

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250
www.lsbme.la.gov



Department of Investigations
Telephone: (504) 568-6820
FAX: (504) 568-5754

IN THE MATTER OF:

JOHN DOUGLAS FRUSHA, M.D.
(Certificate No. 015140)
Respondent

No. 12-I-221

CONSENT ORDER FOR OFFICIAL REPRIMAND

In October, 2012, the Director of Investigations (“DOI”) of the Louisiana State Board of Medical Examiners (“Board”) received a report indicating that John Douglas Frusha, M.D. (“Dr. Frusha”)¹, was issued a California medical license under probationary conditions. Prior to that report, Dr. Frusha had been practicing medicine in the Baton Rouge, Louisiana area in the field of vascular surgery. The investigation of the report revealed that the California action was based on Dr. Frusha’s providing false sworn information on his application for a California license which failed to disclose an earlier denial of his application for an Oklahoma medical license in 2002. Review of Dr. Frusha’s Louisiana licensure file also disclosed that Dr. Frusha did not report the May 22, 2002 Oklahoma action on June 21, 2002 when he signed the application for the renewal of his Louisiana license. Dr. Frusha answered “no” to the question “was your application for professional examination or licensure rejected or denied”.

The investigation indicates to the satisfaction of the DOI that the probationary conditions imposed by the Medical Board of California and the false information submitted by Dr. Frusha to the LSBME on his 2002 license renewal provide a reasonable basis to initiate formal administrative proceedings against Dr. Frusha’s license charging him with violations of certain provisions of the Louisiana Medical Practice Act, La. Rev. Stat. §§ 1261-1292.(the “Act”).²

¹ Dr. Frusha, currently 64 years of age, received his medical degree from LSU School of Medicine, New Orleans in 1979 and completed a General Surgery Internship and General Surgery Residency at the Medical Center of Louisiana/LSU, New Orleans in 1980 and 1983 respectively and completed a Residency in General Surgery at the Lahey Clinic Medical Center, Burlington, MA in 1984 where he also completed a Fellowship in Vascular Surgery in 1985. He became licensed by the LSBME in June of 1979. Dr. Frusha is also licensed to practice medicine in Mississippi, Missouri, Kansas and California.

² La. Rev. Stat. §§ 37:1285 A. (4) Providing false testimony before the board or providing false sworn information to the board; (29) The refusal of a licensing authority of another state to issue or renew a license, permit, or certificate to practice medicine in that state or the revocation, suspension, or other restriction imposed on a license,

At a meeting with the DOI, Dr. Frusha presented information and documents concerning the circumstances of the denial of his application for an Oklahoma medical license in 2002 as well as his explanation for genuinely believing that he was not required to report the information on his 2002 Louisiana renewal or his recent medical license application in California. Dr. Frusha maintained that he had no intent to deceive.

Nevertheless, as evidenced by his subscription hereto, Dr. Frusha acknowledges the substantial accuracy of the foregoing factual information relating to the investigation and further, that proof of such information at an Administrative Evidentiary Hearing could establish grounds under the Act for the imposition of such terms, conditions or restrictions on his license to practice medicine in the State of Louisiana as the Board may deem appropriate.

Recognizing his right to have notice of allegations and charges asserted against him, to administrative adjudication of such charges, at which time he 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. §§49:951, et seq., Dr. Frusha nonetheless, hereby waives his right to notice of charges and formal adjudication, and pursuant to La. Rev. Stat. §§49:955 (D), consents to entry of the Order as set forth hereinafter. Furthermore, Dr. Frusha acknowledges that he hereby waives any right to which he maybe entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, et seq., or which otherwise may be afforded to him 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. Frusha 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 the results of the investigation, and he waives any objection to such disclosure under La. Rev. Stat. §§49:960. Dr. Frusha 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 file a formal Administrative Complaint against him or to the Board's capacity to adjudicate such complaint should be Board declined to approve this Consent Order.

Based upon the information provided, including the acknowledgments and assurances given to the DOI by Dr. Frusha, and upon the recommendation of the Investigating Officer assigned to this matter, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §§ 1261, et seq., will be effectively served by entry of the Order set forth hereinafter by consent.

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);

permit, or certificate issued by such licensing authority which prevents or restricts practice in that state, or the surrender of a license, permit, or certificate issued by another state when criminal or administrative charges are pending or threatened against the holder of such license, permit, or certificate.

IT IS ORDERED John Douglas Frusha, M.D., who at all times pertinent has been and is licensed to practice medicine in the state of Louisiana, as evidenced by license number 015140, is hereby **OFFICIALLY REPRIMANDED**.

IT IS FURTHER ORDERED that Dr. Frusha's license to practice medicine and his continuing exercise of the rights and privileges granted to him thereby, shall be conditioned upon and subject to his acceptance than strict compliance with the following terms and conditions which shall remain in effect until and unless subsequently modified by the Board in its sole discretion:

- (1) **Notice of Compliance and Satisfactory Completion of California Probationary Conditions.** Dr. Frusha will provide written reports to the DOI confirming that he is fully compliant with all of the probationary conditions and Orders contained in the "Stipulation For A Probationary License" ("Stipulation") which he entered into with the Medical Board of California Department of Consumer Affairs in Case No. 20-2012-225158. Dr. Frusha will provide such written reports during each of the three (3) years during which his California license is under probation and a letter at the conclusion of the probationary period, confirming to the DOI, that all requirements of the Stipulation have been satisfied.
- (2) **Payment of a Fine.** The Board hereby imposes an administrative fine in the amount of one thousand dollars (\$1,000) against Dr. Frusha. Dr. Frusha shall pay this fine within ninety (90) days of the effective date of this Order.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or requirements of this Order, as set forth herein above, by Dr. Frusha shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other 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 Order shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, this 18th day of February, 2013.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

By: _____


MELVIN G. BOURGEOIS, M.D.
President

**ACKNOWLEDGMENT
AND CONSENT**

I, JOHN DOUGLAS FRUSHA, M.D., hereby acknowledge, approve, accept, and consent to the entry of the foregoing Order, this 7 day of February 2013.

John Douglas Frusha
JOHN DOUGLAS FRUSHA, M.D.

WITNESSES:

Binh Thanh Dinh
Signature

Binh Thanh Dinh
Typed or Printed Name

12590 Perkins Rd
Address BR, LA 70810

Lan Dinh
Signature

Lan Dinh
Typed or Printed Name

12590 Perkins Rd
Address BR, LA 70810

Sworn to and subscribed before me at 2 Baton Rouge, Louisiana, this 7th day of February, 2013, in the presence of the two stated witnesses.

Dajuana W Moore
Notary Public (signed)

Dajuana W Moore, Notary No. 68583
Printed Name/Notary or Bar #

"Commissioned for Life"



THIS DOCUMENT NOT
PREPARED BY
THE UNDERSIGNED NOTARY
ATTESTING TO SIGNATURES ONLY