

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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09-I-009

## IN THE MATTER OF:

**CHERYLYNNE T. COTTLES, M.D.**  
(Certificate No. 016920),  
*Respondent*

## STIPULATION AND AGREEMENT FOR VOLUNTARY SURRENDER OF MEDICAL LICENSE

This *Stipulation and Agreement* is made by Cherylynn T. Cottles, M.D. ("Dr. Cottles"), a physician who at all times material to the facts and matters alleged herein is licensed by the Louisiana State Board of Medical Examiners (the "Board") to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 016920.

1. *Acknowledgment and Stipulations.* Dr. Cottles hereby acknowledges, stipulates and agrees that:

- (a) The above-entitled proceeding was docketed for investigation by the Board following the receipt of information suggesting that Dr. Cottles may have engaged in a pattern of practice that violated the Board's Pain Management Rules<sup>1</sup> and the Obesity Rules.<sup>2</sup>
- (b) Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter determined that reasonable cause existed such that a formal Administrative Complaint could be filed against Dr. Cottles, charging her with a violation of the Louisiana Medical Practice Act (the "Act"), pursuant to La. Rev. Stat. §37:1285A(6), (14) and (30).<sup>3</sup>

<sup>1</sup> Controlled Substances Used in the Treatment of Noncancer-related Chronic or Intractable Pain, 46 La. Adm. Code §§ 45:6915-6923 (June 1997), amended (April 2000).

<sup>2</sup> Controlled Substances Used in the Treatment of Obesity, 46 La. Adm. Code §§ 45:6901-6913.

<sup>3</sup> The Board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license or permit issued under this Part for the following causes: (6) [p]rescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefore or in other that legal or legitimate manner; ... (14) '[c]ontinuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state; ... (30) [v]iolation of any rules and regulations of the board, or any provisions of this Part.

- (c) Dr. Cottles categorically denies the allegations nonetheless, acknowledges that the reported information (all of which is denied) could provide the Investigating Officer a basis to pursue formal administrative proceedings against her for violation of the Act, La. Rev. Stat. §§37:1285(A)(6), (14) and (30), and, further, that proof of such information (all of which is denied) upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation or imposition of such other terms, conditions or restrictions on her license to practice medicine in the state of Louisiana as the Board might deem appropriate.
- (d) By law, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1261, *et seq.*, and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, Dr. Cottles would be entitled, prior to final disciplinary action against her medical license, to have notice of the allegations and charges asserted against her and to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:951 *et seq.* At such hearing, Dr. Cottles would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her 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.*
- (e) Further, Dr. Cottles has closed her practice for certain health reasons.

2. *Voluntary Surrender of License.* Notwithstanding her right to notice of formal charges, administrative hearing and a decision thereon, as provided by La. Rev. Stat. §§49:951 *et seq.*, in recognition of the stipulations set forth hereinabove, Dr. Cottles hereby voluntarily surrenders to the Board for cancellation her license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 016920. By her subscription hereto, Dr. Cottles also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Stipulation to the Board for its consideration and to disclose as necessary to the Board the nature and results of the investigation, and she waives any objection to such disclosures under La. Rev. Stat. §49:960.

3. *Effect of Voluntary Surrender of License.* Dr. Cottles acknowledges, stipulates and agrees that the voluntary surrender of her medical license is for certain health reasons, none of which render her not of sound mind and body, or otherwise affect her ability to willingly and knowingly enter into this Stipulation and Agreement. Additionally, Dr. Cottles acknowledges, stipulates and agrees to voluntarily surrender any and all licenses issued by the U.S. Drug Enforcement Administration, or any other federal or state agency, for the prescribing of controlled dangerous substances. Further, Dr. Cottles acknowledges, stipulates and agrees that as a result of the voluntary surrender of Dr. Cottles' medical license effected hereby that reinstatement of her license to practice medicine in the state of Louisiana shall be at the sole discretion of the Board and upon whatever probationary terms, conditions and restrictions that it may then determine to be appropriate. In addition, Dr. Cottles acknowledges, stipulates and agrees that no request for reinstatement shall be considered by the Board until and unless the

passage of five (5) years from the effective date of this Order and Dr. Cottles has: (1) demonstrated clinical competency through assessment at a program or facility approved by the Board and successfully completed any recommended remediation or training; and (2) scheduled and met with the Investigating Officer to discuss her then-current status and plans.

4. *Termination of Proceedings.* By the voluntary surrender of her medical license Dr. Cottles, moreover, acknowledges, stipulates and agrees that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or which otherwise may be afforded to her by law to contest her agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein.

5. *Advice of Counsel.* Dr. Cottles acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and that all of the terms, conditions, restrictions and limitations contained herein have been explained to her and/or that she fully understands them.

6. *Public Record.* Dr. Cottles acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Medical License shall be and shall be deemed to be a Public Record.

*Stipulation and Agreement Follow on Next Page*

STIPULATION  
AND AGREEMENT

I, CHERILYNNE T. COTTLES, M.D., hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above and foregoing this 5<sup>th</sup> day of February, 2013.

Cherilynn T. Cottles MD  
CHERILYNNE T. COTTLES, M.D.

WITNESSES:

[Signature]  
Signature

Dore T Guila  
Typed Name

430 Keyser Ave  
Address

Natchitoches LA 71457  
City/State/Zip Code

[Signature]  
Signature

Lisa Dowden  
Typed Name

430 Keyser Ave  
Address

Natchitoches La 71457  
City/State/Zip Code

Sworn to and subscribed before me at Cherilynn T. Cottles MD, Louisiana, this 5 day of Feb, 2013, in the presence of the two stated witnesses.

[Signature]  
Notary Public (signature and seal)

Printed Name/Notary #

John Godfrey  
Notary Public # 065929  
State of Louisiana  
Sabine Parish  
My Commission Is For Life


**ACCEPTANCE**

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**CONSIDERING THE ABOVE AND FOREGOING**, the Stipulation and Agreement for Voluntary Surrender of Medical License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, this 18<sup>th</sup> day of February, 2013, effective immediately.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

BY:

  
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MELVIN G. BOURGEOIS, M.D.,  
*President*