

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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IN THE MATTER OF:

No. 07-I-441

WARREN WILLIAMS, SR., M.D.

(Certificate No. 014812)

Respondent

CONSENT ORDER

Warren Williams, Sr., M.D. ("Dr. Williams")¹ is, and at all times pertinent, has been a physician licensed to practice medicine in the state of Louisiana and engaged in the practice of neurosurgery in the Baton Rouge area. The Louisiana State Board of Medical Examiners ("LSBME" or "Board") received information in connection with Dr. Williams' 2006 medical license renewal application that he had surrendered his DEA registration and was cooperating with an investigation regarding the purchase of narcotics and the inappropriate use of his prescriptions at a chiropractor's office. The Board's Director of Investigations ("DOI") contacted the DEA investigators who confirmed that Dr. Williams had surrendered he is DEA registration and was assisting their office with an investigation and requested that the LSBME withhold its investigation at that time. Based on the request of the DEA investigators, Dr. William's ongoing cooperation with an active federal investigation and because Dr. Williams had surrendered his DEA registration, the DOI withheld further administrative action at that time.

On Dr. Williams' 2007 license renewal application dated November 19, 2007, Dr. Williams did not disclose any adverse information and answered no to question #2 relating to any plea to a violation of a state or federal statute since his last renewal. On Dr. Williams' 2008 application for license renewal he answered yes to this question but failed to provide an affidavit explaining the response. Following the receipt of this information, the DOI again contacted DEA investigators. On December 3, 2008 the DEA faxed to the DOI a plea agreement in a federal criminal case signed by Dr. Williams and his attorney on October 11, 2007 in which Dr.

¹ Dr. Williams, currently 60 years of age, received his medical degree from LSU of Medicine, New Orleans, Louisiana in 1978 and trained in Neurosurgery at the Medical College of Pennsylvania, July 1982 through June 1984 and at the University of Kansas Medical Center from July 1984 through graduation in June of 1987. He became licensed by the Louisiana State Board of Medical Examiners in 1978.

Williams pled guilty to a charge of the illegal distribution of a schedule II controlled substance. Following the receipt of the guilty plea, the DOI contacted the DEA officials who, citing Dr. Williams' continued cooperation with an ongoing investigation requested that the LSBME withhold administrative action against Dr. Williams until he had been sentenced on the federal charge.

Dr. Williams' sentencing was postponed throughout 2009 and the DOI, on December 19, 2009, provided Dr. Williams with a written notice listing the potential violations of the Medical Practice Act ("the Act") resulting from his guilty plea to a felony involving the practice of medicine and as well as his failure to timely self-report in writing to the LSBME his illegal activities (precipitating the surrender of his DEA registration in 2006) which constituted violations of the Act and Dr. Williams' false and/or incomplete reporting of the guilty plea on applications for license renewals which Dr. Williams submitted to the LSBME in 2007 and 2008. Following this notice, Dr. Williams met with the DOI, acknowledged his behavior as set out in the plea agreement but denied certain details of his conduct which he had admitted to DEA investigators three years earlier. Nevertheless, Dr. Williams expressed a willingness to address his conduct through a Consent Order with the LSBME and indicated his belief that his sentencing would take place in a few months.

In April, 2010, legal counsel for the DOI on this matter reported that the federal prosecutor was requesting that the LSBME delay its intended administrative action until Dr. Williams cooperation was completed and that he had been sentenced on his prior guilty plea. Legal counsel recommended this course of action to the DOI. On September 10, 2012 the DOI was notified by the assistant United States Attorney concerning Dr. Williams' sentencing to probation and a \$5,000 fine and also citing Dr. Williams extensive cooperation, his acceptance of responsibility for his actions and his consistent expressions of remorse.

Predicated upon the information outlined above, the Investigating Officer assigned by the Board with respect to this matter, determined that reasonable cause exists for recommending that a formal Administrative Complaint be filed against Dr. Williams charging his with violations of the Act².

Dr. Williams acknowledges that he has had the opportunity to thoroughly review the content of this Consent Order with the benefit of legal counsel and that the foregoing information is accurate and would constitute probable cause for the institution of administrative proceedings

² Pursuant to La. Rev. Stat. §37:1285 A, the Board may take action against the license of a physician for the following causes:(1) Conviction of a crime or entry of a plea of guilty to a criminal charge constituting a felony under the laws of the United States; (2) Conviction of a crime or entry of a plea of guilty to any criminal charge arising out of or in connection with the practice of medicine; (3) Fraud, deceit, or perjury in obtaining any diploma, license, or permit pertaining to this Part; (6) Prescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefore or in other than a legal or legitimate manner; (13) Unprofessional conduct; (18) Knowingly performing any act which , in any way, assists an unlicensed person to practice medicine, or having professional connection with or lending one's name to an illegal practitioner; (19) Soliciting, accepting, or receiving anything of economic value in return for and based on the referral of patients to another person, firm, or corporation or in return for the prescription of medications or medical devices; (31) Failure by a physician to self-report in writing to the board any personal action which constitutes a violation of this Part within thirty days of the occurrence.

against his medical license, pursuant to Administrative Complaint, and that proof of such information upon administrative evidentiary hearing may establish grounds under the Act for the suspension or revocation of his license to practice medicine in the State of Louisiana or for such other action as the Board might deem appropriate.

Recognizing his right to have an administrative adjudication of such charges, at which time Dr. Williams would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. Rev. Stat. §§ 49:955-965, Dr. Williams, nonetheless, hereby waives his right to formal adjudication and, pursuant to La. Rev. Stat. §§ 49:955 (D), consents to entry of the Order set forth hereinafter. Dr. Williams also acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951, *et seq.* or which he otherwise may be afforded by any law to contest his agreement to, or the force and effect of the Board's investigation or this document in any court or other forum. By his subscription hereto, Dr. Williams also hereby authorizes the Investigating Officer designated by the Board with respect hereto, 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 La. Rev. Stat. §§ 49:960. Dr. Williams expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the filing and adjudication of an administrative complaint against his, 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 La. Rev. Stat. § 37:1285 and La. Rev. Stat. § 49:955(D);

IT IS ORDERED that the license of Warren Williams, Sr., M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 014812, is hereby **SUSPENDED** for a period of one (1) year; and **IT IS FURTHER ORDERED** that said suspension of license is hereby **STAYED** and said license is hereby placed **ON PROBATION** for a period of five (5) years (the "probationary period"); *provided, however*, the probationary period shall be extended and remain in effect without the necessity of further order of the Board for any period of time during which Dr. Williams remains under any form of probation or supervised or unsupervised release as a result of his conviction in the case of *United States v. Warren Williams, Sr.* #07-246-JJB-SCR; and *further provided* that Dr. Williams' continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to his acceptance of and strict compliance with the following terms, conditions and restrictions:

(1) Prohibitions on the prescribing of controlled substances for the treatment of Chronic Pain, Obesity or Addiction Medicine. At no time following the effective date of this Order shall Dr. Williams prescribe controlled substances for the treatment of non-cancer related chronic pain, obesity or addiction medicine. Furthermore, he shall not receive any remuneration from, have any ownership interest in or association with any clinic or practice setting or arrangement that advertizes or holds itself out to the public as a clinic or practice for the care and/or treatment of patients for the management of

chronic pain, obesity or substance addiction. Until and unless otherwise modified by the Board, in its sole discretion, the restrictions contained in this provision shall survive the probationary period and remain in effect so long as Dr. Williams shall hold any form of license or permit to practice medicine in the state of Louisiana.

(2) Prescription, Dispensation, Administration of Controlled Substances Prohibited— For as long as he holds a license to practice medicine, or until and unless modified by the Board, Dr. Williams shall not prescribe, dispense or administer any substance which may be classified, defined, enumerated or included in 21 C.F.R. §§1308.11-.15 or La. Rev. Stat. § 40:964, as a Schedule II, III, IV or V controlled substance. The prohibitions contained in this paragraph shall not prohibit Dr. Williams from ordering controlled substances and other prescription medications for administration to in-patients of and at a hospital or similar institution where he may be employed or exercise staff and clinical privileges under the controlled substance license and registration of such hospital or institution and in accordance with such hospital or institution's prescribed policies and procedures governing the administration of controlled substances. Predicated on his successful completion of the first year of probation, Dr. Williams may petition the Board for modification of this prohibition.

(3) Board approval of Practice setting. For the duration of the probationary period, Dr. Williams shall not work in any setting without prior written approval of the Board or its designee.

(4) Collaboration With Nurse Practitioners, Supervision of Physician Assistants Prohibited.

During the probationary term, Dr. Williams shall not enter into nor continue in a collaborative or supervisory practice agreement with a mid-level provider, e.g., nurse practitioner or physician assistant. This restriction shall not preclude Dr. Williams from employing nurses or other medical personnel to assist in his practice, as long as he is present and directing their activities appropriate to their level of expertise and ability.

(5) Continuing Medical Education/Proper Prescribing, Medical Record Keeping, Professionalism and Medical Ethics. Within the first year of the probationary period, Dr. Williams shall provide written confirmation that he has attended and successfully completed one or more courses of study in the areas of proper prescribing of controlled substances, of creation and maintenance of adequate medical records, and professionalism and medical ethics. All courses required by this provision shall be comprehensive in nature (greater than 20 credit hours) and shall be acceptable to and pre-approved in writing by the Board or its designee.

(6) Payment of a Fine. The Board hereby imposes an administrative fine in the amount of five thousand dollars (\$5,000.00) against Dr. Williams. Dr. Williams shall pay the fine within ninety (90) days of the effective date of this Order.

(7) Continuing Medical Education. Dr. Williams shall obtain not less than fifty (50) credit hours per year for each of the five (5) years of his probationary period through

attendance at and participation in continuing medical education ("CME") programs accredited by the American Medical Association. On before the anniversary date of the effective date of this Consent Order, for each of the next five (5) years, Dr. Williams shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months.

(8) Absence from State/Practice-Effect on Probation. Should Dr. Williams at any time during the period of probation ordered herein be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician, for a period of thirty (30) days or more, he will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which he was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.

(9) Notification. Dr. Williams shall provide a copy of this Consent Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom he provides services as a physician in this state.

(10) Cooperation with Board's Probation and Compliance Officer. Dr. Williams shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers and he shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms, conditions and restrictions of this Consent Order.

(11) Probation Monitoring Fee. For each year of the probationary period Dr. Williams shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

(12) Effect of Violation/Sanction. By his subscription hereto Dr. Williams acknowledges that his receipt of written notification that the Board has received apparently reliable information which indicates his failure to comply with the requirements set forth by this Order in any respect, shall, without the need for formal hearing or providing him with any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951, *et seq.* or which otherwise may be afforded to him by law, constitute his irrevocable consent to the immediate suspension of his license to practice medicine as a physician in this state pending a hearing before the Board and the conclusion of the administrative proceedings by the issuance of a final decision following administrative adjudication of such charges.

(13) Certification of Compliance with Probationary Terms/Personal Appearance. At least sixty (60) days prior to the conclusion of the probationary period imposed herein,

Dr. Williams shall provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order and he shall contact the Board and arrange for a personal appearance before the Board at its meeting preceding the expiration of the probationary period. The probationary period and all of its terms and conditions shall be and shall be deemed to be, extended and continued in full force and effect pending Dr. Williams compliance with the requirements of this provision.

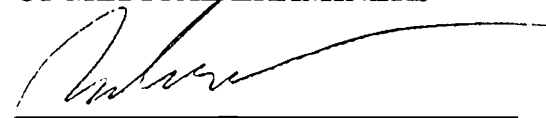
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms and conditions set forth in this Order by Dr. Williams shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Williams' license to practice medicine in the state of Louisiana or for such action as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. § 37:1285.

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

Signed in New Orleans, Louisiana, on and effective this 3rd day of December, 2012.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



MELVIN G. BOURGEOIS, M. D.

President

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA

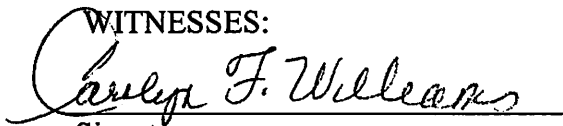
PARISH OF EAST BATON ROUGE

I, WARREN WILLIAMS, SR. M. D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 16 day of November 2012.



WARREN WILLIAMS, SR., M.D.

WITNESSES:



Signature

Carolyn T. WILLIAMS

Printed Name

6040 Stratford Ave

Address BATON ROUGE, LA 70808



Signature

Kirklin Williams

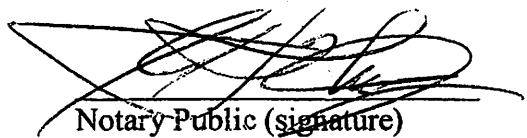
Printed Name

6040 Stratford Ave

Address

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 16th day of

November, 2012, in the presence of the two stated witnesses.



Notary Public (signature)

Dr. Clarence H. Thompson

Printed Name/Notary #