

1 WHEREAS, the ongoing duty of the board goes far beyond the licensing of
2 physicians; and

3 WHEREAS, the board also has the responsibility of determining when a physician's
4 professional conduct or ability to practice medicine warrants modification, suspension, or
5 revocation of a license to practice medicine; and

6 WHEREAS, by following up on complaints and disciplining physicians when
7 appropriate, the board will ensure the public's trust in the basic standards of competence and
8 ethical behavior in their physicians; and

9 WHEREAS, when the board receives a complaint about a physician, the board has
10 the power to investigate, hold hearings, and impose discipline, including probation,
11 suspension, or revocation of a physician's license, public reprimands, and fines; and

12 WHEREAS, the board may place restrictions on a physician's license or put a
13 physician on probation to protect the public while a physician receives special training or
14 rehabilitation aimed at an existing issue; and

15 WHEREAS, probation is a disciplinary action taken by the board that extends over
16 a specified period of time during which the physician is monitored periodically by the board
17 to assure compliance with the terms and conditions established in the board's order; and

18 WHEREAS, physicians may be placed on probation for a variety of reasons ranging
19 from mild violations for failure to file paperwork to more serious violations such as their
20 own addiction problems, overprescribing controlled substances, or even medical negligence;
21 and

22 WHEREAS, if a licensee has ever been the subject of disciplinary action by the
23 board, the type of discipline and current status will be noted on the verification page of the
24 medical board's website; and

25 WHEREAS, if a patient checks a physician's history on the board's website, it is
26 difficult for the patient to determine the severity of the underlying violation which led to the
27 probation which may cause undue concern for the patient.

28 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
29 authorize and direct the Louisiana State Board of Medical Examiners to study and make

1 recommendations concerning a potential tiered approach for placing physicians on probation
2 and a best practice for the reporting of the probationary status of a physician to patients.

3 BE IT FURTHER RESOLVED, the board shall report its findings and
4 recommendations to the legislature no later than sixty days prior to the 2017 Regular Session
5 of the Legislature of Louisiana.

6 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to
7 executive director of the Louisiana State Board of Medical Examiners.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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2016 Regular Session

Jackson

Directs the La. State Board of Medical Examiners to study and make recommendations concerning a potential tiered approach for placing physicians on probation and a best practice for the reporting of the probationary status of a physician to patients.