

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
www.lsbme.la.gov



**BEFORE THE
LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

Telephone: (504) 568-6820
FAX: (504) 568-8893
Writer's Direct Dial:

(504) _____

IN THE MATTER OF:

JAMES GRADY MATRISCIANO, M.D.
(Certificate No. MD.10153R)
Respondent

No. 2019-I-1042

CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") based upon apparently reliable information that Dr. James Grady Matrisciano, M.D., a physician licensed to practice medicine in Louisiana as evidenced by Certificate No. 10153R, wrote prescriptions for opioids without knowledge or personal assessment of patients needing medication. Dr. Matrisciano had no prior history of discipline before the Board.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations for the Board after the receipt of a report from a nursing home in Slidell, Louisiana, of drug diversion/theft. The nursing home's administrator was notified of missing tablets of oxycodone on November 16, 2019, and the Slidell Police began investigating the matter on November 18, 2019. The Board learned that the police investigation led to the arrest of two nurses for conspiring to steal prescription medication. The nursing home's report indicated that Dr. Matrisciano wrote prescriptions without personal assessment of the residents needing the prescription medication. Dr. Matrisciano apparently relied upon the recommendations of the nursing staff in the ordering or modification of opioid prescriptions to patients without examining the patients himself on multiple occasions. Furthermore, Dr. Matrisciano was treating a patient with primary generalized (osteo) arthritis and a stage four sacral decubitus by prescribing narcotics in a persistent manner in violation of the Board's Chronic Pain rules.¹ After investigation, the Director of Investigations concluded that Dr. Matrisciano appeared to have no knowledge of the drug diversion scheme orchestrated by the nurses. Dr. Matrisciano has been fully cooperative with the Board throughout the course of the investigation.

As evidenced by his subscription hereto, Dr. Matrisciano acknowledges the substantial accuracy of the foregoing information and that such information would constitute sufficient cause

¹ La. Admin. Code tit. 46, pt. XLV, §§ 6915–6923. The Board further became aware that Dr. Matrisciano was not performing required searched of the prescription monitoring program, in violation of §§ 6931–6937, and Dr. Matrisciano was informed of the need to correct his prescribing practices in this regard pursuant to La. R.S. § 40:978(F)(2).

to take action against his medical license pursuant to La. R.S. 37:1285(A)(6)² and (14)³ and that proof of such 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 have notice and administrative adjudication of any charges that may be asserted against him in these proceedings, at which time Dr. Matrisciano 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. 49:955–65, Dr. Matrisciano, nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. R.S. 49:955(D) consents to entry of the Order set forth hereinafter. Dr. Matrisciano 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. Matrisciano 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. Matrisciano 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.

Based upon the information provided, and upon the recommendation of the Investigating Officer, the Board hereby concludes that, consistent with its mandate under La. R.S. 37:1261, the interests of public health, safety, and welfare 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. R.S. 37:1285 and La. R.S. 49:955(D);

IT IS ORDERED that the license of James Grady Matrisciano, M.D., as evidenced by Credential No. MD.10153R is hereby **OFFICIALLY REPRIMANDED**;

IT IS FURTHER ORDERED that that Dr. Matrisciano shall, within one hundred and eighty (180) days of the date of this Order, provide confirmation that he has registered for, attended, and successfully completed a continuing medical education course on proper prescribing. The course shall be acceptable to and approved by the Board or its designee in writing prior to registering for and completing such course;

² Pursuant to La. R.S. 37:1285(A), "[t]he 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 causes: ... (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."

³ Pursuant to La. R.S. 37:1285(A), "[t]he 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 causes: ... (14) Continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state."

IT IS FURTHER ORDERED that within ninety (90) days of the acceptance of this Order by the Board Dr. Matrisciano shall pay the Board a fine in the amount of Two Thousand and Five Hundred (\$2,500) Dollars.

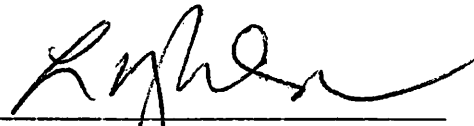
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Matrisciano shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Matrisciano's license to practice medicine in this state as the Board may deem appropriate, as if such violation were enumerated among the causes provided in La. R.S. 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 25th day of April, 2022.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY:



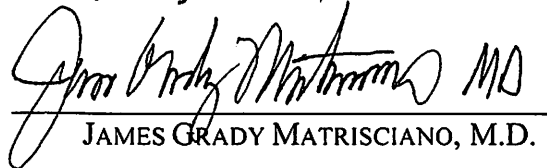
LESTER W. JOHNSON, M.D.
President

Acknowledgment and Consent on Following Page

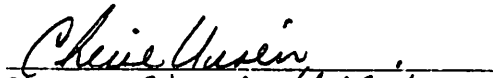
**ACKNOWLEDGMENT
AND CONSENT**

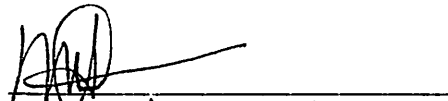
STATE OF LOUISIANA
PARISH OF East Baton Rouge

I, JAMES GRADY MATRISCIANO, 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 31st day of March, 2022.


JAMES GRADY MATRISCIANO, M.D.

WITNESSES:


Signature Cherie Ursin


Signature Mary D. West

Typed Name

Typed Name

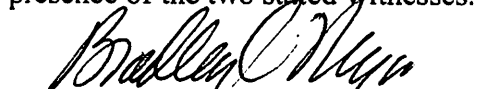
400 Convention St
Street Address

400 Convention St.
Street Address

Baton Rouge, LA 70802
City/State/Zip Code

Baton Rouge, LA 70802
City/State/Zip Code

Sworn to and subscribed before me this 31st day of March, 2022, in the presence of the two stated witnesses.


Notary Public (Signature)

Name: Bradley C. Myers
Notary/Bar No.: 01499
Commission expires: at death