

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130

www.lsbme.la.gov



Telephone: (504) 568-6820

FAX: (504) 568-8893

Writer's Direct Dial:

(504) _____

In the Matter of:

No. 17-I-813

GREGORY J. ALLEN, M.D.

(Certificate No. MD.018162)

CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of information indicating that Gregory J. Allen, M.D. ("Dr. Allen"), a physician who at all times material to the facts and matters alleged was licensed by the Board and engaged in the practice of medicine in and around Ponchatoula, Louisiana, was alleged to have engaged in unprofessional, sexual misconduct with a female patient while serving as her treating physician and prescribing her controlled substances.

During the course of the investigation, Dr. Allen underwent an evaluation, followed by treatment, at a facility experienced in the diagnosis and treatment of conditions associated with professional boundary violations and approved by the Board (the "treatment program"). At the time of his discharge, his treatment team prescribed a number of recommendations for on-going aftercare, therapy and monitoring of his condition, as well as policies, procedures and protocols to address his professional development and the safety of his patients. Presuming that he complies with their recommendations, the treatment program opined that Dr. Allen would be capable of resuming practice with reasonable skill and safety to patients.

On his own behalf, Dr. Allen cooperated fully with the Board's investigation, voluntarily withdrew from practice following the commencement of the investigation, and has agreed to adhere to all of the recommendations of the treatment program.

By his subscription hereto, Dr. Allen acknowledges the substantial accuracy of the foregoing information and, further, that proof of such information upon an administrative evidentiary hearing could establish grounds under the Louisiana Medical Practice Act¹ for

¹Pursuant to La. R.S. §37:1285A, the Board may take action against the license of a physician as a result of: (13) '...[U]nprofessional conduct, including but not limited to, conduct manifested as sexual misconduct...;' and (30) '[V]iolations of any rules and regulations of the board.' The Board's rules includes conduct of the type at issue, LAC 46:XLV.7603A.1; and (6) '[P]rescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefore or in other than a legal or legitimate manner.'

such action against his license to practice medicine in the state of Louisiana as the Board may determine appropriate. 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. Allen nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to the entry of the Order set forth hereinafter. By his subscription hereto, Dr. Allen 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. Allen 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. Allen 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 Gregory J. Allen, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 018162, is hereby placed on *Indefinite Probation* provided, however, that such license and Dr. Allen's continuing exercise of rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

(1) Personal Appearance before the Board. Dr. Allen shall personally appear before the Board or its designee to permit the Board to consider his intent to comply with the terms of this Order and to advise the Board or its designee of his intentions with respect to his continued practice of medicine.

(2) Board Approval of Practice Setting. Dr. Allen shall only engage in the practice of medicine in a clinical setting pre-approved in writing by the Board.

(3) Monitoring Physicians; Reports. Dr. Allen's practice shall be monitored by one or more physicians pre-approved in writing by the Board, who shall monitor his practice to determine whether he is practicing consistently within accepted standards. Dr. Allen shall authorize and cause such physician, not less frequently than quarterly during the first year of probation and semiannually thereafter, to submit to the Board written reports of his or her determination concerning Dr. Allen's professional and medical performance as derived from such monitoring.

(4) Necessity for Chaperones; Duration of Requirements. Dr. Allen shall designate one or more workplace chaperones, acceptable to and preapproved by the Board or its designee, in whose physical presence and under whose direct observation he shall conduct the entirety of any and all visits and examinations of female patients or female family members of patients in any clinical setting (office, hospital, nursing home, etc.). Any chaperone shall be a nurse or other health care professional licensed by and in good standing with a health care professional and occupational regulatory board in this state. Dr. Allen shall insure that the chaperones sign and date all charts/electronic health records. He shall also insure that his chaperones strictly adhere to the recommendations and suggestions of the treatment program for chaperone education, monitoring and reporting. All chaperone requirements of this Order shall remain in effect so long as Dr. Allen shall hold any form of license or permit to practice medicine in the state of Louisiana.

(5) Reports from Chaperones. Dr. Allen shall promptly report, and cause his chaperones to promptly report, verbally and in writing to the Board any instance in which he conducts a visit or examination in violation of this Order. Dr. Allen shall also cause his chaperones to submit a report to the Board, not less frequently than semi-annually, attesting to the chaperone's presence during the entirety of all required visits or examinations, as well as the propriety of Dr. Allen's conduct with patients. Dr. Allen shall make his chaperone(s) accessible to his monitoring physician, the PHP, and the Board's Probation and Compliance Officer prior to commencing service as a chaperone, and at any time thereafter, with or without prior notice.

(6) Aftercare, Therapy, Monitoring and Professional Development; Reports. Dr. Allen shall comply with all of the recommendations for his aftercare and professional development of the treatment program, as well as those of any healthcare or other professional involved therein. Dr. Allen shall immediately self-report, and cause those involved in his aftercare and professional development to report, to the Board in writing any failure to adhere to recommendations of the treatment program, those involved in his aftercare or professional development, as well as any violation of this Order.

(7) Participation in Physicians' Health Program; Reports. Dr. Allen shall, if he has not already done so, enter into a monitoring agreement with the Healthcare Professionals' Foundation of Louisiana's Physicians' Health Program (the "PHP") incorporating the recommendations of the treatment program, his healthcare or other professionals, as well as those of the PHP and he shall strictly adhere to all terms and conditions of his monitoring agreement or any subsequent agreement that the PHP may recommend. Dr. Allen shall authorize and cause any healthcare or other professional

involved in his aftercare or professional development and/or the PHP to submit to the Board, not less frequently than quarterly throughout the probationary period, written reports and/or verbal reports, should the Board desire the latter, on his compliance with the recommendations for aftercare and professional development, and the terms, conditions and restrictions of this Order and his PHP monitoring agreement.

(8) Notification to Hospitals, Clinics, Employers. Dr. Allen shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom he provides services as a physician in this state.

(9) Course on Professional Boundary Violations. Within one-hundred eighty (180) days of the effective date of this Order, Dr. Allen shall attend and successfully complete a course(s) on professional boundary issues. The course shall be approved in advance by the Board. Dr. Allen shall also cause written certification of the satisfaction of the requirements of this paragraph to be submitted to the Board within such 180 day period.

(10) Course on Proper Prescribing. Within one-hundred eighty (180) days of the effective date of this Order, Dr. Allen shall attend and successfully complete a course (or courses) on the proper prescribing of controlled substances. The course shall be approved in advance by the Board. Dr. Allen shall also cause written certification of the satisfaction of the requirements of this paragraph to be submitted to the Board within such 180 day period.

(11) Absence from the State/Practice/Effect on Probation. Should Dr. Allen at any time during the period of probation ordered herein be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician, for a period of thirty (30) days or more, he will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which he was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.

(12) Cooperation with the Board's Probation and Compliance Officer. Dr. Allen shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers, and he shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms and conditions of this Order.

(13) Probation Monitoring Fee. For each year of the probationary period, Dr. Allen 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.

(14) Effect of Violation/Sanction. By his subscription hereto, Dr. Allen acknowledges that his receipt of written notification that the Board has received reliable information which indicates his failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing him with any right to which he 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 him by law, constitute his irrevocable consent to the immediate suspension of his 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 Dr. Allen may petition the Board for relief from the probationary status and/or any of the above terms, except those pertaining to chaperones, no sooner than three (3) years from the effective date of this Order, which petition the Board may, in its sole discretion, grant, grant in part or deny. As an express condition to the consideration of such petition, Dr. Allen shall provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order, and he shall make a personal appearance before the Board to discuss his compliance and then-current practice and future plans for practice in this state.

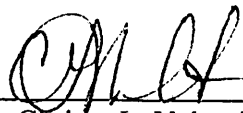
IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Dr. Allen shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Allen's license to practice medicine in this state as the Board may deem appropriate, 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 16th day of July, 2018.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: _____



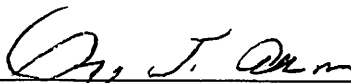
Christy L. Valentine, M.D.
President

***Acknowledgement and Consent
on Following Page***


STATE OF Louisiana
PARISH/COUNTY OF ORLEANS

**ACKNOWLEDGMENT
AND CONSENT**

I, **GREGORY J. ALLEN, M.D.** hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 16th day of July, 2018.


GREGORY J. ALLEN, M.D.

WITNESSES:


Signature


Signature

DIA GONZALES
Typed Name

Sherrel Jones
Typed Name

112 MIMC DR 70032
Address

225 Sugarpine Dr 70056
Address

Sworn to and subscribed before me at New Orleans,
Louisiana, this 16th day of July, 2018,
in the presence of the two stated witnesses.


Notary Public (Signature/Seal)

**David R. Aden
Notary Public
Louisiana Bar No. 30373
My Commission is for Life**

DAVID ADEN 30373
Notary Public (Printed Name)/Bar-Notary #