

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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No. 12-I-947

IN THE MATTER OF:

CONSENT ORDER

JED LANE MORRIS, M.D.

(Certificate No. 03455R)

Respondent

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information which indicated that Jed Lane Morris, M.D. ("Dr. Morris"), a physician who at all times material to the facts and matters alleged herein is licensed and engaged in the practice of medicine in and around Baton Rouge, Louisiana, had settled several malpractice cases, which called into question whether his practice as a rheumatologist met the prevailing standard of care in this state. An expert review confirmed to the satisfaction of the Director of Investigations that Dr. Morris' use of Cytoxan and high dose steroids may not have been justified and could have contributed to adverse outcomes. Additionally, cases were reviewed by Board staff that demonstrated that Dr. Morris did not prescribe controlled substances in an appropriate manner or in compliance with the Board's rules on the treatment of chronic pain.

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. Morris, charging him with violations of the Louisiana Medical Practice Act (the "Act"), pursuant to La. Rev. Stat. §37:1285A(6), (13) and (14).¹

Dr. Morris, who believes he at all times treated his patients within the proper standards of care and that he always acted in the best interests of his patients, has concluded that there are significant risks in terms of costs, expended time, and actions on his practice involved in an

¹The 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; ... (13) unprofessional conduct; and (14) continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state.

administrative adjudication of the charges against him, and therefore, voluntarily agrees to these terms, conditions and restrictions to his practice. As evidenced by his subscription to this Order, Dr. Morris, acknowledges the substantial accuracy of the foregoing information and that such acknowledgment, and the reported information, could provide the Investigating Officer with probable cause to pursue formal administrative proceedings against him for violation of the Act, La. Rev. Stat. §§37:1285(A)(6), (13) and (14), respectively and, further, that proof of such information upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation or imposition of such other terms, conditions or restrictions on his license to practice medicine in the state of Louisiana as the Board might deem appropriate.

Recognizing his right to have 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. §§49:955-965, Dr. Morris, nonetheless, hereby waives his right to notice of charges, formal adjudication and written decision and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. Moreover, by his subscription hereto, Dr. Morris also 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 otherwise may be afforded to him by law to contest his agreement to or the force and effect of this document in any court or other forum or body relating to the matters referred to herein. By his subscription hereto, Dr. Morris 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. Furthermore, Dr. Morris expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue an Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

Based upon the information provided, the Board has concluded that the public interest would be properly protected and served by allowing Dr. Morris to maintain his license subject to appropriate specified terms, conditions and restrictions. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, 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);

IT IS ORDERED that the license of Jed Lane Morris M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. MD.03455R, is hereby **ON PROBATION** on the effective date of this Order for one (1) year, provided, however, that such license and Dr. Morris' continuing exercise of rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

(1) Personal Appearance before the Board. Dr. Morris shall personally appear before the Board or its designee to permit the Board to consider his intent to comply with the terms of this Order and to advise the Board or its designee of his intentions with respect to his continued practice of medicine.

(2) Prescription of Controlled Substances Limited. Except as authorized herein, Dr. Morris shall not prescribe (i) 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 or III controlled substance; or (ii) any substance which may hereafter be designated as one of the foregoing controlled substances by amendment or supplementation of such regulations and statute. The prohibitions contained in this paragraph shall not prohibit Dr. Morris from ordering any controlled substance for administration to inpatients of and at a hospital where he may be employed or exercise staff or clinical privileges in accordance with such hospital's prescribed policies and procedures governing the administration of controlled substances. 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. Morris shall hold any form of license or permit to practice medicine in the state of Louisiana.

(3) Practice Monitoring and Quarterly Reports. Within sixty (60) days of the effective date of this Order, Dr. Morris shall enter into a contract with a Board-approved practice monitor program to monitor and review Dr. Morris' medical practice during the probationary period. The program will work in conjunction with the Board to develop parameters for monitoring Dr. Morris' practice, including a review of Dr. Morris' patient records and charts. The practice monitor shall review no less than ten (10) records a quarter. The practice monitoring program will provide quarterly reports to the Board that will include an opinion as to whether Dr. Morris is practicing medicine and documenting his patient's evaluation and treatment in accordance with the prevailing standards of medical practice. This practice monitoring of Dr. Morris shall not conclude until the Board has received at least four (4) positive quarterly reports from the practice monitor. After the Board has received four (4) positive quarterly reports in which the practice monitoring program has opined that Dr. Morris is practicing in accordance with the prevailing standards of medical practice, Dr. Morris may petition the Board to terminate this condition of his probation, which request the Board in its sole discretion may grant or deny. In the event the Board denies such a request, the practice monitoring will continue at the Board's discretion or until this probation is terminated. Dr. Morris shall bear all costs associated with the practice monitor program.

(4) Limitations on Practice – No Use of Cytosan and Limited Use of Prednisone. Dr. Morris shall not prescribe, order, or infuse IV Cytosan, or its generic equivalents, to any patient. Further, to the extent that Dr. Morris concludes that such therapy would be appropriate, he is to refer those patients to other providers. Additionally, Dr. Morris shall not prescribe to any patient a dosage of Prednisone that exceeds 10 mg on a daily basis, however, this limitation

would not prevent Dr. Morris from providing patients with a single intramuscular injection of no more than an additional 10 mg of Prednisone in conjunction with the transfer of that patient's care to another provider. 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. Morris shall hold any form of license or permit to practice medicine in the state of Louisiana.

(5) Continuing Medical Education. Dr. Morris shall obtain not less than fifty (50) credit hours per year during the probationary term through attendance at and participation in continuing medical education programs ("CME") accredited by the American College of Physicians, the American Medical Association, or such other national accrediting association or organization as the Board may approve in writing. On or before the anniversary of the effective date of this Order, Dr. Morris 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.

(6) Payment of Fine. Within one (1) year of the effective date of this Order Dr. Morris shall pay to the Board a fine in the amount of One Thousand and no/100 (\$1,000.00) Dollars.

(7) Probation Monitoring Fee. For each year that this Order remains in effect, Dr. Morris 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 following the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

(8) Absence from State/Practice/Effect on Probation. The probationary term of this Order shall be extended for any period of time that (i) Dr. Morris subsequently resides or practices outside the State of Louisiana or (ii) Dr. Morris' license is subsequently cancelled for nonpayment of licensure fees. If Dr. Morris leaves Louisiana to live or practice elsewhere, he shall immediately notify the Board in writing of the dates of his departure from and subsequent return to Louisiana. When the period of extension ends, Dr. Morris shall be required to comply with the terms of this Order for the period of time remaining on the extended probationary term of this Order. Dr. Morris shall pay all fees for reinstatement or renewal of a license covering the period of extension.

(9) Cooperation with Board's Probation and Compliance Officer. Dr. Morris 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 Order.

(10) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary term imposed herein, Dr. Morris shall provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order. 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. Morris' compliance with the requirements of this provision.

(11) **Effect of Violation/Sanction.** By his subscription hereto, Dr. Morris 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 for providing him with any right to which he 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 him by law, constitute his irrevocable consent to the immediate suspension of his license to practice medicine in this state pending a hearing before the Board and the conclusion of the administrative proceedings by issuance of a final decision following administrative adjudication of such charges.

(12) **Effective Date.** This Consent Order shall be effective the date it is approved and accepted by the Board as shown by the signature of its representative below.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Morris shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Morris's license to practice medicine in the state of Louisiana 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.

Signed in New Orleans, Louisiana, and effective on this 21st day of July, 2014.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: Mark H Dawson
MARK HENRY DAWSON, M.D.
President

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF East Baton Rouge

I, JED LANE MORRIS, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 2 day of July, 2014.

Jed Lane Morris MD
JED LANE MORRIS, M.D

WITNESSES:

Monica Pierson
Signature

Carol Miller
Signature

Monica Pierson
Printed Name

CAROL Miller
Printed Name

7574 Crepe Myrtle
Address

711 Colonial Dr.
Address

Denham Springs La 70727
City, State, Zip Code

Baton Rouge La 70806
City, State, Zip Code

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 2 day of July, 2014, in the presence of the two stated witnesses.

[Signature]
Notary Public (Signature & Seal)



George Claud Tull IV #31403
Printed Name/Notary Number (or Stamp)