

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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IN THE MATTER OF:

No. 13-I-1281

DONNA AILEEN VINING DONALD, MD
(Certificate No. MD.018470)
Respondent

CONSENT ORDER

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 Donna Aileen Vining Donald, M.D. ("Dr. Donald"), 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 West Monroe, Louisiana, had enabled the unauthorized practice of medicine by a Nurse Practitioner, Lacey Russell. On September 30, 2013, Dr. Donald sold the clinic known as Ageless Skin Laser Center ("the Clinic") to Ms. Russell, but Dr. Donald continued to serve as the medical director. Further, Dr. Donald had knowledge that Ms. Russell was performing cosmetic procedures without her onsite supervision. In addition, during times when Dr. Donald was not present in the clinic, Ms. Russell was evaluating patients with non-specific complaints and prescribing hormone replacement therapy in a manner not in keeping with the standards of care. In her defense, Dr. Donald believed that the Collaborative Practice Agreement ("CPA") she executed with Ms. Russell had been approved by the Louisiana State Board of Nursing. However, it had not been approved and regardless, it was Dr. Donald's responsibility to ensure that Ms. Russell was practicing in accordance with the scope of her education and training and in accordance with the standard of care.

Upon notice of the investigation Dr. Donald severed all professional relationships with Ms. Russell, and discontinued the conduct in question. Further, Dr. Donald does not intend to further associate with a clinic that offers cosmetic procedures and/or hormone replacement therapy.

Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter determined that reasonable grounds existed such that a formal Administrative Complaint could be filed against Dr. Donald, charging her with a violation of the

Louisiana Medical Practice Act (the "Act"), pursuant to La. Rev. Stat. §37:1285A(13), and (18).¹

As evidenced by her subscription hereto, Dr. Donald acknowledges the substantial accuracy of the foregoing information and that such information and acknowledgement would constitute probable cause for the institution of administrative proceedings against her medical license pursuant to Administrative Complaint, and that proof of such information upon an administrative evidentiary hearing could establish grounds under the Act, La. Rev. Stat. §§37:1285(A)(13), and (18), respectively 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.

Recognizing her right to have notice and administrative adjudication of such charges, at which time Dr. Donald 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. Donald, nonetheless, hereby waives her right to notice and formal adjudication and pursuant to La. Rev. Stat. § 49:955(D), consents to entry of the Order set forth hereinafter. Dr. Donald 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 may be afforded by any other law to contest her agreement to or the force and effect of the Board's investigation or this Consent Order in any court or other forum. By her subscription hereto, Dr. Donald 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. Donald 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.

Based upon the information provided, the Board has concluded that the public interest would be properly protected and served by allowing Dr. Donald to maintain her license subject to appropriate specified terms and conditions, as outlined below. 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);

¹ Pursuant to La. Rev. Stat. §37:1285A, the Board may suspend, revoke, or impose probation or other restrictions on the license of an individual licensed to practice medicine in the State of Louisiana as a result of: (13) "[U]nprofessional conduct;" and (18) "[k]nowingly performing any act which, in any way, assists an unlicensed person to practice medicine, or . . . lending one's name to an illegal practitioner."

IT IS ORDERED that Donna Aileen Vining Donald, M.D. who is licensed to practice medicine in the state of Louisiana, as evidenced by license number MD.018470, is hereby **OFFICIALLY REPRIMANDED** for the conduct identified hereinabove, provided, however, that such license and Dr. Donald's continuing exercise of rights and privileges there under shall be conditioned upon her acceptance of and strict compliance with the following terms, and conditions:

- (1) **Continuing Medical Education - Ethics and Professionalism Course.** Within six (6) months of the effective date of this Order Dr. Donald shall attend and successfully complete a course in medical ethics and professionalism. All courses required by this provision shall be pre-approved by the Board or its designee.
- (2) **Payment of Fine.** Within six (6) months of the effective date of this Order Dr. Donald shall pay to the Board a fine in the amount of Two Thousand (\$2,000) dollars.
- (3) **Effect of Violation/Sanction.** By her subscription hereto, Dr. Donald acknowledges that her receipt of written notification that the Board has received apparently reliable information which indicates her failure to comply with the requirements set forth by 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 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.

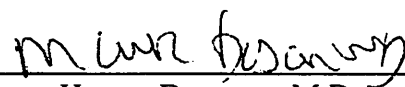
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms and conditions set forth by this Order by Dr. Donald shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further action against Dr. Donald's license to practice 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, on and effective this 15 day of September, 2014.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:


MARK HENRY DAWSON, M.D.
President

STATE OF LOUISIANA
PARISH OF Orachita

**ACKNOWLEDGMENT
AND CONSENT**

I, DONNA AILEEN VINING DONALD, MD, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 27th day of AUGUST, 2014.

Donna Aileen Vining Donald MD
DONNA AILEEN VINING DONALD, MD

WITNESSES:

Brandi Womack
Signature

Brandi Womack
Typed Name

1025 Hwy 3033
Address

West Monroe, La 71292
City/State/Zip Code

Chelsey Campbell
Signature

Chelsey Campbell
Typed Name

1315 New Natchitoches Rd
Address

West Monroe, LA 71292
City/State/Zip Code

Sworn to and subscribed before me this 27th day of AUGUST, 2014, in the presence of the two stated witnesses.

[Signature]
Notary Public (Signature and Seal)

Mike McGee # 61397
Printed Name/Notary or Bar Number