

THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

MINUTES OF MEETING

January 23, 2023

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, January 23, 2023, by order of the President, at the offices of the Board, 630 Camp Street, New Orleans, Louisiana.

Board Members present:

Lester W. Johnson, M.D., President
Terrie R. Thomas, M.D., Vice President
Kim S. Sport, JD, Secretary-Treasurer
Juzar Ali, M.D.
Roderick V. Clark, MBA, M.D.
Rita Y. Horton, M.D.
Patrick K. O'Neill, M.D.
James Taylor, M.D.
Cheryl Williams, M.D.
Leonard Weather, M.D., R.Ph

Board Staff present:

Vincent A. Culotta, Jr., M.D., Executive Director
Lawrence H. Cresswell, DO, JD, Director of Investigations
Patricia Wilton, Esq., Executive Counsel
Jon Carmer, Jr., Investigative Counsel
Aloma James, Director of Licensing
Alan W. Phillips, IT Director
LaKenya Collins, CPA, CFO
Susie Allen, DrPH, MBA, Director of Education and Research
Carol Chauvin, Compliance Officer
Maya Ladmiraault, Compliance Officer
Patricia Dufrene, Compliance Investigator
Lillie Rodgers, Investigations Program Director
Jacintha F. Duthu, Executive Staff Officer
Olivia PeLong, Executive Program Specialist

- (1.) **General Administrative Matters; Public comments; Meeting Order;** Dr. Johnson opened the meeting with the Pledge of Allegiance and asked for a moment of silence for victims of Covid 19 and healthcare workers, who have treated our fellow citizens

during this crisis. He also thanked the Board and staff for their commitment, and hard work for the year.

- (2.) **Minutes of November 21, 2022;** The Board reviewed and discussed the minutes of its meetings held on November 21, 2022. On the motion of Dr. O'Neill, duly seconded by Dr. Horton, the Board voted unanimously to approve the minutes of its November 21, 2022.
- (3.) **Follow-Up; Updated Request of Physician Assistant (PA) Advisory Committee re Chronic Pain.** The Board reviewed and discussed the recommendations of the Physician Assistant Advisory Committee regarding PAs and chronic pain. The Board President provided direction to the Executive Director and Executive Counsel to draft a response and bring back to the Board for approval. No further action was taken on this matter.
- (4.) **Request for Advisory Opinion re: APRN Nurse Practitioners and Testosterone Pellets.** The Board discussed the request. On the motion of Ms. Sport, duly seconded with Dr. Thomas, the Board voted unanimously to have the Executive Counsel respond with the language in the current collaborative practice agreement and in the original advisory opinion regarding this topic.
- (5.) **Request for Advisory Opinion re: The Board's opinion in line with the Attorney General's opinion regarding Death Certificates.** The Board discussed the request and directed the Executive Director and Executive Counsel to draft a response accordingly and bring back for Board approval. No further action was needed or taken on this matter.
- (6.) **Request for clarification of compounding regarding versions of Semaglutide.** The Board discussed the request for clarification. On the motion of Dr. Ali, duly seconded by Ms. Sport, the Board voted unanimously for the Executive Counsel to draft a statement of position and respond including defining what compounding is and add to our website.
- (7.) **President's Report.** The President welcomed the Board and staff back from the holidays. He informed the Board of the opinion rendered by the Attorney General regarding telemedicine and medical marijuana. He thanked everyone for their hard work.
- (8.) **General Administrative Matters; Executive's Director's Report;** The Executive Director informed the Board:

Since the November board meeting the agency has had the Thanksgiving, Christmas, New Year, and Martin Luther King holidays.

- We have had two PA advisory committee meetings and that committee should finalize its suggested changes to the rules for your review in February.
- The Bridge Year Residency meetings have been completed for input required by Louisiana law. The agency will start the emergency rule making process as soon as the board approves the proposed rules and directs us to do so.
- The Acupuncture Advisory Committee met in December, and we are now beginning the implementation of the CE broker to the Acupuncture licensees.
- The Respiratory Therapy Advisory Committee met in December.

- The Occupational Therapy Advisory Committee met in December and January and the committee is making progress on a rule change proposal.
- The CLP Advisory Committee met, and the committee is now working the needed law changes to accommodate the proposed rules they wish to utilize.
- Working with Ms. Collins, Mr. Phillips, and the vendor, we have found a very financially favorable leasing arrangement that will save the agency money on the computers throughout the agency. To further minimize the economic impact, we will be phasing in the leasing program as individual machines reach the end-of-life status.
- The physician mortality study is nearing completion and the principles have met and are refining the statistical analysis. We hope to have a proposed final draft in the next 2-3 months.
- We have, with the support of Dr. Johnson, re-engaged the services of an industrial psychologist to help the agency to become a more effective organization.
- Ms. Wilton and I attended the PMP advisory committee meeting in December and Ms. Wilton will be attending these meetings on regular basis for the agency.
- The Agency accepted the resignation of Ms. Mary Peyton, and we wish her well in her new Law practice.

(9.) General Administrative Matters; DRAFT January 2023 Newsletter. The Board reviewed the draft of the January Newsletter. On the motion of Dr. Weather duly seconded by Dr. Clark, the Board unanimously approved the Newsletter for dissemination.

(10.) General Administrative Matters; Financial Report. The Board reviewed the Income Statements and Cash Balance Summary for the period ending November 2022 and the proposed budget for 2023. On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to approve the Financial Reports and the 2023 proposed budget.

(11.) Future Board Meeting Dates. The Board reviewed the future meeting dates for 2023. No further action was needed or taken.

(12.) Rules and Regulations. Rules/Amendments. The Board reviewed the Proposed Bridge Year Rules. On the motion of Dr. Taylor, duly seconded by Dr. O'Neill, the Board voted unanimously for Ms. Wilton to proceed with promulgating Emergency rules as proposed.

(13.) Addition to Executive Session Agenda. On the motion of Ms. Sport duly seconded by Dr. Taylor, the Board voted unanimously to add the following to the Executive Session Agenda:

1. Federal Litigation regarding Physicians.
2. Sexual Misconduct regarding Physicians.

[14.] Minutes of Executive Sessions. Upon the motion of Dr. Thomas, duly seconded by Dr. Ali, the Board voted unanimously to convene in executive session pursuant to La. R.S. 42:17A to receive and review the minutes of the Board's January 23, 2023, meeting executive session. Following review, the Board returned to public session. Upon the motion of Dr. Clark, duly seconded by Dr. Horton, the Board voted unanimously to approve the

executive minutes of the November 21, 2022.

- [15.] Report on Pending Litigation.** Upon the motion of Dr. Weather, duly seconded by Dr. Thomas, the Board voted unanimously to convene in executive session pursuant to La. R.S. 42:17A(2, 4 and 10), La. C.E. art. 508, and/or La. R.S. 44:4.1C, to receive and review the report of legal counsel on pending litigation to which the Board is a party, the unauthorized practice of medicine cases assigned for injunction, and the status of proceedings for judicial review of prior Board decisions. Following review, the Board returned to public session and on the motion of Dr. Thomas, duly seconded by Dr. Ali, and passed by unanimous voice vote, the Board accepted the litigation report.

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

Donovan v. LSBME, CDC Parish of Orleans, State of Louisiana, No. 2022-2964 Div. A-16
Fiaz Afzal, et al v. New Jersey BME, et al, No. 22-1609, U.S. Court of Appeals, 3d Circuit

- [16.] General Administrative Matters; Attorney's Advice; Implementing and Increasing Miscellaneous Fees and Cost;** The Board convened in executive session to receive Attorney Advice from Mr. Carmer regarding increasing fees and cost of a specific fee schedule including probation monitoring fee. The Board instructed Mr. Carmer, the Executive Director and Executive Counsel to review the options the Board has and a timeline, including deadlines of when this fee schedule can be implemented, and report back to the Board. No further action was needed or taken on this matter.
- [17.] General Administrative Matters; Attorney Advice; DRAFT FSMB Policy for Comment Standards of Care;** The Board convened in executive session to receive Attorney Advice on whether the Board had any comments or recommendations on the current draft report of the FSMB Ethics and Professional Committee. No further action was taken on this matter.
- [18.] General Administrative Matters: Attorney Advice re: Recording the Public Session of Board Meetings;** The Board discussed reevaluating recording the Public Session of the monthly board meetings. On the motion of Dr. Clark, duly seconded by Dr. Thomas, the Board voted unanimously to begin recording the Board meetings.
- [19.] General Administrative Matters: Attorney Advice re: Attorney General's Opinion on Medical Marijuana.** The Board received Attorney Advice from Ms. Wilton regarding the recent AG opinion on medical marijuana. On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board directed Ms. Wilton to notify the physicians of the recent opinion and upload a link on our website that goes directly to the Attorney General's opinion.
- [20.] General Administrative Matters: Audit Response Implementation Status Draft.** The Board received the favorable audit response to the recommended implementations. No further action was taken or needed on this matter.

- [21.] General Administrative Matters License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A(1), and to receive advice of counsel under La. R.S. 42:17A (10), La. C.E. art. 508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C. The Board reviewed and discussed Agenda No. 05.00.01. After returning to public session, on motion of Dr. Clark, duly seconded by Dr. Thomas, the Board voted 9 YEAS 1 NAY to waive the licensee's CME requirements.
- [22.] General Administrative Matters; Licensee's request.** The Board convened in executive session pursuant to La. R.S. 42:17A(1), and to receive advice of counsel under La. R.S. 42:17A(10), La. C.E. art. 508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C with regard to the Agenda No. 05.00.02 and the request of the licensee for the Board to grant a refund after withdrawal of application. After returning to public session, on motion of Dr. Thomas, duly seconded by Dr. Taylor, the Board voted unanimously to deny the licensee's request.
- [23.] General Administrative Matters; License Applicant's request.** The Board convened in executive session to receive advice of counsel under La. R.S. 42:17A (10), La. C.E. art. 508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C with regard to Agenda No. 05.00.03. After returning to public session, on motion of Dr. Clark, duly seconded by Dr. Ali, the Board voted unanimously to approve the licensee's request for a temporary permit.
- [24.] General Administrative Matters; License Applicant's request.** The Board convened in executive session to receive advice of counsel under La. R.S. 42:17A (10), La. C.E. art. 508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C with regard to Agenda No. 05.00.04. After returning to public session, the Board agreed to table this item until next month.
- [25.] General Administrative Matters; License Applicant's request.** The Board convened in executive session to receive advice of counsel under La. R.S. 42:17A (10), La. C.E. art. 508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C with regard to Agenda No. 05.00.05. After returning to public session, on motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to deny the licensee's request for a temporary permit while completing the proper certifications.
- [26.] Personal Appearances/Docket Calendar.** On the motion of Dr. O'Neill, duly seconded by Dr. Horton, 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.

Personal Appearance - Investigation No. 2019-I-573¹: After returning to public session, on motion of Dr. Williams, duly seconded by Dr. Weather, the Board voted as follows to accept the recommendations of Dr. Cresswell and remove the remaining restrictions and reinstate to a full unrestricted license:

¹ Drs. Ali and O'Neill are recused from any and all participation in this matter.

YEA	NAY	ABSTAIN
Dr. Johnson	Ms. Sport	Dr. Thomas
Dr. Williams	Dr. Horton	
Dr. Clark	Dr. Taylor	
Dr. Weather		

[27.] Investigative Reports. On the motion of Ms. Sport, duly seconded by Dr. O'Neill, 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. Administrative Complaints: On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to approve the following administrative complaints:

Investigation No.	20-I-1100
Investigation No.	22-I-940

- b. Interim Action; Summary Suspension: On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to ratify the interim action of the following:

Investigation No.	2022-I-940
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- c. Commence Formal Investigation: On the motion of Dr. Williams, duly seconded by Dr. Thomas, the Board voted unanimously to approve commencing formal investigation in the following matters:

Case No.	22-I-622
Case No.	22-I-940
Case No.	22-I-298
Case No.	22-I-795
Case No.	22-I-759
Case No.	22-I-730
Case No.	22-I-529
Case No.	22-I-682

Case No.	22-I-435
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- d. Initiate Preliminary Review: On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to approve initiating preliminary review in the following matters:

Agenda Item No.	07.04.09
Agenda Item No.	07.04.10
Agenda Item No.	07.04.11

- e. Extend Time for Preliminary Review: On the motion of Dr. Ali, duly seconded by Dr. Williams and passed by unanimous voice vote, the Board approved granting a 90-day extension to continue preliminary review/investigation in the following matters:

Investigation No.	2022-814
Investigation No.	2022-815
Investigation No.	2022-822
Investigation No.	2022-744
Investigation No.	2022-665
Investigation No.	2022-823
Investigation No.	2022-836
Investigation No.	2022-745
Investigation No.	2020-411
Investigation No.	2022-853
Investigation No.	2022-852
Investigation No.	2022-728
Investigation No.	2022-867
Investigation No.	2022-875
Investigation No.	2022-786
Investigation No.	2022-931
Investigation No.	2022-797
Investigation No.	2022-151
Investigation No.	2022-808
Investigation No.	2022-624
Investigation No.	2022-738
Investigation No.	2022-740
Investigation No.	2022-840
Investigation No.	2022-842
Investigation No.	2022-850

Investigation No.	2022-735
Investigation No.	2022-838
Investigation No.	2022-790
Investigation No.	2022-854
Investigation No.	2022-857
Investigation No.	2022-856
Investigation No.	2020-141
Investigation No.	2020-381
Investigation No.	2020-387
Investigation No.	2020-890
Investigation No.	2021-426
Investigation No.	2021-453
Investigation No.	2021-454
Investigation No.	2021-508
Investigation No.	2021-509
Investigation No.	2021-510
Investigation No.	2021-511
Investigation No.	2021-512
Investigation No.	2021-526
Investigation No.	2021-531
Investigation No.	2021-544
Investigation No.	2021-546
Investigation No.	2021-553
Investigation No.	2021-1058
Investigation No.	2021-1059
Investigation No.	2021-1060
Investigation No.	2021-1099
Investigation No.	2021-1079
Investigation No.	2021-1081
Investigation No.	2021-1274
Investigation No.	2021-1369
Investigation No.	2021-1335
Investigation No.	2021-1336
Investigation No.	2021-1339
Investigation No.	2021-1340
Investigation No.	2022-86
Investigation No.	2022-90
Investigation No.	2022-107
Investigation No.	2022-141

Investigation No.	2022-325
Investigation No.	2022-330
Investigation No.	2022-338
Investigation No.	2022-345
Investigation No.	2022-366
Investigation No.	2022-373
Investigation No.	2022-507
Investigation No.	2022-513
Investigation No.	2022-520
Investigation No.	2022-525
Investigation No.	2022-519
Investigation No.	2022-544
Investigation No.	2022-551
Investigation No.	2022-425
Investigation No.	2022-794
Investigation No.	2022-825
Investigation No.	2022-833
Investigation No.	2022-699
Investigation No.	2022-750
Investigation No.	2022-839
Investigation No.	2022-812
Investigation No.	2022-908
Investigation No.	2022-848
Investigation No.	2022-202
Investigation No.	2020-734
Investigation No.	2021-401
Investigation No.	2021-947
Investigation No.	2021-1128
Investigation No.	2021-1418
Investigation No.	2022-436
Investigation No.	2022-444
Investigation No.	2022-566
Investigation No.	2022-570
Investigation No.	2022-680
Investigation No.	2022-706
Investigation No.	2022-707
Investigation No.	2022-729
Investigation No.	2022-746
Investigation No.	2022-759
Investigation No.	2022-770

Investigation No.	2022-788
Investigation No.	2022-806
Investigation No.	2022-866
Investigation No.	2022-685
Investigation No.	2020-577
Investigation No.	2021-570
Investigation No.	2021-309
Investigation No.	2021-1180
Investigation No.	2022-273
Investigation No.	2022-191
Investigation No.	2022-176
Investigation No.	2022-458
Investigation No.	2022-522
Investigation No.	2022-741
Investigation No.	2022-789
Investigation No.	2022-394
Investigation No.	2022-846
Investigation No.	2022-902
Investigation No.	2018-768
Investigation No.	2019-1088
Investigation No.	2019-254
Investigation No.	2020-824
Investigation No.	2021-12
Investigation No.	2021-400
Investigation No.	2021-444
Investigation No.	2021-647
Investigation No.	2021-951
Investigation No.	2021-1271
Investigation No.	2022-328
Investigation No.	2022-335
Investigation No.	2022-531
Investigation No.	2022-534
Investigation No.	2022-747
Investigation No.	2022-799
Investigation No.	2022-800
Investigation No.	2022-801
Investigation No.	2020-128
Investigation No.	2021-975
Investigation No.	2022-346

Investigation No.	2022-829
Investigation No.	2022-739
Investigation No.	2022-807
Investigation No.	2022-816
Investigation No.	2023-9
Investigation No.	2022-631

- f. Extend Formal Investigation: On the motion of Ms. Sport, duly seconded by Dr. Horton, the Board voted unanimously to approve extending formal investigation in the following matters:

Investigation No.	2020-83
Investigation No.	2020-165

- g. Consent Orders: On the motion of Ms. Sport, duly seconded by Dr. Ali, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2022-I-486
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On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2022-I-535
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On the motion of Ms. Sport, duly seconded by Dr. Ali, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2022-I-477
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On the motion of Ms. Sport, duly seconded by Dr. O'Neill, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2021-I-1293
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On the motion of Dr. Taylor, duly seconded by Ms. Sport, the Board voted unanimously to reject the proposed Consent Order in the following matter:

Investigation No.	2020-I-263 and 2020-I-692
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On the motion of Dr. Taylor, duly seconded by Dr. O'Neill, the Board voted 9 YEAS 1 NAY to approve the consent order in the following matter:

Investigation No.	21-I-199, 22-I-323, 22-I-369
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On the motion of Dr. Ali, duly seconded by Dr. O'Neill, the Board voted as follows to accept the consent order of Investigation No. 20-I-026:

YEA	NAY
Dr. Ali	Ms. Sport
Dr. Horton	
Dr. Johnson	
Dr. Williams	
Dr. Clark	
Dr. O'Neill	
Dr. Thomas	
Dr. Weather	
Dr. Taylor	

- h. Close with a Letter of Concern: On the motion of Dr. Horton, duly seconded by Dr. Clark, the Board voted unanimously to close the following matter with a letter of concern:

Investigation No.	2022-I-667
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On the motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted as follows to close Investigation No. 20-I-825 with a letter of concern:

YEA	NAY
Dr. Ali	Dr. Clark
Dr. Horton	
Dr. Johnson	
Dr. Williams	
Ms. Sport	
Dr. O'Neill	
Dr. Thomas	
Dr. Weather	
Dr. Taylor	

On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted as unanimously to close following matter with a letter of concern:

Investigation No.	2022-I-836
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On the motion of Dr. Clark, duly seconded by Dr. Thomas, the Board voted 8 YEAS to 2 NAYS to reject the letter of concern and close the following matter with no action:

Investigation No.	2019-I-479
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On the motion of Dr. Horton, duly seconded by Dr. Thomas, the Board voted 9 YEAS 1 NAY to close the following matter with a letter of concern:

Investigation No.	2022-I-475
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On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to close the following matter with a letter of concern:

Investigation No.	2022-I-593
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On the motion of Dr. Clark, duly seconded by Dr. Thomas, the Board voted unanimously to close the following matter with a letter of concern:

Investigation No.	2022-I-123
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- i. Close with No Action: On motion of Dr. Thomas, duly seconded by Dr. Ali, the Board voted unanimously to close the following matters with no action:

File No.	2022-693
File No.	2022-650
File No.	2022-744
File No.	2022-665
File No.	2022-564
File No.	2022-739
File No.	2022-791
File No.	2022-745
File No.	2022-716
File No.	2022-555
File No.	2022-556
File No.	2022-557
File No.	2022-703
File No.	2022-704
File No.	2022-731
File No.	2022-804
File No.	22-I-668

File No.	2022-939
File No.	2022-670
File No.	22-I-182
File No.	2022-543
File No.	2022-591
File No.	2022-808
File No.	2022-727
File No.	2022-292
File No.	2022-478
File No.	2022-696
File No.	2022-714
File No.	2022-865
File No.	22-I-416
File No.	2022-474
File No.	2022-520
File No.	2022-847
File No.	2022-582
File No.	2022-592
File No.	2022-634
File No.	2022-736
File No.	2022-743
File No.	2022-689
File No.	2022-585
File No.	2022-431 ²
File No.	2022-798
File No.	2022-906
File No.	2022-904
File No.	2022-425
File No.	2022-587
File No.	2022-902
File No.	2022-843
File No.	2022-908
File No.	2022-951
File No.	2022-603
File No.	2022-916
File No.	2022-914
File No.	2022-735
File No.	2022-790
File No.	2022-508
File No.	2022-789
File No.	2022-259
File No.	2022-282

² Dr. Taylor is recused from any all participation in this matter.

File No.	2022-302
File No.	2022-331
File No.	2022-332
File No.	2022-347
File No.	2022-360
File No.	2022-877
File No.	2022-879
File No.	2022-880
File No.	2022-692
File No.	2022-712
File No.	2022-825
File No.	2022-846
File No.	22-I-413
File No.	2022-850
File No.	2022-840
File No.	2022-437
File No.	2022-90
File No.	2022-854
File No.	22-I-462
File No.	2022-856
File No.	22-I-931
File No.	22-I-492

On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to change Investigation No. 2022-346 from closed with no action, to close with a letter of concern.

On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to grant an extension in Investigation No. 2021-400.

i. Professional liability Report. The Board voted unanimously to convene 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). Upon returning to public session, on the motion of Dr. Thomas, duly seconded by Dr. Williams, the Board voted unanimously to accept the report.

j. Unauthorized Practice of Medicine. On the motion of Dr. Thomas, duly seconded by Dr. Ali, the Board voted to close the following matters:

Investigation No.	Agenda Item 07.09.01
Investigation No.	Agenda Item 07.09.02

k. Closed Case Report (s). The Board voted unanimously to convene in executive session to review allegations of misconduct pursuant to La. Rev. Stat. § 42:17A(4), as part of the closed

case report. The Board returned to public session and upon motion of Dr. Thomas, duly seconded by Dr. Ali, the Board voted unanimously to approve the November 2022 and December 2022 closed case summary report.

[28.] Probationary Matter; Request from Probationers. The Board voted unanimously to convene in executive session to review the following requests from licensees to end or modify the conditions of their allegations of misconduct probation and/or to be permitted to reinstate licensure, pursuant to La. Rev. Stat. § 42:17A(1), (4) & (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. After returning to public session, the Board took the following actions:

With regard to Agenda No. 09.02.01³, upon the motion of Dr. Thomas duly seconded by Ms. Sport, the Board voted as follows to reject the licensee's request for reinstatement.

YEA	NAY	ABSTAIN
Dr. Horton	Dr. Clark	Dr. Johnson
Dr. Thomas	Dr. Dr. Williams	
Ms. Sport		
Dr. Ali		
Dr. Taylor		
Dr. O'Neill		

With regard to, Agenda No. 09.02.02, upon the motion of Dr. Ali, duly seconded by Dr. Williams, the Board voted as follows to approve the licensee's requests for reinstatement.

YEA	NAY
Dr. Ali	Ms. Sport
Dr. Weather	Dr. Taylor
Dr. Johnson	Dr. Horton
Dr. O'Neill	

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

Dr. Williams	
Dr. Clark	

[29.] General Administrative Matter; PMP Compliance Report; The Board reviewed the current PMP Compliance report. On the motion of Dr. Ali, duly seconded by Dr. Thomas, the Board voted unanimously to accept the current report.

[30.] Executive Session; Added Agenda Items; The Board received information from Ms. Sport regarding Federal litigation of physicians. The Board agreed to have the legal staff look further into best practices of other states.

Ms. Sport also informed the Board other states and the actions that are taken against physicians for sexual misconduct.

[31.] Attorney Advice; Legal Contract Extension; On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to extend the current Kullman firm and NeunerPate firm's legal contracts.

Next Meeting of the Board. The President reminded the members that the next meeting of the Board is scheduled for February 27, 28, 2023.

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 January 23, 2023, and approved by the Board on the 27th day of February 2023.

Kim Sport, Esq.
Secretary-Treasurer

Lester W. Johnson, M.D.
President