

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of:

No. 15-I-149

CARLOS MANUEL CHOUCINO, M.D.
(Certificate No. 11215R)
Respondent.

**CONSENT ORDER
FOR REPRIMAND**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") based upon the receipt of reliable information indicating that Carlos Manuel Choucino, M.D, ("Dr. Choucino"), a physician practicing in and around Lake Charles, Louisiana, had entered into an agreement with a third party vendor, Cage Motion, wherein Dr. Choucino would authorize the performance of Extracorporeal Shock Wave Therapy procedures on patients in a chiropractor office. Dr. Choucino did not evaluate the patients, did not determine the necessity of these services, and did not supervise the performance of the procedure. The third party vendor undertook the preparation of the medical records, performed the procedure, and then submitted the billing as Lithotripsy services to an insurance carrier on behalf of Dr. Choucino. In return, Dr. Choucino would receive a portion of the insurance payment.

On his own behalf, and by way of explanation, Dr. Choucino acknowledged that he had entered into an agreement with Cage Motion on or about February 2014, with the understanding that he was to indirectly supervise the chiropractors, similar to an arrangement he had with an acupuncture assistant. He initially reviewed and signed off on all the shock wave therapy procedures being performed. In November 2014 Dr. Choucino believed that Cage Motion had broadened the scope of patients and services under his name and had billed services using him as both the rendering and providing physician. He immediately advised Cage Motion and the chiropractic providers to cease the provision of and billing for any services or procedures under his name or Louisiana license.

Without admitting to a violation of the Act, nevertheless, Dr. Choucino acknowledges that if findings were established before a hearing panel of the Board and the reported information is determined to be true, then the Board may take such against his license to practice medicine in this state that it deems appropriate, pursuant to La. R.S.

§§37:1285A(11), (13), and (18)¹. In consideration of the foregoing, and on the recommendation of the Investigating Officer respecting the pending investigation, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, 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.*, Dr. Choucino nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Choucino 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 this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Dr. Choucino 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. Dr. Choucino 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 formal administrative charges against him or to the Board's capacity to adjudicate such charges 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. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Carlos Manuel Choucino, M.D., is hereby *Officially Reprimanded*;

¹ Pursuant to La. R.S. §37:1285A(11), 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: (11) Making or submitting false, deceptive, or unfounded claims, reports, or opinions to any patient, insurance company or indemnity association, company, individual or governmental authority for the purpose of obtaining anything of economic value; ... (13) Unprofessional conduct, including but not limited to, conduct manifested as sexual misconduct, disruptive behavior, failing to cooperate with the board, failing to maintain independent medical judgment, improperly delegating or supervising, exercising undue influence, enabling the unauthorized practice of medicine, practicing or enabling practice by an impaired provider, failing to practice within the scope of education, training, and experience, intentionally falsifying or fraudulently altering records, or failing to create or maintain medical records;... (18) Knowingly performing any act which, in any way, assists an unlicensed person to practice medicine, or having professional connection with or lending one's name to any illegal practitioner

IT IS FURTHER ORDERED that within six (6) months from the effective date of this Order that Dr. Choucino shall provide written confirmation to the Board that he has successfully completed a course of study in professionalism or medical ethics acceptable to and pre-approved in writing by the Board or its designee;

IT IS FURTHER ORDERED that Dr. Choucino shall perform a minimum of twenty (20) hours of Board approved, non-compensated, community service within six (6) months from the effective date of this Order. Upon completion of the community service, Dr. Choucino shall cause to be submitted to the Board written certification of the Board approved community service completed by him.

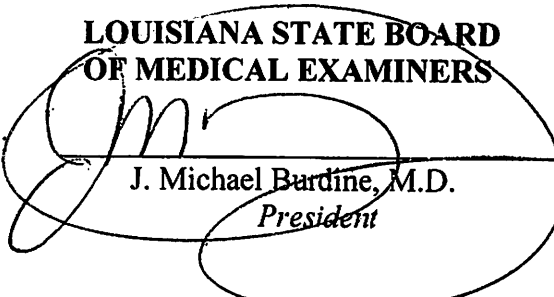
IT IS FURTHER ORDERED that Dr. Choucino shall pay the Board a fine in the amount of Five Thousand Dollars (\$5,000) within ninety (90) days of the acceptance of this Order by the Board;

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Choucino shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Choucino's license to practice medicine in this state as the Board may deem appropriate, as if such violation 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 at New Orleans, Louisiana, and effective on this 9th day of JANUARY, 2017.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

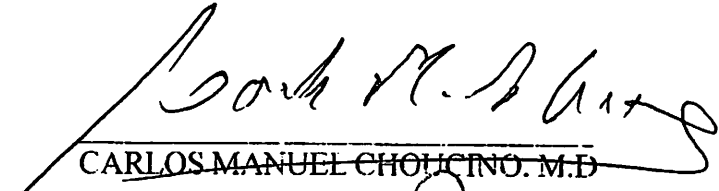
By  _____
J. Michael Bardine, M.D.
President

STATE OF LOUISIANA

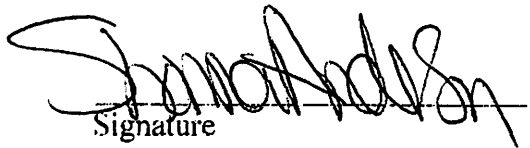
PARISH OF Calcasieu

**ACKNOWLEDGMENT
AND CONSENT**

I, CARLOS MANUEL CHOUCINO, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 14 day of December, 2016.



CARLOS MANUEL CHOUCINO, M.D.

WITNESSES:


Signature

Shanna Anderson
Typed Name

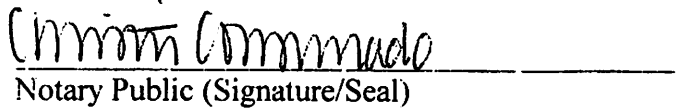
1700 E Prien Lake Rd - Ste 3
Address Lake Charles LA 70601


Signature

Tara Anderson
Typed Name

1700 E Prien Lake Rd - Ste 3
Address Lake Charles LA 70601

Sworn to and subscribed before me at Lake Charles New Orleans, Louisiana, this 14 day of December, 2016, in the presence of the two stated witnesses.


Notary Public (Signature/Seal)

**Christie Consumado
Notary Public #52134
State of Louisiana
Commissioned for Life**

Notary Public (Printed Name)/Bar-Notary #