

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**

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No. 2021-I-1167

IN THE MATTER OF:

ANTHONY JAMES MUSIELEWICZ, M.D.
(Credential No. 319980),
Respondent

**INTERIM
CONSENT ORDER**

The above-captioned matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information indicating that Anthony James Musielewicz, M.D. ("Dr. Musielewicz"), a physician who at all times pertinent has been licensed by the Board, as evidenced by Credential No. 319980, and who was also licensed to practice medicine in the State of California, as evidenced by Physician's and Surgeon's Certificate No. G 74503, was subject to disciplinary action in the State of California.¹ Dr. Musielewicz has previously been engaged in the practice of emergency medicine in and around Santa Cruz, California, and Baton Rouge, Louisiana; he last practiced medicine in the State of Louisiana on or about December 7, 2021.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations (the "Investigating Officer") for the Board. In the course of the investigation, the Investigating Officer reviewed an August 2021 Board Action Disciplinary Alert Report ("BADAR") indicating that Dr. Musielewicz entered into a Stipulated Settlement and Disciplinary Order with the Medical Board of California (the "California Board"), effective on or about August 12, 2021 (the "California Order").² The California Order was based on Dr. Musielewicz's admitted use of methamphetamines and assessments which deemed him unable to practice medicine safely.³ The California Order also indicated that Dr. Musielewicz had sought residential and intensive outpatient treatment for drug rehabilitation in 2017 and 2018.⁴ The

¹ Dr. Musielewicz also had been licensed to practice medicine in the State of Hawaii, as evidenced by License No. MD-19971. That license is presently inactive.

² See Decision, *In the Matter of the Accusation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2018-048262, MED. BD. OF CAL. (July 13, 2021); Stipulated Settlement and Disciplinary Order, *In the Matter of the Accusation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2018-048262, MED. BD. OF CAL. (Apr. 22, 2021).

³ See Accusation, *In the Matter of the Accusation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2018-048262, MED. BD. OF CAL. (Nov. 24, 2020), at 4.

⁴ *Id.*

California Order revoked Dr. Musielewicz's California license, stayed the revocation and placed his California license on probation for seven (7) years subject to various terms and conditions, including, *inter alia*, abstaining from the personal use or possession of controlled substances and alcohol, refraining from the solo practice of medicine, submission to clinical diagnostic evaluations and reports as directed by the California Board or its designee, attendance at substance abuse support group meetings, and worksite monitoring.⁵

Effective on or about December 6, 2021, the California Board issued a Cease Practice Order based on Dr. Musielewicz's noncompliance with several of the probationary conditions, including a positive test for methamphetamine and failure to submit to biological fluid testing when selected to do so.⁶ A Petition to Revoke Probation has subsequently been filed and is pending before the California Board.⁷

The investigation also revealed that Dr. Musielewicz initially submitted to the Board an application for licensure in the State of Louisiana on or about July 11, 2018. On the Oath or Affirmation portion of the application, Dr. Musielewicz answered "No" to Question 2: "In 10 years prior to this application have you been referred to or obtained treatment for substance abuse disorder including alcohol abuse?" However, as noted in the California Order, Dr. Musielewicz had in fact been referred to or obtained treatment for a substance abuse disorder by seeking residential and intensive outpatient treatment for drug rehabilitation in 2017 and 2018.

Dr. Musielewicz submitted a License Renewal Application regarding his Louisiana medical license on or about May 26, 2020. On the Oath or Affirmation portion of the renewal application, Dr. Musielewicz answered "No" to several questions, including Question 2: "SINCE YOUR LAST RENEWAL – Have you been referred to or obtained treatment for a substance abuse disorder including alcohol abuse?" and Question 5: "SINCE YOUR LAST RENEWAL – 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?" As indicated in the California Order, Dr. Musielewicz's California license was at that time the subject of investigation, and he had been referred to and agreed to undergo an evaluation with a California Board-approved physician regarding his potential misuse of methamphetamine in June 2019.

Dr. Musielewicz submitted a License Renewal Application on or about May 31, 2021, and again responded "No" to the same questions. Based on the information in the California Order, Dr. Musielewicz had in fact been evaluated for a substance abuse disorder in August 2020, and his

⁵ See Stipulated Settlement and Disciplinary Order, *In the Matter of the Accusation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2018-048262, MED. BD. OF CAL. (Apr. 22, 2021), at 4–12.

⁶ Cease Practice Order, *In the Matter of the Accusation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2018-048262, MED. BD. OF CAL. (Dec. 6, 2021).

⁷ Petition to Revoke Probation, *In the Matter of the Petition to Revoke Probation Against: Anthony James Musielewicz, M.D.*, Case No. 800-2022-085337, MED. BD. OF CAL. (Apr. 14, 2022).

California license remained the subject of investigation by the California Board, which investigation was not disclosed.

Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter has determined that sufficient cause exists to file formal charges against Dr. Musielewicz for violations of the Louisiana Medical Practice Act (the "Act"), pursuant to La. R.S. 37:1285(A)(3) and (29).⁸

As evidenced by his subscription hereto, Dr. Musielewicz acknowledges that the information developed by the Board's investigation would constitute sufficient cause for the institution of administrative proceedings against his medical license 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 filed in this matter, at which time Dr. Musielewicz 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. 49:951 *et seq.*, Dr. Musielewicz, nonetheless, hereby waives his right to notice of charges, formal adjudication and written decision and pursuant to La. R.S. 49:955(D), consents to entry of the Order set forth hereinafter. Moreover, by his subscription hereto, Dr. Musielewicz also 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 otherwise may be afforded to him by law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum or body relating to the matters referred to herein. By his subscription hereto, Dr. Musielewicz 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. R.S. 49:960. Further, Dr. Musielewicz 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 filing and adjudication of an Administrative Complaint against him, or to the Board's capacity to adjudicate any charges that may be filed in this matter should the Board decline to approve this Order.

Based upon the information provided, accordingly, and upon the recommendation of the Investigating Officer assigned to this matter, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in

⁸ Pursuant to La. 37:1285(A), the Board may take administrative action against a license for "(3) Fraud, deceit, or perjury in obtaining any diploma, license, or permit pertaining to this Part" and "(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."

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 Anthony James Musielewicz, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Credential No. 319980, be and the same is hereby **INDEFINITELY SUSPENDED**.

IT IS FURTHER ORDERED that Anthony James Musielewicz, M.D., shall not practice medicine in any form in the State of Louisiana until and unless the Board issues and serves a written decision reinstating his license to practice following: (1) reinstatement (whether on probation or otherwise) of his license to practice medicine in the State of California; (2) a meeting at the Board office with the Director of Investigations or his designee; (3) receipt of satisfactory information, including but not limited to a report from a Board-approved treatment facility, documenting that Dr. Musielewicz has successfully completed any and all recommendations for treatment and has demonstrated his competence to return to the practice of medicine with skill and safety (subject to any probationary restrictions); and (4) the conclusion of the pending investigation by administrative hearing and final decision of the Board on any charges that may be filed in these proceedings including, but not limited to, those identified in this Order; or alternatively, by the Board's acceptance of a Consent Order or other disposition of the pending investigation. Any Consent Order reinstating Dr. Musielewicz's license shall include a probationary period and shall include, but not be limited to, any terms or restrictions recommended by a Board-approved facility.

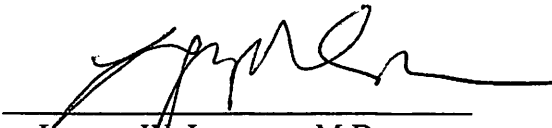
IT IS FURTHER ORDERED that this Order shall be effective as of the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Musielewicz shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Musielewicz's license to practice medicine in the state of Louisiana, or for such other action 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.

New Orleans, Louisiana, this 29th day of August, 2022.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 
LESTER W. JOHNSON, M.D.
President

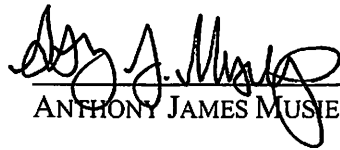
Acknowledgment and Consent on Following Page

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA

PARISH OF EAST BAYOU PLATON

I, ANTHONY JAMES MUSIELEWICZ, 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 18 day of JULY, 2022.



ANTHONY JAMES MUSIELEWICZ, M.D.

WITNESSES:



Signature

JORGE TERAN

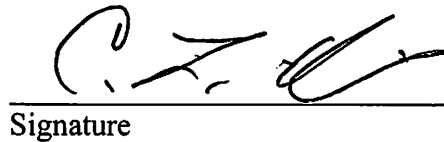
Typed Name

4075 Park Blvd St-102

Street Address

San Diego, Ca 92104

City/State/Zip Code



Signature

Charles L. Hill

Typed Name


4075 Park Blvd Ste-102

Street Address

San Diego, Ca 92104

City/State/Zip Code

Sworn to and subscribed before me this 18th day of July, 2022, in the presence of the two stated witnesses.



Notary Public (Signature)

Name: J. Gref

Notary/Bar No.: 2394480

Commission expires: 2/19/2026

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On July 18th, 2022 before me, J. Greif
(insert name and title of the officer)

personally appeared Anthony James Mysielwicz
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)

