

# THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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## MINUTES OF MEETING

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October 24, 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, October 24, 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.  
Cheryl Williams, M.D.  
Leonard Weather, M.D., R.Ph  
James Taylor, M.D.<sup>1</sup>

**Board Member(s) absent:**

Juzar Ali, 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  
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  
Theresa Warren, Human Resource Specialist

**(1.) General Administrative Matters; Public comments; Meeting Order;** Dr. Johnson opened

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<sup>1</sup> See, footnote 2.

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 September 26, 2022;** The Board reviewed and discussed the minutes of its meetings held on September 26, 2022. On the motion of Dr. Thomas, duly seconded by Dr. Weather and approved by following votes:

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

- (3.) **Public Appearance; Joseph A. Marino, III, State Representative; Telemedicine Rules and Marijuana<sup>2</sup>;** The Board heard from Representative Marino regarding his concerns and recommendations for potential rule changes Telemedicine Rules and Marijuana.

Public Comment was received on this agenda item from Mr. Jacob Irving, Dr. Lawrence Cresswell, Mr. Jon Carmer, and Dr. Michael Francis.

Following a discussion, Dr. Clark moved to table this item presently so as to evaluate best practices in other states, which was duly seconded by Dr. Weather and passed by unanimous voice vote of those present.

- (4.) **Public Appearance; Marcia Mann, Senior Client Success Manager; CE Broker Presentation by Jason Grubbs, Client Engagement Manager;** The Board reviewed the presentation by CE Broker, detailing the evolution of the CME tracking database. CE Broker provided current statistics per licensee class that has completed their CME requirements to date. No further action was needed or taken on this matter.

- (5.) **Follow-Up Action; Memorandum; Duty to Report and Propose Rule Changes;** The Board reviewed the Draft Rule Changes regarding Duty to Report.

Public Comment was received on this agenda item from Mr. Jeff Williams.

Following a discussion, Ms. Sport moved to approve the draft rules, which was duly seconded by Dr. Taylor, the Board voted as follows:

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<sup>2</sup> Dr. Taylor was absent at the time of roll call, and arrived late to the meeting, at the time this agenda item was taken up by the Board..As a result, at the time of this agenda item and thereafter, he was counted as present and voting.

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

With the motion failing, the President instructed the staff and Board members involved to make sure to meet with anyone who has an interest in this matter and possibly invite them to the November Board meeting where the Board will place this on the agenda again for consideration of the draft rules, with any changes that may have occurred.

- (6.) **Follow-Up Action Item; LSBME Budget FY23 Cost Savings;** The Board reviewed the possible cost saving measures totaling \$699,015. On the motion of Dr. Clark, duly seconded by Ms. Sport, the Board voted unanimously to approve the cost saving measures and to incorporate the duties of the Compliance Counsel position into the job description of the Investigative Counsel. Additionally, on the motion of Dr. Thomas, duly seconded by Dr. Weather, the Board voted unanimously to have Dr. Cresswell and Ms. Peyton report back to the Board in three months with an update on the Investigative Counsel and the new job description.
- (7.) **Follow-Up Action Item; Medical Ethics Inquiry re: Medical Psychology work setting.** The Board reviewed the inquiry from Scott Zentner, M.D., regarding whether there is an ethical working relationship and a draft response for the Board's approval. The Board also received the recommendation and opinion of the Medical Psychology Advisory Committee (MPAC), who had reviewed Dr. Zenter's inquiry, and found no ethical conflict. On the motion of Ms. Sport, duly seconded by Dr. O'Neill, the Board agreed with the recommendation of the MPAC, and approved the the draft response.
- (8.) **Rulings and Advisory Opinion; Manufacturer Medication Assistance Program.** The Board reviewed the draft response to Robert Hart, M.D., Ochsner Health Facilities, relative to his inquiry as to whether physicians at Ochsner Health who prescribe medications for their patients who subsequently receive those medications at no cost via enrollment in third-party manufacturers' assistance programs must have a dispensing license from the Board. On the motion of Dr. Taylor, duly seconded by Dr. Williams, the Board voted unanimously to approve the draft response.
- (9.) **Rulings and Advisory Opinion; Request for Advisory Opinion re: Treating Soft Tissue Pathology of the lower leg.** The Board reviewed the request for an advisory opinion from Leon G. Shingledecker, DPM, FACFAS to provide guidance as to treating soft tissue pathology of the lower leg including such treatments as statis ulceration, diabetic ulcerations, lacerations and other skin and soft tissue pathology not involving muscle, tendon, bone. On the motion of Dr. Taylor, duly seconded by Ms. Sport, the Board voted unanimously to refer this request to the Podiatry Advisory Committee for their recommendation to the Board.
- (10.) **Communication and Information; Pharmacy Benefit Manager Monitoring Advisory Council Delegation.** The Board reviewed the current delegation to the Pharmacy Benefit Manager Monitoring Advisory Council. On the motion of Dr. Taylor, duly seconded by Dr. O'Neill, the Board voted unanimously to uphold the current delegation and have Dr. Culotta and Mary Peyton as delegates to attend meetings on Dr. Johnson's behalf.
- (11.) **General Administrative Matters; President's Report.** The President thanked the Board

and all staff for the great job everyone does even under intense stress and scrutiny and wanted everyone to know how much of an honor and pleasure is it for him to serve as President and be successful together.

**(12.) General Administrative Matters; Executive's Director's Report;** The Executive Director informed the Board:

- The advisory committees continue to meet with increasing frequency.

Since the last board meeting, we have had an AT advisory committee meeting, a PA advisory committee meeting, and a Polysomnography advisory committee meeting.

The ATs have finalized a draft rule change proposal that we are discussing this month.

We reviewed the open application data and reviewed the reason there are open applications, such as not submitting and paying for the application and not providing the requested documents.

The PA advisory committee meeting was attended by the LAPA and many suggestions for change were made and the staff and I are working on a draft to present to the next PA advisory committee in November for possible rules changes.

The Polysomnography advisory committee met, and we reviewed licensing data and rule changes that would allow more qualified applicants to apply for licensing. We reviewed the licensing applications that were in process and discussed the failure of some of the applicant to complete and pay for the application processing.

The CLP advisory committee is planning a meeting on Thursday of this week, and they are working to change their rules.

- The bridge to residency group met and at the time there had been no personnel named as per statute to work with and advise us. With Dr. Taylor's leadership we are drafting the rules and addressing perceived concerns.
- I met with the LAFP and reviewed their concerns about CE broker. I was informed at that meeting that the LAFP has named Dr. Richard Bridges to work with us on the bridge to residency program.
- Dr. Clark and I have had meetings with the Pharmacy board reps and are working on revisions to the CDTM rules. It is very likely we will have a joint rulemaking effort to address the evolving trends in this area of modern medical practice.
- I attended the OLRC meeting in September and presented our rule change for the CLP disciplinary due process changes. They were approved and a hearing will soon be scheduled.
- The board had a hearing on the recusal rules and there were no comments sent to the board, and no one appeared to express any concerns. The next step of the process is proceeding.
- We are still having meetings to find ways of reducing cost and we will be looking at some changes to cost and reallocations of funds that you approve, and we implement promptly.

We are reviewing the expenditures in IT and looking at some ways to cut costs such as moving away for purchasing computers that ultimately become obsolete and instead, leasing them.

Financial pro-forma is being defined and if viable we will present to the board the viability of the plan.

- I attended the Public hearing on the marijuana law changes and advised the committee that our interpretation of the law was different than their interpretation and we are having a furtherance of those discussions today.

- I have been invited to join the nominating committee for the FSMB and with the President's kind approval, I have accepted.
- (13.) **General Administrative Matters; Medical Psychology Advisory Committee Nomination.** On the motion of Dr. O'Neill, duly seconded by Ms. Sport, the Board voted unanimously to appoint Robert Allen Dahmes, M.D., to the Medical Psychology Advisory Committee
- (14.) **General Administrative Matters; Athletic Trainer Proposed Rule Changes.** The Board reviewed the draft of the proposed rule changes submitted to them from the Athletic Trainer Advisory Committee (ATAC). On the motion of Ms. Sport, duly seconded by Dr. Clark, the Board voted unanimously to approve the proposed changes and move forward with promulgation of these rules.
- (15.) **Administrative Matters; DRAFT Newsletter October 2022.** The Board reviewed the draft of the October 2022 Newsletter. On the motion of Dr. O'Neill, duly seconded by Dr. Weather, the Board voted unanimously approved the Newsletter with corrections.
- (16.) **General Administrative Matters; Financial Report.** The Board reviewed the Income Statements and Cash Balance Summary for the period ending August 2022. On the motion of Dr. Thomas, duly seconded by Dr. Weather, the Board voted unanimously to approve the Financial Reports.
- (17.) **Future Board Meeting Dates.** The Board reviewed the future meeting dates for 2022. No further action was needed or taken. The Board also reviewed the proposed 2023 meeting dates for July – December 2023. On the motion of Dr. Thomas, duly seconded by Dr. Williams, the Board unanimously voted to accept the July – October 2023 meeting dates. On the motion of Dr. Thomas, duly seconded by Dr. Weather, the Board voted unanimously to approve December 11, 12, 2023 meeting date and to not have a November meeting.
- (18.) **Rules and Regulations. Rules/Amendments.** The Board reviewed the Regulatory Report.

Public Comment was received on this agenda item from Mr. Jeff Williams.

On the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to accept the October 2022 Regulatory Report.

- [19.] **Minutes of Executive Sessions.** Upon the motion of Dr. Clark, duly seconded by Ms. Sport, the Board voted unanimously<sup>3</sup> to convene in executive session pursuant to La. R.S. 42:17A to receive and review the minutes of the Board's September 26, 2022, meeting executive session. Following review, the Board returned to public session. Upon the motion of Dr. Horton, duly seconded by Dr. Clark, the Board voted unanimously to approve the executive minutes of the September 26, 2022.

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<sup>3</sup> Dr. Thomas was not present for Executive Session Agenda Nos. 01,01.01 (Minutes #19) through 07.05.04 (Minutes #27f. re: 2022-402), and is not included in the unanimous votes to enter executive session and/or votes on those agenda numbers.

**[20.] Report on Pending Litigation.** Upon the motion of Ms. Sport, duly seconded by Dr. Horton 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. Weather, duly seconded by Ms. Sport, 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

**[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 t Agenda No. 05.00.01. On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board voted unanimously to deny the licensee's request for a refund of licensure fees.

**[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<sup>4</sup> and the request of the licensee for Board approval of a short term residency in Cardiology. On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board voted unanimously to approve the program.

**[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. On the motion of Dr. O'Neill, duly seconded by Dr. Taylor, the Board voted unanimously to deny the licensee's request for Board sponsorship to take USMLE Step 1.

**[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 the Agenda No. 05.00.04 request to waive the CAATE accreditation requirement and accept his training and education as satisfying the requirements for an Athletic Trainer license. On the motion of Ms. Sport, duly seconded by Dr. Horton, the Board voted unanimously to approve the waiver and grant the Athletic Trainer license.

**[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.

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

508, La. R.S. 44:4(7) and/or La. R.S. 44:4.1C with regard to the Agenda No. 05.00.05 request for waiver and reconsideration to grant licensure. On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board approved the waiver and the license with the following vote:

YEA	NAY	ABSTAIN	ABSENT
Dr. Horton	Ms. Sport	0	Dr. Ali
Dr. Johnson	Dr. O'Neill		Dr. Thomas
Dr. Weather	Dr. Taylor		
Dr. Williams			
Dr. Clark			

**[26.] Personal Appearances/Docket Calendar.** On the motion of Ms. Sport, duly seconded by Dr. Clark, 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 needed or taken on this matter.

**[27.] Investigative Reports.** On the motion of Dr. Weather, duly seconded by Ms. Sport, 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. Horton, duly seconded by Dr. Clark, the Board voted unanimously to approve dismissing the administrative complaint regarding the following matter(s):

Investigation Nos.	2019-I-003, 2020-I-847
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- b. Interim Action: On the motion of Ms. Sport, duly seconded by Dr. Taylor, the Board voted unanimously to approve the ratification of Summary Suspension on the following matter:

Investigation No.	2022-I-679
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- c. Commence Formal Investigation: On the motion of Ms. Sport, duly seconded by Dr. Horton, the Board voted unanimously to approve commencing formal investigation in the following matters:

Agenda Item No.	07.04.01
Agenda Item No.	07.04.02

- d. Extend Time for Preliminary Review: On the motion of Dr. Horton, duly seconded by Ms. Sport 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.	2022-622
Investigation No.	2022-593
Investigation No.	2022-637
Investigation No.	2021-1413
Investigation No.	2022-627
Investigation No.	2022-658
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.	2022-445
Investigation No.	2022-373
Investigation No.	2022-500
Investigation No.	2022-507
Investigation No.	2022-513
Investigation No.	2022-520
Investigation No.	2022-525
Investigation No.	2022-519
Investigation No.	2022-538
Investigation No.	2022-544
Investigation No.	2022-551
Investigation No.	2022-425
Investigation No.	2022-659
Investigation No.	2022-635
Investigation No.	2022-631
Investigation No.	2022-647
Investigation No.	2022-12
Investigation No.	2022-151
Investigation No.	2022-152
Investigation No.	2022- 502
Investigation No.	2022-503
Investigation No.	2022-518
Investigation No.	2022-523
Investigation No.	2020-577
Investigation No.	2021-570
Investigation No.	2021-669
Investigation No.	2021-806
Investigation No.	2021-309
Investigation No.	2021-1180
Investigation No.	2021-1364
Investigation No.	2022-367

Investigation No.	2022-313
Investigation No.	2022-273
Investigation No.	2022-191
Investigation No.	2022-176
Investigation No.	2021-1280
Investigation No.	2022-458
Investigation No.	2022-522
Investigation No.	2022-683
Investigation No.	2022-684
Investigation No.	2022-484
Investigation No.	2022-421
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.	2021-1290
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.	2022-370
Investigation No.	2022-531
Investigation No.	2022-534
Investigation No.	2022-543
Investigation No.	2022-545
Investigation No.	2022-554
Investigation No.	2020-128
Investigation No.	2021-975
Investigation No.	2022-603
Investigation No.	2022-311

- e. Initiate Preliminary Review: On the motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted unanimously to approve commencing preliminary review on the following matter:

Agenda Item No.	07.04.04
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Agenda Item No.	07.04.05
Agenda Item No.	07.04.06
Agenda Item No.	07.04.07
Agenda Item No.	07.04.08
Agenda Item No.	07.04.09
Agenda Item No.	07.04.10
Agenda Item No.	07.04.11
Agenda Item No.	07.04.12
Agenda Item No.	07.04.13
Agenda Item No.	07.04.14
Agenda Item No.	07.04.15
Agenda Item No.	07.04.16
Agenda Item No.	07.04.17
Agenda Item No.	07.04.18
Agenda Item No.	07.04.19
Agenda Item No.	07.04.20
Agenda Item No.	07.04.21 <sup>5</sup>
Agenda Item No.	07.04.22
Agenda Item No.	07.04.23
Agenda Item No.	07.04.24
Agenda Item No.	07.04.25
Agenda Item No.	07.04.26
Agenda Item No.	07.04.27
Agenda Item No.	07.04.28
Agenda Item No.	07.04.29
Agenda Item No.	07.04.30
Agenda Item No.	07.04.31
Agenda Item No.	07.04.32
Agenda Item No.	07.04.33
Agenda Item No.	07.04.34
Agenda Item No.	07.04.35
Agenda Item No.	07.04.36 <sup>6</sup>
Agenda Item No.	07.04.37

- f. Consent Orders: On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board voted 3 NAYS 5 YEAS to approve the proposed Consent Order in the following matter:

Investigation No.	2020-I-125
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On the motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted unanimously to approve the proposed Consent Order in the following matter:

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

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

Investigation No.	2022-I-198
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On the motion of Dr. Horton, duly seconded by Dr. Clark, the Board vote unanimously to reject the proposed Consent Order in the following matter:

Investigation No.	2022-I-068
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On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board voted unanimously to approve the proposed Consent Order in the following matter:

Investigation No.	2022-I-402
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On the motion of Dr. Horton, duly seconded by Dr. Williams, the Board approved the proposed Consent Order with prescribing limitations in Investigation No. 2022-521, by the following votes:

NAYS	YEAS	ABSENT
Dr. Taylor	Dr. Clark	Dr. Ali
Dr. Thomas	Dr. Horton	
Ms. Sport	Dr. Weather	
Dr. Johnson	Dr. Williams	
	Dr. O'Neill	

On the motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted unanimously to reject the proposed Consent Order in the following matter:

Investigation No.	2019-I-1030, 2021-I-273 <sup>7</sup>
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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.	15-I-225 <sup>8</sup>
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- g. Close with No Action: On motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted unanimously to close the following matters with no action:

File No.	2022-532
File No.	2021-1290
File No.	2022-537 <sup>9</sup>
File No.	2022-541
File No.	2022-538

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

<sup>8</sup> Dr. Weather is recused from any and all participation in this matter.

<sup>9</sup> Dr. O'Neill is recused from any and all participation in this matter.

File No.	2022-633
File No.	2022-I-628
File No.	2021-1386
File No.	2022-586
File No.	2022-600
File No.	2022-I-348
File No.	2022-562
File No.	2022-463
File No.	2022-549
File No.	2021-1280
File No.	2022-632
File No.	2021-1364
File No.	2022-500
File No.	2022-I-12
File No.	2022-I-395 <sup>10</sup>
File No.	2022-636
File No.	2021-976
File No.	2022-574
File No.	2022-416
File No.	2021-314
File No.	2021-438
File No.	2022-9
File No.	2021-806
File No.	2022-367 <sup>11</sup>
File No.	2021-669
File No.	2022-502
File No.	2022-479 <sup>12</sup>
File No.	2022-480
File No.	2022-481 <sup>13</sup>
File No.	2022-I-434

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).<sup>14</sup> Upon returning to public session, on the motion of Dr. Horton, duly seconded by Ms. Sport, the Board voted unanimously to accept the report.

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<sup>10</sup> Ms. Sport is recused from any and all participation in this matter.

<sup>11</sup> Dr. O'Neill is recused from any and all participation in this matter.

<sup>12</sup> Dr. O'Neill is recused from any and all participation in this matter.

<sup>13</sup> Dr. O'Neill is recused from any and all participation in this matter.

<sup>14</sup> Dr. Johnson was not present at the time of entering executive session and is not a part of this unanimous vote.

j. Unauthorized Practice of Medicine. The Board voted unanimously to convene in executive session to review the matters regarding allegations of misconduct and the unauthorized practice of medicine, under La. Rev. Stat. § 42:17A(4). The Board returned to public session and upon the motion of Dr. Horton, duly seconded by Dr. Clark, the Board voted unanimously to close File No. 2022-546, flag the license for an intent to deny and report to the proper authorities. On the motion of Dr. Horton, duly seconded by Dr. Weather, the Board voted unanimously to seek an injunction and to report to the proper authorities in File No. 2021-570.

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 Ms. Sport, the Board voted unanimously to approve the September 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., .:

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

With regard to, Agenda No. 09.01.02, upon the motion of Dr. Thomas, duly seconded by Ms. Sport, the Board voted unanimously to deny the licensee's request to terminate probationary provisions.

With regard to, Agenda No. 09.01.03, upon the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to deny the licensee's requests to terminate probation.

With regard to, Agenda No. 09.02.01, upon the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to deny the licensee's requests to modify his order under 17-I-813.

With regard to, Agenda No. 09.02.02, upon the motion of Ms. Sport, duly seconded by Dr. Thomas, the Board voted unanimously to deny the licensee's requests to terminate probation.

**[29.] Cyber Security Report.** The Board voted unanimously to convene in executive session pursuant to La. R.S. 42:17(A)(3) to receive the Cyber Security Audit Results from Alan Philips, IT Director and James Coolman, IT Consultant. No further action was taken or needed on this item.

**Next Meeting of the Board.** The President reminded the members that the next meeting of the Board is scheduled for November 21, 22, 2022.

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**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 October 24, 2022, and approved by the Board on the 21<sup>st</sup> day of November 2022.

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Kim Sport, Esq.  
Secretary-Treasurer

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Lester W. Johnson, M.D.  
President