

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
Telephone: (504) 568-6820
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No. 14-I-108

IN THE MATTER OF:

CONSENT ORDER

AMY BLACKWELL SCHUNEMEYER, DPM
(Certificate No. PD285R)
Respondent

Amy Blackwell Schunemeyer, DPM (“Dr. Schunemeyer” or “Respondent”)¹ is, and at all times pertinent, has been licensed by the Louisiana State Board of Medical Examiners (“LSBME” or “Board”) as a podiatrist in the State of Louisiana, pursuant to the Louisiana Podiatric Practice Act, La. Rev. Stat. §§ 37:611-628, as evidenced by Certificate No. DPM.PD285R. .

In February of 2012, a complaint was filed with the LSBME asserting that Respondent was representing herself in print media and advertisements as “Dr. Schunemeyer” without using the term “Podiatrist” or the equivalent as a suffix to her name or in connection with it, as required by La. R.S. 37:615 and in violation of La. R.S. 37:624 (A) (28). Respondent, on February 28, 2012, at a meeting at the LSBME office, acknowledged the factual content of the complaint, asserted that the cited instances were unintended oversights and expressed a commitment to make the necessary changes and use the appropriate designation in future publications of her credentials.

In July of 2012, a printed advertisement appeared in “Acadiana LifeStyle” in which Respondent was again represented as “Dr. Amy Schunemeyer” without using the term “Podiatrist” or the equivalent as a suffix to her name or in connection with it, as required by La. R.S. 37:615 and in violation of La. R.S. 37:624 (A) (28). Respondent, on or about July 20, 2012, was placed on notice by the LSBME, that the Board could take action against her license under La. R.S. 37: 624 (A) (12), (17) and (28). Respondent, again assured the Office of the Director of Investigations (“DOI”) that this mistake would be corrected and would not recur.

¹ Dr. Schunemeyer, currently 46 years of age, finished the Barry University, School of Podiatry, Miami, Florida, May of 1997 and completed a Residency Program at Des Moines General Hospital, Des Moines, Iowa in June, 1998. She became licensed as a Podiatrist by the Louisiana State Board of Medical Examiners in February, 2000.

Notwithstanding Respondent's prior assurances, in early 2014 the Board received information indicating that Respondent had advertised her services in the Yellow Pages of the New Iberia, Louisiana telephone directory using the designation "Board Certified" without specifying the name of the Board granting the certification. Respondent's yellow page advertisement also contains the statement "The only Board Certified Podiatrist in New Iberia". Dr. Schunemeyer also advertised her services in the January 2014 edition of "Acadiana LifeStyle" containing the statement "I am a Board Certified foot surgeon...". In a subsequent meeting with the Investigating Officer, Dr. Schunemeyer once again apologized for the errors and/or omissions in her advertising and stated that these were not intentional, but were related to her failure to fully scrutinize advertisements prepared by others.

Respondent's failure to identify a certifying Board in any of her advertisements, misleads and potentially deceives the public as to the nature of her medical training and her actual credentials. Respondent's advertisements and representations in the print media also are in violation of the advertising rules promulgated by the American Board of Podiatric Surgery. And while Dr. Schunemeyer represents that these actions were merely accidental oversights, her failure to take appropriate steps to assure that these misrepresentations would not reoccur has led the DOI to recommend that a formal Administrative Complaint be filed against Dr. Schunemeyer charging her with violations of the Louisiana Podiatric Act (the "Act")².

Dr. Schunemeyer acknowledges that she has had the opportunity to thoroughly review the content of this Consent Order and with the opportunity to consult with legal counsel and that the foregoing information is accurate and would constitute probable cause for the institution of administrative proceedings against her podiatric license, pursuant to Administrative Complaint, and that proof of such information upon administrative evidentiary hearing may establish grounds under the Act for the suspension or revocation of her license to practice podiatry in the State of Louisiana or for such other action as the Board might deem appropriate.

Recognizing her right to have an administrative adjudication of such charges, at which time Dr. Schunemeyer 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. §§ 49:955-965, Dr. Schunemeyer, nonetheless, hereby waives her right to formal adjudication and, pursuant to La. Rev. Stat. §§ 49:955 (D), consents to entry of the Order set forth hereinafter. Dr. Schunemeyer 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 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

² Pursuant to La. Rev. Stat. §37:624 A (12), the Board may take action against the license of a podiatrist for "[V]iolations of any rules or regulations of the Board, or any provisions of this Chapter"; (17)"[S]olicitation of patients for self-promotion through advertising or communication, public or private, which is fraudulent, false, deceptive or misleading"; and (28) "[U]sing the title "Doctor" or "Dr." as a prefix to her name without using the term of "Podiatrist" or the equivalent as a suffix to her name or in connection with it."

other forum. By her subscription hereto, Dr. Schunemeyer 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 she waives any objection to such disclosures under La. Rev. Stat. §§ 49:960. Dr. Schunemeyer 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 proceed with the filing and adjudication of an administrative complaint against her, or to the Board's capacity to adjudicate such complaint, should the Board decline to approve this Consent Order.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. § 37:624 and La. Rev. Stat. § 49:955(D);

IT IS ORDERED that the license of Amy Blackwell Schunemeyer, DPM to engage in the practice of podiatry in the State of Louisiana, as evidenced by Certificate No. PD285R, is hereby **OFFICIALLY REPRIMANDED**.

IT IS FURTHER ORDERED that Dr. Schunemeyer will educate herself with respect to any and all laws, regulations, rules and policies relating to the authorization and limitations on podiatrists' advertisements and representations in print, graphic, electronic or other media which are promulgated by the LSBME, which are contained in the Louisiana Podiatric Practice Act, or within the published rules and policies of the American Board of Podiatric Surgery and present, within thirty (30) days of the Board's acceptance of this Consent Order, documentation to the DOI (including her personal affidavit) which demonstrates, to the satisfaction of the DOI, that Dr. Schunemeyer has completed the required education and which also contains her personal certification that she will strictly comply with all such laws, regulations, rules and policies related thereto.

IT IS FURTHER ORDERED that Dr. Schunemeyer will take all necessary measures to ensure that any advertisements or representations in any print, graphic, electronic or other media which are not in strict compliance with any and all laws, regulations, rules and policies referred to in the preceding paragraph of this Order are removed.

IT IS FURTHER ORDERED that Dr. Schunemeyer pay an administrative fine in the amount of one thousand dollars (\$1,000.00). Dr. Schunemeyer shall pay the fine within ninety (90) days of the effective date of this Order.

IT IS FURTHER ORDERED that Dr. Schunemeyer, within ninety (90) days of the effective date of this Order, period, shall provide written confirmation that she has attended and successfully completed a course of study in the areas of professionalism and medical ethics. The course required by this provision shall be comprehensive in nature (greater than 20 credit hours) and shall be acceptable to and pre-approved in writing by the Board or its designee.

IT IS FURTHER ORDERED that failure of strict compliance with any of the terms and conditions set forth in this Order by Dr. Schunemeyer shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Schunemeyer's license to practice podiatry in the state of Louisiana or for such other action as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. R.S. 37: 624

IT IS FURTHER ORDERED that this Consent Orders shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, thus Done, Signed and Effective on this 18th day
of August, 2014.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**


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

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA

PARISH OF Iberia

I, AMY BLACKWELL SCHUNEMEYER, DPM., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 12th day of August, 2014..



AMY BLACKWELL SCHUNEMEYER, DPM

WITNESSES:

Charise M Boudreaux
Signature

Charise M Boudreaux
Printed Name

203 W Main St, #200
Address New Iberia, La 70560

Nicole T. Landry
Signature

Nicole T. Landry
Printed Name

203 W. Main St. Ste 200
Address New Iberia, La 70560

Sworn to and subscribed before me at New Iberia Louisiana, this 12th day of August, 2014, in the presence of the two stated witnesses.

Jean Marie Poe
Notary Public (signature)

Jean Marie Poe
Printed Name/Notary # 69672

