

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of	:	No. 19-I-720
JOHN CLARK SIMON, M.D.	:	CONSENT ORDER
<i>(Certificate No. MD.021048)</i>	:	FOR REPRIMAND
	:	

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of information relating to John Clark Simon, M.D. ("Dr. Simon"), a physician specializing in critical care, nephrology and hospital medicine, who at all times material to the facts and matters alleged herein was licensed, as evidenced by Certificate No. MD.021048, and engaged in the practice of medicine in and around Covington, Louisiana.

The Board initiated an investigation upon the receipt of apparently reliable information indicating that Dr. Simon improperly prescribed medication to a female ("Ms. Doe") with whom he had a long-term domestic partnership, and to her daughter, without maintaining appropriate medical records. The investigation indicated that, during the course of their relationship, Ms. Doe may have called in or written additional prescriptions for herself that were not authorized by Dr. Simon. Dr. Simon fully cooperated with the Board in its investigation and provided all necessary information to clarify which prescriptions were and were not authorized by him.

Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter has determined that reasonable cause exists to file formal charges against Dr. Simon, for violation of the Louisiana Medical Practice Act (the "Act"), pursuant to La. R.S. 37:1285A(6) and (13).¹ As evidenced by his subscription hereto, Dr. Simon acknowledges that the information developed by the Board's investigation would constitute probable cause for the institution of administrative proceedings against his medical license and that proof of such

¹The Board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license or permit issued under this Part for the following reasons: La. R.S. 37:1285A(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[.]"; (13) "Unprofessional conduct, including but is not limited to. . . failing to practice within the scope of education , training, and experience, intentionally falsifying or fraudulently altering records, or failing to create or maintain records[.]" See also La. Admin. Code. tit. 46, pt. XLV, § 7603(A)(10) (defining "unprofessional conduct" as, *inter alia*, "[f]ailing to Create or Maintain Medical Records--a physician shall create and maintain adequate and legible patient records.").

information upon administrative evidentiary hearing could establish grounds under the Act for the suspension or revocation of his license to practice medicine in the State of Louisiana, or for such other action as the Board might deem appropriate.

Recognizing his right to notice and administrative adjudication of any charges that may be asserted against him in these proceedings, at which time Dr. Simon 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. R.S. 49:955–965, Dr. Simon, nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. R.S. 49:955(D) and consents to entry of the Order set forth hereinafter. Dr. Simon acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, or which may be afforded to him by any other law to contest or appeal his agreement to or the force and effect of the Board’s investigation or this Order in any court or other forum. By his subscription hereto, Dr. Simon also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this 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. R.S. 49:960. Dr. Simon expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer’s authority to proceed with the adjudication of an administrative complaint against him or to the Board’s capacity to adjudicate such complaint should the Board decline to approve this Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 37:1285, La. R.S. 49:955(D), and the Consent Order for Reprimand heretofore entered herein;

IT IS ORDERED that John Clark Simon, M.D. is hereby **OFFICIALLY REPRIMANDED** for the conduct described above.

IT IS FURTHER ORDERED that Dr. Simon shall, within one hundred and twenty (120) days of the date of this Order, pay to the Board a fine in the amount of Five Hundred Dollars and No/100 (\$500.00).

IT IS FURTHER ORDERED that Dr. Simon shall, within one hundred and twenty (120) days of the date of this Order, provide confirmation that he has taken and successfully completed a course on proper prescribing that is acceptable to and approved by the Board or its designee.

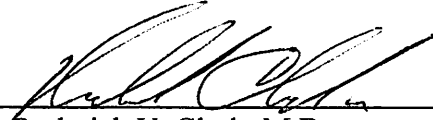
IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms set forth by this Order by Dr. Simon shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Simon license to practice medicine in the state of Louisiana as the Board may deem appropriate as if such violations were enumerated among the causes provided in La. R.S. 37:1285.

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

Signed in New Orleans, Louisiana, and effective on this 22ND day of February, 2021.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



Roderick V. Clark, M.D.
President

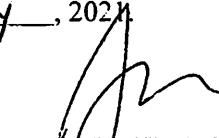
Acknowledgment and Consent on Following Page.

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Louisiana

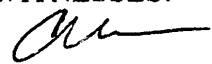
PARISH OF ST. TAMMANY

I, JOHN CLARK SIMON, 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 22nd day of January, 2021.



JOHN CLARK SIMON, M.D.

WITNESSES:



Signature

C M R LEE

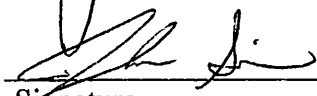
Printed Name

242 S. WASHINGTON ST.

Address

COVINGTON, LA 70433

City, State, Zip Code



Signature

John Simmons

Printed Name


410 39th St S

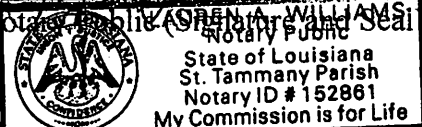
Address

Birmingham, AL 35222

City, State, Zip Code

Sworn to and subscribed before me at (City) Mandeville, (State) LA, this 22nd day of January, 2021, in the presence of the two stated witnesses.



Notary Public (Signature and Seal)


Printed Name/Notary #