

# THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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## MINUTES OF MEETING

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July 25, 2022

NEW ORLEANS, LOUISIANA

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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, July 25, 2022, 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  
Roderick V. Clark, MBA, M.D.  
Rita Y. Horton, M.D.  
Patrick K. O'Neill, M.D.  
James A. Taylor, Jr., M.D.  
Leonard Weather, M.D., R.Ph

**Board Member(s) absent:**

Robert Batson, M.D.  
Christy Lynn Valentine, MBA, M.D.

**Board Staff present:**

Vincent A. Culotta, Jr., M.D., Executive Director  
Lawrence H. Cresswell, DO, JD, Director of Investigations  
Michael Francis, M.D. Assistant Director of Investigations  
Patricia Wilton, Esq., Executive Counsel  
Mary Peyton, Esq., General Counsel  
Jon Carmer, Jr., Investigative Counsel  
Thadra C. White, Esq., Compliance Counsel  
Matthew Cook, Licensure Supervisor  
Alan W. Phillips, IT Director  
LaKenya Collins, CPA, CFO  
Susie Allen, DrPH, MBA, Director of Education and Research  
Carol Chauvin, 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.
- (2.) **Minutes of June 27, 2022, and June 30, 2022;** The Board reviewed and discussed the minutes of its meetings held on June 27, 2022, and June 30, 2022. On the motion of Dr. Taylor, duly seconded by Ms. Sport and passed by unanimous voice vote, the Board approved the minutes of its June 27, 2022, with corrections. On the motion of Ms. Sport, duly seconded by Dr. O'Neill the Board voted unanimously to approve the minutes of its June 30, 2022, Special Meeting.
- (3.) **New Business; Notarized documents regarding the licensing process;** On the motion of Dr. Clark, duly seconded by Dr. O'Neill, the Board voted unanimously to begin the rule making process on elimination of notarized documents in the licensing process with provision that any substituted method is admissible in court.
- (4.) **New Business; Bridge Year Resident;** On the motion of Dr. Taylor, duly seconded by Dr. Horton, the Board voted unanimously to move forward with defining the stakeholders, scheduling meetings with stakeholders, and moving forth with the research to finalize the language.
- (5.) **Follow-up action; Fee Schedule Summarized;** The Board reviewed the Summary of the proposed fee increase. The Executive Director, Chief Financial Officer, and staff will continue working on this document and will bring back the proposed fee schedule to include all costs, and the projected costs for running the agency for the next five years.
- (6.) **Communication and Information; IMLCC Monthly Commissioner Report June 2022;** The Board reviewed the information released from IMLCC for the Months of May and June 2022. No further action was needed or taken on this matter.
- (7.) **Communication and Information; Request of the Louisiana Board of Pharmacy (LABP) regarding Collaborative practice legislation;** The Board reviewed the proposed legislation from the LABP. The President requested Dr. Clark to work with the Executive Director and staff to meet with the LABP to discuss proposed legislation.
- (8.) **General Administrative Matters; President's Report;** The President thanked everyone, especially Ms. Wilton, Ms. Peyton, and the Board members tasked for their diligence in the pass months regarding legislation and rulemaking and seizing every opportunity to improve the healthcare for the citizens of Louisiana.
- (9.) **General Administrative Matters; Executive's Director's Report;** The Executive Director informed the Board:
  - About a recent phone call from a former president of the South Carolina licensing board. He relayed to me how helpful and courteous the staff of the licensing department was to him in evaluation of a reduced fee vs regular license.
  - He is pleased to say that licensing only had to issue 62 temp training permits to accommodate the training programs.
  - The security upgrade to our computer system is installed and working to

protect our data. We are tuning up the particular security needs of our staff. I thank you for bringing your computers to the office today to allow our IT staff to upgrade the VPN service on your computer.

- We are finalizing the implementation of Act 486-22, the pre-licensing determination act. We are on schedule to have it up and running on August 1st as mandated by the statute.
- We are seeing many of advisory committees scheduling meetings under our newly allowed electronic meeting format. This is very encouraging.
- We are having our first PA Advisory Committee meeting in August and hope to meaningfully address their needs.
- We are working with the Nursing community and LHA on the issue of workplace violence.
- We have been approached by the Bd of Pharmacy to expand and update the CDTM rules/system to better reflect the evolving practice of medicine. I would like the President to appoint a Board member to meet with their executive director and Board members to define a proposal that could be presented to both Boards and then change the law and/or rules. It would be very helpful if the board defines limits to the allowable evolution before we meet so that the LSBME does not get too far out over our skis.
- Work is progressing on the Bridge to Residency rule, and I hope that you will approve the proposed rules today recalling that we will have a formal hearing and other meetings with affiliated and interested groups as coordinated by Dr. Taylor and our staff. This must be a work in process with additions and deletions along the way to meet the March 2023 time frame
- We are meeting almost weekly to finalize the necessary data and economic analysis to present a request for an agency-wide license fees and other fees increase to you next month.
- We continue to meet on the Duty to Report and we are still working internally. We are planning the meetings with interested stakeholders for their input. Ms. Sport will be presenting the strategic goals of the duty to report efforts and the tactics to obtain those goals today
- The staff has been working hard to finalize the guidance document for the post Roe v Wade world as it affects the practice of medicine. The agency has had meetings with medical school leaders, obstetrical educators, board members, LDH, and the AG's office. The staff will continue to work to address the concerns of our doctors and healthcare leaders during as these very protean issues evolve.
- Ms. Wilton and I attended the FARB leadership meeting in Washington DC.

- (10.) **General Administrative Matters: DRAFT July 2022 Newsletter.** The Board reviewed the draft of the July 2022 Newsletter. On the motion of Dr. Weather, duly seconded by Ms. Sport, the Board voted unanimously to approve the July Newsletter.
- (11.) **General Administrative Matters; Financial.** The Board reviewed the Income Statements and Cash Balance Summary for the period ending May 2022. On the motion of Dr. Clark, duly seconded by Ms. Sport, the Board voted unanimously to approve the Financial Reports.
- (12.) **Future Board Meeting Dates.** The Board reviewed the future meeting dates for 2022. No further action was needed or taken.
- (13.) **Rules and Regulations. Rules/Amendments.** The Board reviewed the combined rules report. On the motion of Dr. Clark, duly seconded by Dr. O'Neill the Board voted unanimously to accept the Regulatory Report.
- [14.] **Minutes of Executive Sessions.** Upon the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously and convened in executive session pursuant to La. R.S. 42:17A to receive and review the minutes of the executive session. Upon the motion of Dr. Clark, duly seconded by Ms. Sport, the Board voted unanimously to approve the minutes of the June 27, 2022. Upon the motion of O'Neill, duly seconded by Ms. Sport, the Board voted unanimously to approve the minutes of the June 30, 2022 Special meeting.
- [15.] **Report on Pending Litigation.** Upon the motion of Ms. Sport, duly seconded by Dr. O'Neill, the Board voted unanimously and convened in executive session to receive and review the report of legal counsel on pending litigation to which the Board is a party 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 Dr. Clark, duly seconded by Dr. Thomas and passed by unanimous voice vote, the Board accepted the litigation report.

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").

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

- [16.] **General Administrative Matters; Attorney Advice; Guidance DRAFT Statement of Position.** The Board convened in Executive Session to receive advice of Counsel pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C regarding pending Legislation. On the motion of Dr. Weather, duly seconded by Dr. Thomas, the Board voted unanimously to accept the LSBME Statement of Position Guidance Relating to Termination of Pregnancy and the document below was read into Public

Record:

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

STATEMENT OF POSITION

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GUIDANCE RELATING TO TERMINATION OF PREGNANCY

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**BACKGROUND:** The United States Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization* on June 24, 2022, overruled the Court's prior holding in *Roe v. Wade* that the United States Constitution confers a right to abortion. Accordingly, authority to regulate abortion was returned to the states. The Louisiana State Board of Medical Examiners has received numerous inquiries from licensees, other practitioners, and the public seeking guidance regarding termination of pregnancy in Louisiana. Although the Board cannot give legal advice and nothing in this statement should be construed as providing a legal opinion, the Board has determined that a general statement of position offering general guidance is warranted.

**STATEMENT OF POSITION:** By declaring this Statement, the Board intends to (1) protect the public and ensure the quality of health care in Louisiana and (2) inform physicians and other interested parties of general guidance relating to termination of pregnancy in this state.

Act 545 of the 2022 Regular Legislative Session and La. R.S. 40:1061, *et seq.*, ban almost all abortions and the administration or prescription of abortion-inducing drugs, with no exception for rape or incest.

The law allows certain physicians to lawfully terminate a pregnancy under specified conditions and circumstances, consistent with ethical and professional standards. These include (i) a medical procedure performed with the intention to save the life or preserve the health of an unborn child; (ii) the removal of a dead unborn child or the inducement or delivery of the uterine contents in case of a positive diagnosis, certified in writing in the woman's medical record along with the results of an obstetric ultrasound test, that the pregnancy has ended or is in the unavoidable and untreatable process of ending due to spontaneous miscarriage, also known in medical terminology as spontaneous abortion, missed abortion, inevitable abortion, incomplete abortion, or septic abortion; (iii) the removal of an ectopic pregnancy; (iv) the use of methotrexate to treat an ectopic pregnancy; (v) the performance of a medical procedure necessary in good faith medical judgment or reasonable medical judgment to prevent the death or substantial risk of death to the pregnant woman due to a physical condition, or to prevent the serious, permanent impairment of a life-sustaining organ of a pregnant woman. (However, the physician shall make reasonable medical efforts under the circumstances to preserve both the life of the mother and the life of her unborn child in a manner consistent with reasonable medical practice); (vi) the removal of an unborn child who is deemed to be medically futile. (The diagnosis shall be a medical judgment certified by two qualified physicians and recorded in the woman's medical record. The medical procedure shall be performed in a licensed ambulatory surgical center or hospital. Upon the completion of the procedure, the physician shall submit an individual abortion report consistent with R.S. 40:1061.21 that includes appropriate evidence of the certified diagnosis.)<sup>1</sup>

Based on the foregoing, it is the Board's position that any decision or action to terminate pregnancy should be taken in strict and full compliance with the law. This general statement does not, nor does it attempt to, reproduce the entirety of the laws and regulations regarding this issue. Physicians should consult their private attorneys, the attorneys for any institutions or facilities where they routinely practice, and/or attorneys employed by their professional liability insurers for answers to specific legal questions. Legal challenges continue in this arena and the status of the law may be in a state of flux for some time to come, and further rulemaking is anticipated.

It is the Board's further position that detailed and meticulous documentation (including the notation of relevant and current applicable versions of CPT and ICDCM codes where indicated) and record keeping as to the medical necessity and justification for termination procedures will be essential, including preservation of all supporting documentation, laboratory results, and consultation records. The treating physician should clearly and comprehensively discuss with the patient the treatment recommended and the risks and benefits associated with it, as well as any alternatives to the recommended treatment. That discussion, and the patient's understanding and consent to the treatment, should be fully documented. Even where the law does not specifically require a second opinion, if there is any question or concern in the treating physician's mind about the treatment plan, that physician should consider consulting a board-certified provider (ideally a Louisiana-licensed physician) and documenting the second opinion in the chart.

In addition to these general principles of best practices for evidence-based medicine, the Board would anticipate that hospitals and other institutions will likely develop protocols for various treatment scenarios that will be available to guide practitioners, and consultation with an institution's ethics committee may be another resource for physicians when it is possible and practical to consult them regarding a particular case or circumstance.

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<sup>1</sup>La. R.S. 14:87.1(1)(b)(i-vi) as enacted by Act 545 of the 2022 Regular Legislative Session.

**[17.] General Administrative Matters; DRAFT Duty to Report Policy Statement and Duty to Report regarding Hospitals.** The Board convened in Executive Session to receive advice of Counsel regarding the current statutes and rules pertaining to the duty to report regarding the Board's licensees pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. On the motion of Ms. Sport, duly seconded by Dr. Weather, the Board voted unanimously to move forward with meeting with stakeholders regarding and with the evaluation of the laws and rules for reporting with the suggested edits.

- [18.] **General Administrative Matters; DRAFT Act 486 Pre-Licensure Determination Instructions and form.** The Board convened in Executive Session to review the draft instructions and form for Act 486 Pre-Licensure determination pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. On the motion of Dr. Clark, duly seconded by Dr. O'Neill, the Board voted unanimously to approve the Pre-Licensure Determination Instructions and form to upload to the website.
- [19.] **General Administrative Matters; DRAFT Attestation for use with Physician Licensure application.** The Board convened in Executive Session pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C to receive advice of counsel on the proposed draft attestation form. On the motion of Dr. O'Neill, duly seconded by Ms. Sport, the Board voted unanimously to accept the attestation form with suggested edits; to move forward to implement attestation forms for other licensee classes; and, to remove first two questions on Oath pages from current physician licensure applications.
- [20.] **General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A(4), 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 the request of licensee Agenda No. 05.00.01, for a waiver of USMLE examination attempts. On the motion of Dr. Thomas, duly seconded by Dr. O'Neill, the Board voted 6 YEAS to 1 NAY to deny the request.
- [21.] **General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the request of licensee, Agenda No. 05.00.02, to approve license renewal. On the motion of Dr. Thomas, duly seconded by Dr. Taylor, the Board voted unanimously to approve a license renewal with the provision that the applicant complete 40 hours of approved CME.
- [22.] **General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the request of licensure applicant, Agenda. 05.00.03 for a fee refund. On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to approve the fee return.
- [23.] **General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the request of licensure applicant Agenda No. 05.00.04 to be granted a permit for 2022-2023 or temporary permit pending USMLE Step 3 examination results. On the motion of Dr. Taylor, duly seconded by Dr. Clark, the Board voted 7 YEAS 1 NAY to deny the licensee's request.
- [24.] **General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the request of licensure applicant, Agenda No. 05.00.05 to approve a private radiological technology course. On the motion of Dr.

Thomas, duly seconded by Dr. Clark, the Board voted unanimously to approve the course.

**[25.] General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the request of licensure applicant, Agenda No. 05.00.06, for Board sponsorship to retake USMLE Step 2. On the motion of Dr. O'Neill, duly seconded by Dr. Clark, the Board voted unanimously to deny the request for Sponsorship.

**[26.] General Administrative Matters; License Applicant's request.** The Board convened in executive session pursuant to La. R.S. 42:17A (4), 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 the concern of IMLC licensure applicant, Agenda No. 05.00.07, for licensure denial by IMLC. There was no further action taken or needed on this matter based on the current law.

**[27.] Compliance Counsel:** The Board convened in executive session to receive advice of counsel pursuant to La. R.S. 42:17A (4 & 10), La. C.E. art. 508, and/or La. R.S. 44:4.1C. The Compliance Counsel delivered her verbal report since the last meeting. On the motion of Dr. Weather, duly seconded by Dr. O'Neill, the Board voted unanimously to approve the Compliance Counsel report.

**[28.] Personal Appearances/Docket Calendar.** On the motion of Dr. Thomas, duly seconded by Dr. O'Neil, 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. The Board heard from the following personal appearances:

2022-I-051

20-I-694

2021-I-889 and 2022-I-1851

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

Investigation No.	2022-I-378
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<sup>1</sup> Dr. O'Neill is recused from any and all participation in this matter.

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

Investigation No.	2022-199
Investigation No.	2022-323
Investigation No.	2022-369
Investigation No.	2022-43 <sup>2</sup>
Investigation No.	2022-356
Investigation No.	2022-241
Investigation No.	2022-293
Investigation No.	2022-305
Investigation No.	2022-213
Investigation No.	2022-216
Investigation No.	2022-335
Investigation No.	2021-1381
Investigation No.	2021-1274

- c. Extend Time for Preliminary Review and Extend Formal Investigation: On the motion of Dr. Thomas, duly seconded by Dr. Clark 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.	2022-150
Investigation No.	2021-1028
Investigation No.	2022-99
Investigation No.	2022-43
Investigation No.	2021-1291
Investigation No.	2022-121
Investigation No.	2021-947
Investigation No.	2021-1418
Investigation No.	2021-1128
Investigation No.	2021-1113
Investigation No.	2022-315
Investigation No.	2022-300
Investigation No.	2022-12
Investigation No.	2022-151
Investigation No.	2022-152
Investigation No.	2022-303
Investigation No.	2022-304

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<sup>2</sup> Dr. O'Neill is recused from any and all participation in this matter.



Investigation No.	2022-358
Investigation No.	2022-372
Investigation No.	2022-374
Investigation No.	2021-577
Investigation No.	2021-570
Investigation No.	2021-669
Investigation No.	2021-806
Investigation No.	2021-283
Investigation No.	2021-309
Investigation No.	2021-1180
Investigation No.	2021-1364
Investigation No.	2021-1365
Investigation No.	2022-367
Investigation No.	2022-317
Investigation No.	2022-313
Investigation No.	2022-273
Investigation No.	2022-191
Investigation No.	2022-176
Investigation No.	2018-768
Investigation No.	2019-1088
Investigation No.	2019-254
Investigation No.	2019-814
Investigation No.	2019-832
Investigation No.	2019-868
Investigation No.	2020-54
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.	2021-1152
Investigation No.	2021-1271
Investigation No.	2021-1290
Investigation No.	2022-93
Investigation No.	2022-321
Investigation No.	2022-322
Investigation No.	2022-347

Investigation No.	2022-360
Investigation No.	2022-328
Investigation No.	2022-335
Investigation No.	2022-348
Investigation No.	2022-355
Investigation No.	2022-349
Investigation No.	2022-370
Investigation No.	2020-128
Investigation No.	2021-975
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.	2021-13315
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.	2022-357
Investigation No.	2022-359
Investigation No.	2022-366
Investigation No.	2022-445
Investigation No.	2022-373
Investigation No.	2022-311
Investigation No.	2022-312

- d. Consent Orders: On the motion of Dr. Horton, duly seconded by Dr. Clark, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2021-I-1043
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- e. Close with a Letter of Concern: Upon motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to reject the proposed Letter of Concern:

Investigation No.	2021-1293
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On the motion of Dr. Horton, duly seconded by Dr. O'Neill, the Board voted unanimously to approve the proposed Letter of Concern in the following matters:

Investigation No.	2022-I-150 <sup>3</sup>
Investigation No.	2022-I-114
Investigation No.	2022-I-129
Investigation No.	2019-1033

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<sup>3</sup> Dr. Thomas is recused from any and all participation in this matter.

On the motion of Dr. Taylor, duly seconded by Dr. Thomas, the Board voted unanimously to approve the proposed Letter of Concern in the following matter:

Investigation No.	2022-91
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- f. Close with No Action: On motion of Dr. Clark, duly seconded by Dr. O'Neill, the Board voted unanimously to close the following matters with no action:

File No.	2022-351
File No.	2022-354
File No.	2022-267
File No.	2021-1126
File No.	2021-1291
File No.	2022-357 <sup>4</sup>
File No.	2022-398
File No.	2022-343
File No.	2022-214
File No.	2022-220
File No.	2022-303
File No.	2022-374
File No.	2022-270
File No.	2021-1286 <sup>5</sup>
File No.	2022-1365
File No.	2022-304
File No.	2022-358
File No.	2022-372
File No.	2022-317
File No.	2022-316

g. Professional liability Report. 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). Upon motion of Dr. Taylor, duly seconded by Ms. Sport, the Board voted unanimously to accept the report.

i. Closed Case Report (s). Upon motion of Dr. O'Neill, duly seconded by Dr. Thomas, the Board voted unanimously to approve the June 2022 closed case summary reports.

j. Dismissal of Administrative Complaint: On the motion of Dr. Clark, duly seconded by Ms. Sport, the Board voted unanimously to dismiss the Administrative complaint in Investigation No. 22-A-004.

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<sup>4</sup> Dr. Taylor is recused from any and all participation in this matter.

<sup>5</sup> Dr. Thomas is recused from any and all participation in this matter.

**[30.] Probationary Matter; Request from Probationers.** The following matters are requests from licensees to end or modify the conditions of their probation and/or to be permitted to reinstate licensure:

With regard to Agenda No. 09.01.01, to approve licensee's request to terminate probation, upon the motion of Dr. Clark, duly seconded by Dr. Horton, the Board voted unanimously to approve the licensee's request.

With regard to, Agenda No. 09.01.02<sup>6</sup>, upon the motion of Dr. Clark, duly seconded by Dr. Horton, the Board voted 7 YEAS 1 NAY to approve licensee's request to terminate probation.

With regard to, Agenda No. 09.02.01, upon the motion of Ms. Sport, duly seconded by Dr. O'Neill, the Board voted unanimously to approve the licensee's request for early termination of probation.

With regard to Agenda No. 09.02.02. upon the motion of Ms. Sport, duly seconded by Dr. Clark, the Board voted unanimously to deny the licensee's request to remove licensing restrictions.

With regard to Agenda No. 09.02.03<sup>7</sup>. upon the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to deny the licensee's request to remove licensing restrictions.

With regard to Agenda No. 09.02.04. upon the motion of Ms. Sport, duly seconded by Dr. Clark, the Board voted unanimously to deny the licensee's request to remove the current Consent Order.

**[31.] Attorney Advice: Regarding Legal Services Contract, Legal Services Contract Amendment and Resolutions on each.** The Board convened in Executive Session to receive attorney advice, pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C, on a legal services contract with Board Resolution on same. On the motion of Ms. Sport, duly seconded by Dr. O'Neill, the Board voted unanimously to approve.

The Board convened in Executive Session to receive attorney advice, pursuant to La. R.S. 42:17A (10), La. C.E. art. 508, and/or La. R.S. 44:4.1C, on an amended legal services contract with Board Resolution on same. On the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to approve.

**Next Meeting of the Board.** The President reminded the members that the next meeting of the Board was scheduled for August, 29, 30, 2022.

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<sup>6</sup> Dr. O'Neill is recused from any and all participation in this matter.

<sup>7</sup> Dr. Weather is recused from any and all participation in this matter.

**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 July 25, 2022 and approved by the Board on the 29<sup>th</sup> day of August 2022.

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Kim Sport, Esq.  
Secretary-Treasurer

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Lester W. Johnson, M.D.  
President