

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

March 27, 2023

## AGENDA

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### CALL TO ORDER

Business Meeting, Monday, March 27, 2023, 8:30 a.m. 630 Camp Street, New Orleans,  
5th Floor Board Room

1. **PUBLIC/VISITORS INTRODUCTION/COMMENTS**
2. **MINUTES/PRIOR MEETINGS/CONFERENCES**  
Approval of public session minutes for Board meeting held on February 27, 2023.
3. **NEW BUSINESS**  
CMS Nursing Home Misdiagnosis and Coding of Schizophrenia
4. **FOLLOW-UP ACTION ITEMS**  
Statement of Position re: Hospitals and Credentialing  
Advisory Opinion re: Hormone Pellets  
Board Memo Re: Office Based Surgery Rules
5. **RULINGS AND ADVISORY OPINIONS**  
Request for an Advisory Opinion re: Abuse and Public Safety Issues related to Kratom  
The Need of Physicians to have Dispensing license to Bill Prescriptions  
APRNS and Collaborating Physicians
6. **COMMUNICATION AND INFORMATION**  
Case Resolution 1990 - February 2023
7. **ADMINISTRATIVE MATTERS**  
President's Report.  
Executive Director's Report.  
Financial Report.
8. **NEXT MEETING**
9. **REGULATORY REPORT – No Changes since February Report**  
DRAFT Polysomnography Emergency Rules

### EXECUTIVE SESSION

1. **MINUTES/PRIOR MEETINGS**  
Approval of executive session minutes for Board meeting held on February 27, 2023.
2. **LITIGATION**  
*Vincent Joseph Bruno v. Cecilia Mouton and the LSBME, No. 12-5503 (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, USDC Eastern District of Louisiana, Case No. 18-4149 (Filed 8/31/2020)*  
*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, US Court of Appeals, 3d Circuit*
3. **GENERAL ADMINISTRATIVE MATTERS**  
**Attorney Advice:**  
Report on Federal Litigation  
Second Level Review  
Research on Criminal Convictions of Sexual Misconduct  
Polysomnography Rules if Needed  
PA Advisory Committee Recommendation
4. **LICENSURE, PERMITS AND CERTIFICATION**  
Licensee/Permit/Certification Applicant requests/waivers  
**REPORTS INVESTIGATIONS/ADJUDICATIONS/LITIGATION**  
Docket Calendar  
Request to Initiate/Extend Preliminary Review and/or Ratify Interim Approval to Extend Preliminary Review.  
Request to Extend Formal Investigation and/or Ratify Interim Approval to Extend Formal Investigation Request for Board Approval of Consent Orders.  
Malpractice Report.
5. **CLOSED CASE REPORTS**  
February 2023.
6. **PROBATION MATTERS**  
Termination of Probation  
Request from Probationers
7. **ATTORNEY ADVICE**  
Report from Industrial Behavioral Psychologist