

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of:

No. 16-I-778

**KOLAWOLE ADEMUYIWA ODULAJA,
M.D.**

(Certificate No.205813)

**CONSENT ORDER
FOR REPRIMAND**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of information concerning Kolawole Ademuyiwa Odulaja M.D, ("Dr. Odulaja"), a physician who at all times material to the facts and matters alleged herein was engaged in the practice of medicine in Texas, but is also licensed to practice medicine in this state, as evidenced by Certificate No. 205813.

Such information revealed that on June 10, 2016, Dr. Odulaja entered into an Agreed Order¹ with the Texas Medical Board, wherein he was publically reprimanded with conditions placed on his practice.² The Order was in disposition of an investigation that alleged that Dr. Odulaja engaged in unprofessional conduct arising from his treatment of a patient in the state of Texas. It was additionally alleged that he failed to meet the standard of care in his treatment of that patient, failed to adhere to the Texas Board Rules regarding the treatment of pain and that he prescribed controlled substances for non-therapeutic purposes to that patient.

Predicated upon the information outlined above, the Investigating Officer assigned by the Board with respect to this matter, determined that the underlying facts,

¹ *Agreed Order*, In the Matter of the License of Kolawole A. Odulaja. MD, License No. N-2694, Texas Medical Board (June 10, 2016).

² The terms and conditions placed on Dr. Odulaja in the Agreed Order are as follows: (1) his practice and patient medical and billing records shall be monitored for 16 consecutive monitoring cycles; (2) within one year of the entry of his Agreed Order, Respondent shall take and pass with a score of 75 or above the Medical Jurisprudence Examination; (3) he will enroll and successfully complete at least 48 hours of CME within one year of the entry of his Agreed Order; (4) he shall develop a pain management contract for his patients; (5) he shall pay an administrative penalty of \$5,000.00; and (6) while under the terms of the Order, Respondent shall give a copy of the Order to all health care entities where he has privileges, applies for privileges, or otherwise practices.

stipulated in the Texas Agreed Order, if occurring in Louisiana, would support an Administrative Complaint alleging violations of the “Pain Management Rules” promulgated by the LSBME in Title 46 of the Louisiana Administrative Code, Part XLV §§ 6915-6923 and as a result of said rule violations, pursuant to §6923 that Respondent would be deemed to be in violation of the Louisiana Medical Practice Act, La. R.S. §37:1285A (6), (14) and (29).³

Subsequently, Dr. Odulaja renewed his Louisiana medical license. On April 6, 2016 he signed an Oath and Affirmation wherein he responded “NO” to the following question: “Has your professional license, certificate, or registration been the subject of investigation or revoked, suspended, probated, restricted, reprimanded, limited or subjected to any other disciplinary action by any state licensing board or federal authority?” On March 24, 2016, two weeks prior to submitting his Louisiana license renewal application, Dr. Odulaja appeared in person with counsel at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Texas Medical Board.⁴ Therefore, Dr. Odulaja was aware that the Texas Medical Board was investigating his practice prior to the day he falsified his Louisiana license renewal application by indicating that his license has not ever been the subject of a state licensing board investigation. As a result, Respondent would be deemed to be in violation of the Louisiana Medical Practice Act, La. R.S. §37:1285A (4) and (13).⁵

³ Pursuant to La. R.S. §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:

...

(6) Prescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefor or in other than a legal or legitimate manner;

...

(14) Continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state;

...

(29) The refusal of a licensing authority of another state to issue or renew a license, permit, or certificate to practice medicine in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state, or the surrender of a license, permit, or certificate issued by another state when criminal or administrative charges are pending or threatened against the holder of such license, permit, or certificate.

⁴ *Agreed Order*, pg. 1.

⁵ Pursuant to La. R.S. §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:

...

(4) Providing false testimony before the board or providing false sworn information to the board;

...

(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;

Without admitting to a violation of the Act, nevertheless, Dr. Odulaja 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 (4), (6), (13), (14) and (29). 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. Odulaja 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. Odulaja 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. Odulaja 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. Odulaja 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 Kolawole Ademuyiwa Odulaja, M.D., is hereby *Officially Reprimanded*;

IT IS FURTHER ORDERED that the license of Dr. Odulaja, to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 205813 be and the same is hereby, as of the effective date of this Order, indefinitely conditioned upon his acceptance of and strict compliance with the following terms:

- (1) **Compliance with the Texas Agreed Order:** Dr. Odulaja shall fully comply with the Agreed Order entered with the Texas Medical Board dated June 10, 2016, which is incorporated herein by reference.
- (2) **Notice of Relocation to Louisiana:** In the event that Dr. Odulaja should decide to relocate to or engage in the practice of medicine in the state of Louisiana at any time following the effective date of this Order, he shall contact and arrange an appearance before the Board at its next regularly schedule meeting. At such meeting Dr. Odulaja shall demonstrate his compliance with the terms of the Agreed Order and this Order and discuss his intended plans for practice in this state.
- (3) **Prescribing CDS in Louisiana:** Dr. Odulaja shall not prescribe any Schedule II-IV controlled substance to patients in the state of Louisiana until the termination of his Texas Agreed Order.
- (4) **Payment of Fine:** Shall pay a fine in the amount of Five Thousand Dollars (\$5,000) within ninety (90) days of the acceptance of this Order by the Board;

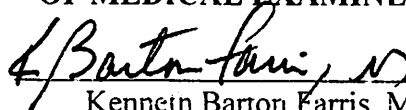
IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Dr. Odulaja shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Odulaja's license to practice medicine in this state as the Board may deem appropriate, 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 13th day of March, 2017.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



Kenneth Barton Farris, M.D.

President

STATE OF _____

PARISH/COUNTY OF _____

**ACKNOWLEDGMENT
AND CONSENT**

I, KOLAWOLE ADEMUYIWA ODULAJA, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 28th day of February, 2017.



KOLAWOLE ADEMUYIWA ODULAJA, M.D.

WITNESSES:



Signature

Frances Cuellar

Typed Name

510 med court, ste 107

Address



Signature

Melissa Mercure

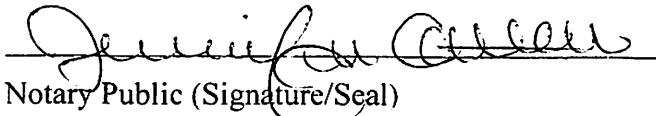
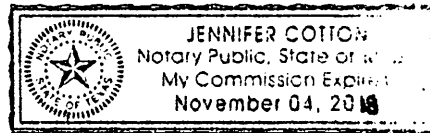
Typed Name

510 med court, ste 107 SATX

Address 5

78258

Sworn to and subscribed before me at Coosum Medical Group
San Antonio, TX, this 28th day of February, 2017,
in the presence of the two stated witnesses.


Notary Public (Signature/Seal)

Jennifer Cotton #13001429-6
Notary Public (Printed Name)/Bar-Notary #