceedings for judicial review of prior Board decisions, pursuant to La. Rev. Stat. § 42:17A(2 & 10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. On the motion of Ms. Sport, duly seconded by Dr. Valentine, and passed by unanimous voice vote, the Board accepted the litigation report regarding the following matters:

Vincent Joseph Bruno v. Cecilia Mouton and the LSBME, No. 12-5503
(Civ.Dist.Ct.Orl.Par.Div."L").

Guardian Medical Group, LLC and Cellution Wellness Center, Inc., v. Cecilia Mouton, M.D., and the LSBME, No. 12-7202 (Civ.Dist.Ct.Orl.Par.Div."L").

Richard Arjun Kaul, M.D., and Arnold Erwin Feldman, M.D. v. Louisiana State Board of Medical Examiners, et.al., No.19-3050(U.S.Dist.Ct.Dist. of Columbia)

Gregory Duhon, M.D. v. Board of Supervisors For Louisiana State University And Agricultural And Mechanical College; Thomas C. Galligan Jr.; Neeraj Jain, M. D.; Healthcare Professionals Foundation Of Louisiana; Professional Renewal Center; Louisiana State Board Of Medical Examiners, No. 2:20cv2022 (U.S.Dist.Ct.E.D.La.)

Ford v. LSBME and Dr. Valentine, in her official capacity only, Eastern District of Louisiana, Case No. 18-4149

Louisiana State Board of Medical Examiners and Cecilia A. Mouton, M.D. v. Monica A. Borg, No. 09-1844 (Civ.Dist.Ct.Orl.Par.Div."J-13").

Arnold E. Feldman, M.D. v. Cecilia Mouton, M.D. and the Louisiana State Board of Medical Examiners., No. 16-3627 (Civ.Dist.Ct.Orl.Par.Div."G")

[19]. General Administrative Matters; Act 2018-655 Complaints Report. The Board convened in executive session to receive the 655 Complaint Report for the final quarter of 2020, regarding the Board's processes and procedures in matters relating to investigations, the character and professional conduct of a licensee and the handling of those complaints and/or allegations of misconduct, pursuant to La. R.S. 42:17A(1, 4 & 10), and La. R.S. 37:23.2. No further action was required or taken on this matter.

[20.] Licensure and Certification. The Board convened in executive session relating to investigations, the character and professional conduct of a licensee and allegations of misconduct, and pursuant to La. R.S. 42:17(A)(1), (4) & (10); La. C.E. art. 508, and/or La. R.S. 44:4.1C. to review the following agenda items regarding Continuing Medical Education (CME) Audit results.

No further action needed or taken on this item.

[21.] Compliance Counsel; The Board convened in executive session to receive advice and counsel pursuant to La. R.S. 42:17A (4 & 10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. No further action was needed or taken on this matter.

[22.] Personal Appearances/Docket Calendar; On the motion of Dr. O'Neill, duly seconded by Dr. Taylor, 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 investigations, the character and professional conduct of a licensee and allegations of misconduct, pursuant to La. R.S. 42:17(A)(1), (4) & (10). La. C.E. art. 508, and/or La. R.S. 44:4.1C. No further action was required or taken on this matter.

[23.] Investigative Reports. On the motion of Dr. O'Neill, duly seconded by Dr. Taylor, 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, pursuant to La. Rev. Stat. §42:17A(1) and (4). Following review and discussion, the Board resumed in open session as follows:

a. Interim Action(s): On the motion of Dr. Valentine, duly seconded by Ms. Sport, and passed by unanimous vote, the interim action taken in the following matter is ratified:

Docket No. 20-I-869 – Summary Suspension

b. Initiate Preliminary Review: On the motion of Dr. Thomas, duly seconded by Dr. Taylor and passed by 9 YEAS and 1 Abstention, the Board approved commencing preliminary review in the following matter:

Agenda Item No. 07.04.04
Agenda Item No. 07.04.05
Agenda Item No. 07.04.06
Agenda Item No. 07.04.07

c. Commence Formal Investigation: On the motion of Dr. Thomas, duly seconded by Dr. Taylor, and passed by unanimous voice vote, the Board approved commencing formal investigation regarding the following matters:

File No. 2020-678
File No. 2020-623
File No. 2020-557

d. Extend Time for Preliminary Review: On the motion of Dr. O'Neill, duly seconded by Ms. Sport and passed by unanimous voice vote, the following matters were presented for approval of a 90-day extension to continue preliminary review/investigation:

Investigation No. 2020-1094
Investigation No. 2020-996
Investigation No. 2021-210
Investigation No. 2020-983
Investigation No. 2020-1063
Investigation No. 2020-1100

Investigation No. 2019-967
Investigation No. 2021-13
Investigation No. 2021-114
Investigation No. 2020-982
Investigation No. 2021-45
Investigation No. 2019-254

Investigation No. 2019-774	Investigation No. 2020-766
Investigation No. 2019-842	Investigation No. 2020-784
Investigation No. 2019-849	Investigation No. 2020-812
Investigation No. 2019-968	Investigation No. 2020-860
Investigation No. 2019-814	Investigation No. 2020-873
Investigation No. 2019-832	Investigation No. 2021-9
Investigation No. 2019-868	Investigation No. 2021-122
Investigation No. 2019-1035	Investigation No. 2021-137
Investigation No. 2019-1042	Investigation No. 2021-149
Investigation No. 2020-14	Investigation No. 2020-689
Investigation No. 2020-54	Investigation No. 2021-30
Investigation No. 2020-466	Investigation No. 2021-33
Investigation No. 2020-485	Investigation No. 2021-64
Investigation No. 2020-590	Investigation No. 2020-351
Investigation No. 2020-606	Investigation No. 2020-577
Investigation No. 2020-706	Investigation No. 2020-570
Investigation No. 2020-798	Investigation No. 2020-685
Investigation No. 2020-915	Investigation No. 2020-674
Investigation No. 2021-11	Investigation No. 2020-615
Investigation No. 2021-12	Investigation No. 2020-999
Investigation No. 2021-21	Investigation No. 2020-1069
Investigation No. 2021-65	Investigation No. 2020-1070
Investigation No. 2021-66	Investigation No. 2020-1071
Investigation No. 2021-89	Investigation No. 2020-956
Investigation No. 2018-768	Investigation No. 2018-723
Investigation No. 2018-655	Investigation No. 2018-834
Investigation No. 2019-1088	Investigation No. 2018-809
Investigation No. 2020-1091	Investigation No. 2018-764
Investigation No. 2021-303	Investigation No. 2018-928
Investigation No. 2019-993	Investigation No. 2018-902
Investigation No. 2020-215	Investigation No. 2019-398
Investigation No. 2020-245	Investigation No. 2019-317
Investigation No. 2020-268	Investigation No. 2019-295
Investigation No. 2020-269	Investigation No. 2019-342
Investigation No. 2020-270	Investigation No. 2019-451
Investigation No. 2020-271	Investigation No. 2019-527
Investigation No. 2020-318	Investigation No. 2019-586
Investigation No. 2020-335	Investigation No. 2019-298
Investigation No. 2020-337	Investigation No. 2019-616
Investigation No. 2020-411	Investigation No. 2019-548
Investigation No. 2020-416	Investigation No. 2019-703
Investigation No. 2020-417	Investigation No. 2019-721
Investigation No. 2020-421	Investigation No. 2019-722
Investigation No. 2020-502	Investigation No. 2019-541
Investigation No. 2020-504	Investigation No. 2019-824
Investigation No. 2020-54	Investigation No. 2019-853
Investigation No. 2020-645	Investigation No. 2019-902
Investigation No. 2020-670	Investigation No. 2019-903
Investigation No. 2020-681	Investigation No. 2019-973
Investigation No. 2020-683	Investigation No. 2019-1033
Investigation No. 2020-694	Investigation No. 2019-1034
Investigation No. 2020-700	Investigation No. 2019-1060
Investigation No. 2020-715	Investigation No. 2019-1091
Investigation No. 2020-737	Investigation No. 2019-1113
Investigation No. 2021-278	Investigation No. 2020-41
Investigation No. 2020-742	Investigation No. 2020-19

Investigation No. 2020-31
Investigation No. 2020-112
Investigation No. 2019-631
Investigation No. 2020-246
Investigation No. 2020-657
Investigation No. 2020-673
Investigation No. 2020-675
Investigation No. 2020-680
Investigation No. 2020-705
Investigation No. 2020-740

Investigation No. 2020-753
Investigation No. 2020-781
Investigation No. 2020-778
Investigation No. 2020-1012
Investigation No. 2020-1022
Investigation No. 2020-1026
Investigation No. 2020-1052
Investigation No. 2020-1065
Investigation No. 2020-1067
Investigation No. 2021-121

e. Consent Orders: On the motion of Dr. Thomas, and duly seconded by Dr. Taylor, and passed by unanimous voice vote, the following Consent Orders were approved:

Christopher Todd Nichols, M.D. Docket No. 21-I-370
April Justine Fox, M.D. Docket No. 2020-I-828
Sabastian J. Ciacchella, M.D. Docket No. 2019-I-584
Elizabeth S. Taylor, M.D. Docket No. 2011-I-705
Sreedevi Yerrapragada, M.D. Docket No. 20-I-117
Sarah Carswell Lee, M.D. Docket No. 2020-I-193
Regan Claire Terry, LRT Docket No. 2020-I-955
Amanda J. Strawbridge, CLP Docket No. 20-I-478

On the motion of Dr. Taylor, duly seconded by Ms. Sport, and passed by unanimous voice vote, the Board approved the following Consent Order:

Calvin Edward Williams, Jr., Md. Docket No. 13-I-649¹

On the Motion of Dr. Thomas, duly seconded by Dr. O'Neill, and passed by unanimous voice vote, the Board denied the following Consent Order:

Docket No. 2020-I-035

f. Closed/Dismissed: On the motion of Dr. O'Neill, duly seconded by Dr. Thomas, and passed by unanimous vote, the following matters were approved for closure/dismissal with a Letter of Concern:

File No. 2020-373
File No. 2020-680
File No. 2020-171²
File No. 2021-203
File No. 2020-I-1018

¹ Dr. Valentine is recused from any and all participation in this matter.

² Drs. Clark, Johnson, and O'Neill are recused from any and all participation in this matter.

g. Closed/Dismissed: On the motion of Dr. Weather, duly seconded by Dr. Horton and passed by unanimous voice vote, the following matters were approved for closure/dismissal:

Investigation No. 2020-809	Investigation No. 2021-123
Investigation No. 2021-97	Investigation No. 2021-243
Investigation No. 2020-464	Investigation No. 2020-1051
Investigation No. 2020-396	Investigation No. 2020-918
Investigation No. 2020-309	Investigation No. 2020-178
Investigation No. 2021-179	Investigation No. 2020-742
Investigation No. 2021-46	Investigation No. 2020-252
Investigation No. 2020-575	Investigation No. 2020-419
Investigation No. 2021-26	Investigation No. 2020-817
Investigation No. 2021-234	Investigation No. 2021-91
Investigation No. 2020-421	Investigation No. 2020-480
Investigation No. 2020-1039	Investigation No. 2020-1073
Investigation No. 2021-278	Investigation No. 2019-415
Investigation No. 2020-919	Investigation No. 2021-274
Investigation No. 2020-322	Investigation No. 2020-323
Investigation No. 2020-324	Investigation No. 2020-363
Investigation No. 2021-28	Investigation No. 2020-364

On the motion of Dr. Weather, duly seconded by Ms. Sport and approved by unanimous voice vote, the following matter was approved for closure/dismissal:

Investigation No. 2020-308³

On the motion of Ms. Sport, duly seconded by Dr. Valentine and passed by unanimous voice vote, the following matter was approved for closure/dismissal:

Investigation No. Investigation No. 2020-447⁴

On the motion of Ms. Sport, duly seconded by Dr. Weather and pass by unanimous voice vote, the following matter was approved for closure/dismissal:

Investigation No. 2020-388⁵

On the motion of Dr. Taylor, duly seconded by Ms. Sport and passed by unanimous voice vote, the following matter was approved for closure:

Investigation No. 2020-I-547

h. Professional Liability Report. On the motion of Dr. Weather, duly seconded by Dr. Horton 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). On motion by Dr. Weather and duly seconded by Ms. Sport, the Board accepted the report by unanimous voice vote.

³ Dr. Valentine is recused from any and all participation in this matter.

⁴ Dr. O'Neill is recused from any and all participation in this matter.

⁵ Dr. Clark is recused from any and all participation in this matter.

- i. Closed Complaint Cases. On the motion of Dr. Horton, duly seconded by Ms. Sport and passed by unanimous roll call voice vote, with one absentee, the Board approved closing those investigations listed on the Closed Case Report presented for the month of February 2021.

[24.] Probationary Matters; Request from Probationers. The following matters are requests from licensees to end or modify the conditions of their probation:

With regard to Case No. 14-I-572 and Case No 17-I-553, on the motion of Dr. Taylor, duly seconded by Ms. Sport and passed by unanimous voice vote, with one Board member absent and not voting, the Board approved the request of these licensees seeking to terminate routine probation.

With regard to Case No. 08-I-010, on the motion of Dr. O'Neill, duly seconded by Ms. Sport and passed unanimous voice vote, with one Board member absent and not voting, the Board denied the request of this licensee to modify the terms of probation.

With regard to Case No. 17-I-128, on the motion of Ms. Sport, duly seconded by Dr. Yu, and passed by unanimous voice vote, with one Board member absent and not voting, the Board approved removing the "Practicing Monitoring Reports" from the terms of probation.

[25.] INVESTIGATORY MATTER; ATTORNEY-CLIENT ADVICE RE: the Board convened in executive session to hear advice of counsel and share thoughts regarding an additional investigative matter per La. R.S. 42:17(A)(1, 4 and 10), La. C.E. art. 508 and La. R.S. 44:4.1(C).

Next Meeting of the Board. The President reminded the members that the next meeting of the Board was scheduled for April 26, 27, 2021.

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 March 29, 2021 and approved by the Board on the 26th day of April, 2021.

Witness my hand and seal of the Louisiana State Board of Medical Examiners this 26th day of April 2021.

Terrie R. Thomas, M.D.
Secretary-Treasurer

Roderick V. Clark, M.D., MBA
President