

BEFORE THE
LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

In The Matter of:

CHARLES RAYMOND GENOVESE, M.D.
(Certificate No. 004857)

Respondent

NO. 90-I-073

CONSENT ORDER

An investigation conducted on behalf of the Louisiana State Board of Medical Examiners ("Board") has developed information indicating that Charles R. Genovese, M.D.¹ ("Dr. Genovese"), a physician licensed to practice medicine in the state of Louisiana, and engaged in the general practice of medicine in the Tangipahoa Parish, Louisiana area, may have written and issued prescriptions for a variety of legally controlled substances, including narcotic analgesics, benzodiazepines, amphetamines and barbiturates in quantities and for periods that may have been inappropriate in at least seven instances. The investigation included analysis of prescription records maintained by pharmacies, together with the physician's own office records with respect to thirty patients.

As evidenced by his subscription hereto, Dr. Genovese acknowledges that proof of such information upon evidentiary hearing may establish grounds under the Louisiana Medical Practice Act, for action against his license to practice medicine in Louisiana, pursuant to the provisions of LSA-R.S. §37:1285.

Recognizing his right to have notice of the allegations and charges asserted against him, to administrative adjudication of such charges pursuant to LSA-R.S. §§49:955-58, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Genovese, nonetheless, hereby waives his right to notice of charges and formal adjudication and, pursuant to LSA-R.S. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Genovese also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or legal counsel assisting him in connection with this investigation, to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under LSA-R.S. §49:960. Dr. Genovese expressly acknowledges that the disclosure of information to the Board by the

¹ The physician referred to herein is Charles R. Genovese, M.D. (Sr.) age 76; Charles R. Genovese, Jr. M.D., also a physician practicing in the Parish of Tangipahoa, Louisiana, is not a subject of this Order.

Investigating Officer or his counsel shall be without prejudice to the Investigating Officer's authority to file a formal administrative complaint against Dr. Genovese, or to the Board's capacity to adjudicate such complaint, should the Board decline to approve this Consent Order.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by LSA-R.S. §37:1285 and LSA-R.S. §49:955(D);

IT IS ORDERED that the license of Charles R. Genovese, M.D., to practice medicine in the state of Louisiana, shall be placed on probation for the duration of his medical career, and that the continued maintenance of his license to practice medicine in Louisiana, as evidenced by Certificate No. 004857, shall be subject to his acceptance of and strict compliance with the following terms, conditions, and restrictions:

- a) ***Surrender of Controlled Substances Privileges:*** Dr. Genovese shall not, at any time following the date of execution hereof, and for the duration of his medical career, prescribe, dispense, or administer any controlled substance as defined, enumerated, or included in 21 C.F.R. § 1308.11-15 and/or LSA-R.S. §40:964, or any substance which may hereafter be designated as a controlled schedule by amendment or supplementation of such regulations or statute. Dr. Genovese, shall, moreover, surrender for cancellation to the issuing authorities, any existing state or federal controlled substances registrations or certificates which he may possess within thirty days of the execution of this Order, providing photocopies of the same to the Board's Probation and Compliance Officer within such period.
- b) ***Limitation of Practice:*** Dr. Genovese shall, for the duration of his medical career, limit his medical practice to the treatment of residents of nursing homes. In no instance shall he return to the private practice of medicine with an outpatient practice, nor shall he treat hospital in-patients.
- c) ***New Admissions to Nursing Homes:*** Dr. Genovese shall obtain the written concurrence of another physician as a prerequisite to admitting, diagnosing or treating any nursing home patient which he has not heretofore seen as a patient at the time of the execution of this Consent Order.
- d) ***Continuing Medical Education:*** Dr. Genovese shall obtain not less than fifty (50) credit hours per year for the duration of his medical career through attendance at and participation in continuing medical education (CME) programs accredited by and qualifying for the Physicians Recognition Award of the American Medical Association,

and he shall obtain such award within three (3) years of the date hereof, provided that he remains in the active practice of medicine for such period of time. On or before August 15, 1993, and each anniversary thereafter until his full retirement from the active practice of medicine, Dr. Genovese shall cause to be submitted to the Board's Probation and Compliance Officer, written certification of the CME programs and credits completed by him during the preceding twelve (12) months.


- e) **Monetary Fine:** Dr. Genovese shall pay the sum of TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS to the Board within thirty (30) days from the approval of this Order by the Board.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms, conditions or restrictions of this Order by Dr. Genovese shall, upon proof of such violation or failure, be deemed adequate and/or sufficient cause for the suspension and/or revocation of Dr. Genovese's license to practice in the state of Louisiana, or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-R.S. §37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

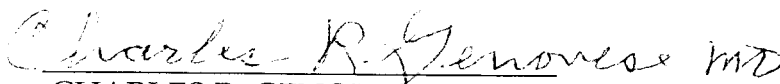
New Orleans, Louisiana, this 20 day of August, 1992.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY: 
BERNARD L. KAPLAN, M.D., PRESIDENT

ACKNOWLEDGMENT AND CONSENT

I, CHARLES R. GENOVESE, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 17 day AUG, 1992.


CHARLES R. GENOVESE, M.D.