

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



Telephone: (504) 568-6820
FAX: (504) 568-8893
Writer's Direct Dial:

(504) _____

IN THE MATTER OF:

No. 13-I-698

ROZALYNDE ANNE RANDOLPH, M.D.
(Certificate No. 019946),
Respondent

CONSENT ORDER

An investigation conducted on behalf of the Louisiana State Board of Medical Examiners (the "Board") by its duly assigned Investigating Officer (the "I/O") indicates that Rozalynde Anne Randolph M.D. ("Dr. Randolph"), a physician licensed to practice medicine in this state who at all times pertinent was engaged in the practice of pediatrics in and around Thibodaux, Louisiana, suffers from a psychiatric condition which may episodically affect her ability to practice medicine with skill and safety.

In March 2012, Dr. Randolph was referred to the PHP after she presented to a local hospital to care for her patients and appeared to be impaired. Dr. Randolph was evaluated, and thereafter entered treatment for a psychiatric condition. Provided she adhered to recommendations to continue ongoing psychiatric therapy and counseling, it was the recommendation of her treating professionals that Dr. Randolph was safe to resume practice. Apparently Dr. Randolph did well until mid-2013 when the Board received information indicating that an incident had occurred whereby Dr. Randolph exercised poor medical judgment and failed to come to the hospital to attend a patient when she was on call. The patient was cared for by another physician, and suffered no ill effects. However, based upon the potential risk to her patients, Dr. Randolph agreed to remove herself from practice until she could be re-evaluated to determine if further treatment was warranted.

Upon further evaluation it was determined that Dr. Randolph was most likely suffering from the effects of a recent change in her medications. She was stabilized and at the completion of her treatment, Dr. Randolph was provided with recommendations which included compliance with her medical regimen, maintenance of a monitoring agreement with the PHP, attendance at specified meetings and counseling. Additionally, it was suggested that Dr. Randolph not practice in a solo practice and that she not take hospital call. Provided that she adheres to their

recommendations, it is the opinion of her treating professionals that Dr. Randolph is capable of returning to the practice of medicine with reasonable skill and safety to patients.

Predicated on the foregoing, the I/O assigned to this matter has determined that probable cause exists for recommending to the Board that an Administrative Complaint be filed in this matter charging Dr. Randolph with violation of the Louisiana Medical Practice Act, La. Rev. Stat. §37:1285A (25)¹.

As evidenced by her subscription hereto, but without admitting any violation of the Act, any other law or the Board's rules, Dr. Randolph acknowledges the foregoing information and that such acknowledgement and the information obtained in the investigation could provide the I/O herein with a lawful basis to initiate formal administrative proceedings against her for violation of the Louisiana Medical Practice Act, constituting cause for such action against the physician's license to practice medicine in this state as the Board may deem appropriate.

Recognizing her right to written notification of any charges that may be asserted against her as a result of this investigation, as well as the right to administrative adjudication of such charges, at which time she would be entitled to be represented by legal counsel, to call witnesses and to present evidence 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. Randolph, nonetheless, hereby waives her rights to notice, formal adjudication and written decision and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. Dr. Randolph also acknowledges 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 to which she otherwise may be afforded by any law to contest her agreement to or the force and effect of the Board's investigation or this document in any court or other forum. Moreover, by her subscription hereto Dr. Randolph authorizes the I/O 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 she waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Randolph expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the I/O's authority to proceed with the filing and adjudication of any administrative charges that may subsequently be filed in this matter against her, or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Consent Order. Accordingly, inconsideration 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 Rozalynde Anne Randolph, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 019946, be and the same is hereby placed **ON PROBATION** for a period of **three (3) years** (the "probationary

¹ Pursuant to La. Rev. Stat. §37:1285A the Board may take action against a physician's license as a result of '(25) [I]nability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency; physical illness, including but not limited to deterioration through the aging process or loss of motor skills; and/or excessive use or abuse of drugs, including alcohol. '

period"); *provided, however*, that Dr. Randolph' license to practice medicine in this state and her continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to her acceptance of and strict compliance with the following terms and conditions:

1) Personal Appearance before the Board. Dr. Randolph shall personally appear before the Board or its designee to permit the Board to discuss with her, her understanding of and intent to comply with the terms of this Order and to advise the Board of her intentions with respect to her continued practice of medicine.

2) Monitoring of Practice. Unless and until modified by the Board in its sole discretion, Dr. Randolph's practice shall be monitored by another physician, approved in writing by the Board, who shall monitor her practice to determine whether Dr. Randolph is practicing consistently within accepted standards. Dr. Randolph shall authorize and cause such physician, not less frequently than quarterly during the probationary period, to submit to the Board written reports of his or her determination concerning Dr. Randolph's professional and medical competence as derived from such monitoring.

3) Board Approval of Practice Setting. Dr. Randolph shall, before continuing or accepting any employment with any clinic, hospital, or other entity providing healthcare services to patients, obtain the Board's written approval of her employment and shall provide any and all information that the Board may then require in connection with such approval. Unless and until the modified by the Board in its sole discretion, Dr. Randolph shall limit her practice to an out-patient setting and will not take hospital call.

4) Continuing Treatment, Participation in the PHP/Reports to Board. For as long as she holds a license to practice medicine in this state, Dr. Randolph shall enter into and execute a monitoring agreement with the PHP. Dr. Randolph shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring of her condition, which have or may be contained in her PHP monitoring agreement, or any subsequent agreement which may be recommended by the PHP, as well as those recommended by her treating physicians and those prescribed by any other health care provider involved in her care to the extent that they continue to follow her. Dr. Randolph shall, in addition, authorize and cause her treating and monitoring physicians and providers and/or the PHP to submit to the Board, not less frequently than quarterly throughout the probationary period, written reports and/or verbal reports, should the Board desire the latter, on her then-current treatment, diagnosis, prognosis, course of treatment, maintenance of abstinence from alcohol and/or controlled and mood-altering substances, her fitness and ability to practice medicine with reasonable skill and safety to patients, and her compliance with the terms, conditions and restrictions of this Order and her PHP monitoring agreement.

5) Board Access to Treatment Records and Reports. Dr. Randolph shall, and does by her subscription hereto, authorize any physician or any institution at which she undergoes treatment for any condition from which she may suffer or be diagnosed, as well as any physician under whose care she may come at such an institution who has or may hereafter evaluate, diagnose, treat or monitor her, to provide the Board with copies

of all medical reports relating to Dr. Randolph's history, examination, evaluation, diagnosis, treatment and prognosis and to provide the Board with written and verbal reports relative thereto. Dr. Randolph expressly waives any privilege that may otherwise be afforded the disclosure of such records pursuant to state or federal law and shall immediately execute any authorization or release that may be necessary to permit the Board access to such records.

6) Prohibitions on Practice/Management of Chronic Pain or Obesity. Dr. Randolph shall not prescribe controlled substances to any patient for the management of chronic pain or obesity. Nor shall she receive any remuneration from, have any ownership interest in or association with any clinic or practice setting or arrangement that advertises 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 or obesity. 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. Randolph shall hold a license to practice medicine in the state of Louisiana.

7) Continuing Medical Education. Dr. Randolph shall obtain not less than fifty (50) credit hours per year for the three (3) years of the probationary period through attendance at and participation in continuing medical education ("CME") programs accredited by the American Medical Association. On or before the anniversary date of the effective date of this Order, she shall cause to be submitted to the Board written certification of the CME programs and credits completed by her during the preceding twelve (12) months.

8) Absence from the State/Practice/Effect on Probation. Should Dr. Randolph be absent from the state of Louisiana during the probationary period or 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, she will so advise the Board in writing. In such instance, the probationary period shall be deemed interrupted and extended for no less than the period of time during which she 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) Probation Monitoring Fee. For each year of the probationary term Dr. Randolph 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.

10) Notification. Dr. Randolph shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a physician in this state.

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

12) Effect of Violation/Sanction. Dr. Randolph acknowledges that her receipt of written notification from the Board informing her that it has received apparently reliable information which indicates her failure to comply with the terms and conditions of this Order in any respect shall, without the need for formal hearing or for providing her with any right to which she may otherwise 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, constitute her irrevocable consent to the immediate suspension of her license to practice medicine as a physician in this state pending a hearing before the Board and the issuance of a final decision or other disposition concerning such charges.

13) Certification of Compliance with Probationary Terms/Personal Appearance. At least sixty (60) days prior to the conclusion of the probationary period Dr. Randolph shall provide the Board with an affidavit certifying that she has complied with each of the terms and conditions of probation imposed by this Order and she shall contact the Board and arrange for a personal appearance before the Board at its meeting preceding the expiration of her 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. Randolph's compliance with the requirements of this provision.

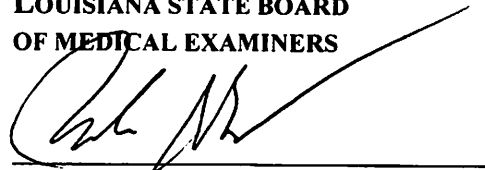
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Randolph shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further or other action as the Board may deem appropriate, 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.

This Consent Order was signed at New Orleans, Louisiana, and became effective on this 9th day of December, 2013.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY:



MELVIN G. BOURGEOIS, M.D.
President

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF _____

I, ROZALYNDE ANNE RANDOLPH, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 1st day of November, 2013.

Rozalynde Anne Randolph, M.D.
ROZALYNDE ANNE RANDOLPH, M.D.

WITNESSES

Cindy A. Cheramie
Signature

CINDY A. CHERAMIE
Typed Name

1401 E. CAMILLE DR
Address

THIBODAUX, LA 70301
City/State/Zip Code

Monique Mobley
Signature

Monique Mobley
Typed Name

311 Myrtle St.
Address

Houma, LA 70363
City/State/Zip Code

Sworn to and subscribed before me this 1st day of November, 2013, in the presence of the two stated witnesses.

Notary Public 

Print name _____

Bar/Notary No.: _____

Roy L. Rhymes
Notary Public in and for the State of Louisiana
Bar Roll No. 25222
My Commission Expires _____