

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
Telephone: (504) 568-6820
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No. 14-I-373

IN THE MATTER OF:

JERRY ANTHONY GREGORY, P.A.
(Certificate No. 200110.RX)
Respondent

CONSENT ORDER FOR OFFICIAL REPRIMAND

The Louisiana State Board of Medical Examiners (the "Board") conducted an investigation of Jerry Anthony Gregory, P.A., ("Mr. Gregory") who has been licensed in Louisiana as a physician assistant ("P.A.") since August 2006 with Certificate No. 200110.RX, and practicing in the area of family medicine. The Board has developed reliable information indicating that Mr. Gregory prescribed controlled substances beyond that authorized for a P.A. In particular, the investigation revealed that Mr. Gregory prescribed controlled substances for the treatment/management of chronic pain in violation of Board rules. On his own behalf, Mr. Gregory represents that while he was aware of the Board rules prohibiting a P.A. from prescribing controlled drugs for chronic pain, he did so anyway under the belief that he was helping his patients. Nonetheless, he acknowledged the Board's authority and his obligation to abide by the Board's rules and regulations.

Predicated on the foregoing, the Director of Investigation has determined that probable cause exists for recommending to the Board that an Administrative Complaint be filed in this matter charging Mr. Gregory with violation of the Louisiana Physician Assistant Practice Act, La. Rev. Stat. §37:1360.33(3), ("the Act"),¹ and the Board's Rules pertaining to Physician Assistants, La. Adm. C. 46: XLV§4506.C.3.a.²

As evidenced by his subscription hereto, Mr. Gregory acknowledges the substantial accuracy of the foregoing information and that proof of such information upon an administrative evidentiary hearing could constitute sufficient cause under the Act for the imposition of such terms, conditions, or restrictions on his license to practice as a physician assistant in the state of

¹ La. Rev. Stat. §37:1360.33(3) provides that the Board may discipline any physician assistant that "(3) violates any provision of this Part or any regulation adopted by the Board pertaining to this Part."

² La. Adm. C. 46: XLV§4506.C. provides that "A physician assistant who has been delegated prescriptive authority shall not: 3. Treat and/or utilize controlled substances in connection with the treatment of: a. non-cancer related chronic or intractable pain . . ."

Louisiana as the Board may deem appropriate.

Recognizing his right to have administrative adjudication of the matters mentioned above, 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. §§ 49:951, *et seq.*, Mr. Gregory nonetheless, hereby waives his right to notice, formal adjudication and written findings of fact and conclusions of law, and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Mr. Gregory also acknowledges that he 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 the Board's investigation or this document in any court or other forum relating to the matters referred to herein.

By his subscription hereto, Mr. Gregory 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 to the Board under La. Rev. Stat. §49:960. Mr Gregory 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 proceed with the filing and adjudication of an administrative complaint against him, or to the Board's capacity to adjudicate such complaint, should the Board decline to accept this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §§37:1360.33, 1360.34 and La. Rev. Stat. § 49:955(D);

IT IS ORDERED that Jerry Anthony Gregory, P.A.is hereby **OFFICIALLY REPRIMANDED**.

IT IS FURTHER ORDERED that:

1. **Payment of Fine.** Mr. Gregory shall pay a fine of \$1,000.00 to the Board, which payment shall be made within one hundred eighty (180) days of the effective date of this Order by the Board;
2. **Demonstration of Understanding-Board's Rules.** Within one hundred eighty (180) days of the effective date of this Order, Mr. Gregory shall provide evidence to the Board's satisfaction that he has gained an understanding of and is practicing in accordance with the law and the Board's rules and regulations respecting physician assistants; and
3. **Attendance at Approved Seminar/Course on Alternatives to Opiates for the Treatment of Pain.** Within one hundred eighty days (180) of issuance of this order, Mr. Gregory shall provide written confirmation that he has attended and

successfully completed one or more courses of study in the area of the treatment of pain without the use of controlled medications. All courses required by this provision shall be comprehensive in nature and shall be acceptable to and pre-approved in writing by the Board or its designee.

IT IS FURTHER ORDERED that the failure of Mr. Gregory to comply with the above terms shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further action against his license to practice as a physician assistant in the state of Louisiana as the Board may deem appropriate, as if such failure were enumerated among the causes provided in La. Rev. Stat. §37:1360.33.

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

Signed at New Orleans, Louisiana, and effective on this 8th day of December, 2014.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

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

*Acknowledgment and Consent Follows
on Next Page*

*Acknowledgment and Consent Follows
on Next Page*

STATE OF LOUISIANA

PARISH OF CADWELL

**ACKNOWLEDGMENT
AND CONSENT**

I, JERRY ANTHONY GREGORY, P.A., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 10th day of October, 2014.

[Signature]
JERRY ANTHONY GREGORY, P.A.

WITNESSES:

Mark Samuel
Signature

Mark Samuelson
Printed Name

10 Live Oak Drive
Address

Monroe, LA 71203
City, State, Zip Code

[Signature]
Signature

Lisa Patrick
Printed Name

218 E Frenchmans Bend Rd.
Address

Monroe, LA 71203
City, State, Zip Code

Sworn to and subscribed before me at Caldwell Parish, Louisiana, this 10 day of October, 2014, in the presence of the two stated witnesses

James L. Carroll
Notary Public (Signature)

JAMES L. CARROLL
Printed Name, Notary of Louisiana
NOTARY PUBLIC # 68743
Notary Public Number
My Commission Expires with Life.