

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of :
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COLIBRI NECOLE JENKINS, M.D. :
(Certificate No. 203369) :
:
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No. 2016-I-940

**CONSENT
ORDER**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of information relating to Colibri Necole Jenkins, M.D. ("Dr. Jenkins"), a physician who at all times material to the facts and matters alleged herein was engaged in the practice of medicine in the state of Mississippi, but also licensed by the Board to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 203369.

Such information revealed that in October 2016, Dr. Jenkins voluntarily surrendered her license to practice medicine in the state of Mississippi.¹ Underlying the Order was Dr. Jenkins' responses and omissions on her application for licensure, failure to cooperate with the Mississippi Board, inability to produce patient records to substantiate controlled substance prescriptions issued on the prescription pad of a former employer, practice for a period of time without a Mississippi license, and a letter purporting to be a provisional license issued by the Mississippi Board pending the processing of her application. The investigation also revealed that Dr. Jenkins provided inaccurate information, failed to self-report the Mississippi Board's investigation on her 2016 renewal application for a Louisiana medical license, and practiced medicine in this state via telemedicine at a time when her Louisiana medical license had expired. She has also advised that she has surrendered her federal registration to prescribe controlled substances.

¹*Surrender of Medical License, In The Matter of the Physician's License of Colibri Necole Jenkins, M.D., Mississippi State Board of Medical Licensure (Oct. 28, 2016).*

Investigation of the captioned matter was assigned to the Investigation Officer (“I/O”) for the Board, whose review and analysis of the matter confirms to the I/O’s satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against Dr. Jenkins, charging her with violation of the Louisiana Medical Practice Act.²

On her own behalf, Dr. Jenkins acknowledges her deficiencies in processing her renewal applications and organizational skills but advised that she has obtained assistance to avoid any future misstep with these tasks. She further advised that she did not realize the impact of the surrender of her Mississippi license as she was without the benefit legal counsel and expressed remorse for failure to accurately respond to questions on her Louisiana renewal application.

By her subscription hereto, Dr. Jenkins acknowledges the substantial accuracy of the foregoing information as recited hereinabove and, further, that proof of such information upon an administrative evidentiary hearing could establish grounds under the Louisiana Medical Practice Act for such action against her license to practice medicine in the state of Louisiana as the Board may determine appropriate.

Recognizing her right to have notice of administrative charges, and to administrative adjudication of such charges, at which time Dr. Jenkins 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. Jenkins, 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. Jenkins 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 other forum. By her subscription hereto, Dr. Jenkins also hereby authorizes the I/O designated by the Board with respect hereto, to present this Consent Order to the Board for its consideration and to fully disclose 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. Jenkins expressly acknowledges that the disclosure of such

²Pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §37:1285A, the Board may deny or take action against the license of a physician as the result of: '(29) '[T]he 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 . . . issued by such licensing authority which prevents or restricts practice in that state;' '(3) [F]raud, deceit, or perjury in obtaining any diploma, license, or permit pertaining to this Part;' and (4) '[P]roviding false sworn information to the board.'

information to the Board by the I/O shall be without prejudice to the I/O'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, accordingly, and upon the recommendation of the I/O assigned to this matter, 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);

IT IS ORDERED that the license of Colibri Necole Jenkins, M.D. to engage in the practice of medicine in this state, as evidenced by Certificate No. MD 203369 is hereby, effective as of the effective date of this Order, suspended for a period of six (6) months.

IT IS FURTHER ORDERED that the reinstatement of Dr. Jenkins' license to practice medicine in this state shall be subject to her acceptance of and strict compliance with the following terms and conditions:

(a) **Suspension of Practice/Reinstatement.** Dr. Jenkins shall not practice medicine of any form in the state of Louisiana until and unless the Board issues and serves on her a written order reinstating her license to practice medicine. As express conditions to the consideration of a request for reinstatement, following the passage of six (6) months from the effective date of this Order, Dr. Jenkins shall have: (1) demonstrated clinical competency through assessment at a program or facility approved by the Board and successfully completed any recommended remediation or training; (2) received physical and psychological clearance to resume practice by a physician, psychologist and the Healthcare Professionals' Foundation of Louisiana's Professionals' Health Program; and (3) scheduled and met with the Investigating Officer to discuss her then-current status and plans.

(b) **Attendance at Approved Seminar/Course on Medical Ethics and Professionalism.** Prior to her request for reinstatement, Dr. Jenkins shall provide written confirmation that she has as attended and successfully completed courses of study in the areas of medical ethics and professionalism. All such courses shall not be less than 20 credit hours and shall be acceptable to and pre-approved by the Board or its designee.

(c) **Personal Appearance Before the Board.** In connection with a request for the reinstatement of her medical license, Dr. Jenkins shall personally appear before

the Board or its designee to consider her compliance with the terms and conditions of this Order and to advise the Board of her intentions with respect to the practice of medicine.

(d) Additional Terms. In addition to such other terms as are placed upon her Louisiana license by this Order, Dr. Jenkins hereby consents to and agrees with the imposition of any additional terms, conditions or restrictions, as well as the length or nature thereof that the Board, in its sole discretion, may then deem necessary or appropriate to impose upon the reinstatement of her Louisiana medical license.

IT IS FURTHER ORDERED that should Dr. Jenkins fail to comply with the terms and conditions set forth hereinabove, her license shall not be reinstated by the Board. Similarly, should the Board receive information that would provide additional cause for action against her license under the Act, Dr. Jenkins may be subject to further disciplinary action by the Board.

IT IS FURTHER ORDERED that upon Dr. Jenkins' compliance with and satisfaction of the terms and conditions hereinabove set forth, her license to practice medicine in the state of Louisiana shall be reinstated by the Board **ON PROBATION** for a period of three (3) years from the date of reinstatement (the "probationary term"); *provided, however,* that such reinstatement of license and her continuing exercise of rights and privileges thereunder shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

1. **Limitation on Practice Setting.** Dr. Jenkins shall not engage in the private (solo) practice of medicine but shall instead work in a group, clinic, hospital or other practice setting, pre-approved in writing by the Board.

2. **Limitation on Use of Telemedicine.** Dr. Jenkins shall not engage in the practice of medicine as to patients located in this state via the use of telemedicine.

3. **Monitoring Physician; Reports.** Until further written order of the Board, Dr. Jenkins shall authorize and cause a physician with whom she works or is associated in practice, who is preapproved in writing by the Board's designee, to submit written reports to the Board, not less frequently than quarterly, as to her professional competency, clinical skills and performance and her compliance with the terms, conditions and restrictions of this Order. Following two (2) years from the effective date of this Order, Dr. Jenkins may petition the Board for relief of the monitoring and reporting requirements of this paragraph, which request the Board may grant or deny in its sole discretion.

4. Collaboration With Nurse Practitioners, Supervision of Physician Assistants. Dr. Jenkins shall neither enter into nor continue in a collaborative or supervisory practice agreement with a mid-level provider, *i.e.*, nurse practitioner or physician assistant. This restriction shall not preclude Dr. Jenkins from employing nurses or other medical personnel to assist her in her practice, as long as she is present and directing their activities appropriate to their level of expertise and ability.

5. Cooperation with Board's Probation and Compliance Officer. Dr. Jenkins shall immediately notify the Board's Probation and Compliance Officer of any change in her current home, professional addresses, telephone numbers and other contact information and she shall direct all matters required pursuant to this Order to the attention of her Probation and Compliance Officer, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms and conditions of this Order.

6. Payment of Fine. Within one-hundred and eighty (180) days from the effective date of this Order, Dr. Jenkins shall pay the Board a fine in the amount of *five thousand (\$5,000.00) dollars*.

7. Probation Monitoring Fee. For each year of the probationary term, Dr. Jenkins shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

8. Notification. Dr. Jenkins shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a physician in this state.

9. Absence from State/Practice/Effect on Probation. Should Dr. Jenkins be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing medicine for a period of thirty (30) days or more, or should she fail to renew her license to practice medicine in this state, she shall advise the Board in writing. In such instance the probationary term ordered herein and all terms, conditions and restrictions thereof shall be deemed interrupted and extended and shall not commence to run until Dr. Jenkins notifies the Board in writing that she has returned to, relocated or taken up residency in, resumed the practice of medicine in this state, or renewed her Louisiana medical license. In such instance, Dr. Jenkins shall not receive credit toward completion of the probationary term for the time during which she was absent from the State of Louisiana or while she was not engaged or licensed to practice medicine in this state.

10. Effect of Violation/Sanction. Dr. Jenkins acknowledges and stipulates 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 administrative proceedings by the issuance of a final decision following administrative adjudication of such charges.


11. Certification of Compliance with Probationary Terms. At least sixty (60) days prior to the conclusion of the probationary term, Dr. Jenkins shall provide the Board with an affidavit certifying that she has complied with each of the terms of this Order. The probationary term and all of its conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending compliance with the requirements of this provision.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Jenkins shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further action against Dr. Jenkins' 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.

New Orleans, Louisiana, this 16th day of October, 2017.

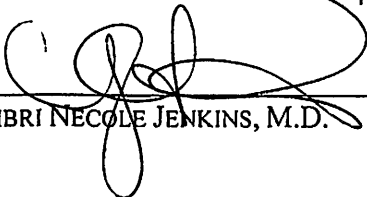
**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

BY: 
CHRISTY L. VALENTINE, M.D.
President

STATE OF MS
COUNTY/PARISH OF Hinds

**ACKNOWLEDGMENT
AND CONSENT**

I, COLIBRI NECOLE JENKINS, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 13 day of September, 2017.


COLIBRI NECOLE JENKINS, M.D.

WITNESSES:

Chuck Gray
Signature

Sharon Kitch
Signature

Charita Gray
Printed Name

Sharon Kitchens
Printed Name

4532 Belmede Pl
Mailing Address

3185 Sylvester Dr
Mailing Address

Sworn to and subscribed before me at Jackson, Mississippi, this 13 day of September, 2017, in the presence of the two stated witnesses.

Tamara Danielle Wine
Notary Public (Signature and Seal)

Tamara Danielle Wine
Printed Name/Notary or Bar Number

