

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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New Orleans, LA 70112-1499

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In The Matter Of

ELLIOTT FAIL MONROE, M.D.
(Certificate No. 05917R),

Respondent.

No. 89-A-001

**FINAL
DECISION**

- 8/28/89

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An administrative evidentiary hearing was convened before the Louisiana State Board of Medical Examiners ("Board") on Friday, June 16, 1989, to adjudicate whether the Respondent, Elliott Fail Monroe, M.D. ("Dr. Monroe") had engaged in conduct providing cause under the Louisiana Medical Practice Act, for suspension or revocation of his license to practice medicine in the state of Louisiana. A quorum of the Board was present,¹ as was Dr. Monroe² who was, more particularly, charged with violation of LSA-R.S. §37:1285(30)³ as a result of restrictions placed upon his license to practice medicine in the state of Texas and the revocation of his license to practice medicine in the state of Alabama.

Upon consideration of the documentary evidence adduced and admitted herein, the record, the argument of counsel and the statements and testimony of Respondent, the Board renders the following findings of fact, conclusions of law and decision.

¹The following members of the Louisiana State Board of Medical Examiners were present and constituted the formal hearing panel in connection with the above referenced administrative hearing: Dr. Ike Muslow, who presided over the hearing; Dr. F. P. Bordelon, Jr., Dr. Bernard L. Kaplan, Dr. Elmo J. Laborde and Dr. Gerald R. LaNasa.

²Dr. Monroe advised the Board that he wished to represent himself in these proceedings and, therefore, appeared without counsel at the Board Hearing.

³LSA-R.S. §37:1285(30) provides, more particularly, that "[T]he Board may...suspend or revoke any license or permit...based upon the refusal of a licensing authority of another state to issue or renew a license or permit... or the revocation, suspension or other restriction imposed on a license, permit or certificate issued by such licensing authority which prevents or restricts practice in that state..."

Findings of Fact

1. Elliott Fail Monroe, M.D., is a physician licensed by the Board to practice medicine in the state of Louisiana pursuant to Certificate No. 05917R.

2. By Order of October 26, 1987, the Texas State Board of Medical Examiners suspended Dr. Monroe's license to practice medicine in the state of Texas for a period of five (5) years. The Order of Suspension was, however, stayed⁴ and the Respondent's license was placed on probation in lieu of suspension provided that he strictly adhere to specified terms, restrictions and conditions.⁵ Order, *In the matter of Elliott Fail Monroe, M.D.*, No. G-2436.

3. Pursuant to an Order of June 22, 1988, the Respondent's license to practice medicine in the state of Alabama was revoked. Order, *In the Matter of the Alabama State Board of Medical Examiners v. Elliott Fail Monroe, M.D.*, Case Number 88-002.⁶

Conclusions of Law

Considering the foregoing findings of fact, the Board concludes, as a matter of law, that the suspension and restrictions imposed upon Dr. Monroe's license to practice medicine in the state of Texas, as well as the revocation of his license to practice medicine in the state of Alabama, provide just cause for action against his license under La. Rev. Stat. §37:1285(30).

⁴The Stay of Dr. Monroe's actual suspension was dependent upon his compliance with various terms, conditions and restrictions with which the Respondent had not complied as of May 5, 1989. *Letter, Texas St. Bd. Med. Ex., from Arnold G. Garza, Exhibit "I."* Pursuant to his request, however, Dr. Monroe was afforded an opportunity following the conclusion of the hearing to submit evidence displaying his compliance with the Stay Order. Indeed, certain materials have been received from Dr. Monroe and reviewed; nevertheless, the documents do not evidence that he has complied with the terms of the Stay Order. In fact, several of the letters reveal that he has not been evaluated by a psychiatrist acceptable to the Board as required by the Order.

⁵The action by the Texas St. Bd. of Med. Ex. was, in part, predicated upon findings that 1) Dr. Monroe engaged in the practice of medicine in such a manner as to endanger the health of certain specified patients; 2) that he was unable to practice medicine with reasonable skill and safety to patients by reason of inebriation or the excessive use of alcohol; and 3) that his hospital staff privileges had been removed in the state of Texas for reasons of medical incompetency, all in violation of Texas law.

⁶The action by the Alabama St. Bd. of Med. Ex. was predicated upon the same evidence as that considered by the Texas Board.

Decision

In consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285;

IT IS ORDERED ADJUDGED AND DECREED that the license of ELLIOTT FAIL MONROE, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by certificate No. 05917R, be, and the same is hereby, REVOKED and CANCELLED.

New Orleans, Louisiana, this 28 day of August, 1989.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

By: Ike Muslow
Ike Muslow, M.D.
President