



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2022-I-236

IN THE MATTER OF:

**APPLICATION OF KRISTINA M. MIRE,
M.D. FOR LICENSURE**
Respondent

CONSENT ORDER

Kristina M. Mire, M.D. ("Dr. Mire"), is a physician applying for medical licensure pursuant to the Louisiana Medical Practice Act ("the Act"), La. R.S. 37:1261 *et seq.* From 2006–2009, Dr. Mire had a temporary permit for postgraduate medical training beyond year one pursuant to La. Admin. Code tit.46 pt. XLV § 404 for a pediatric residency program at the Louisiana State University Health Sciences Center.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., the Director of Investigations for the Board (the "Investigating Officer"). During the course of the investigation, the Investigating Officer confirmed that Dr. Mire participated in her residency program from July 2006–March 2009, during which time she addressed a mental health issue that required her to take a three-month leave of absence. Dr. Mire was later involuntarily terminated from the program and given twenty-one months' credit of training. Dr. Mire thereafter filed a complaint with the Equal Employment Opportunity Commission, which determined that Dr. Mire's employer had discriminated against her by failing to provide reasonable accommodations regarding her mental health issue.

Dr. Mire has not practiced medicine since 2009 but has continued to work in the medical field as a consultant, clinical research coordinator, clinical evidence specialist, and medical writer. Dr. Mire also recently passed the SPEX exam in July 2023 on her second attempt. Dr. Mire further met with the Director of Investigations in September 2023 and stated that she is looking for a pediatric residency or other opportunity where she can gain additional experience and training with the goal of specializing in pediatrics one day.

As evidenced by her subscription hereto, Dr. Mire acknowledges the substantial accuracy of the foregoing information and that such information would provide the Investigating Officer with cause to pursue administrative proceedings against her to impose probationary or other restrictions on or for denial of her license application for violations of the Act, including La. R.S.

37:1285(A)(14),¹ and that proof of such information upon administrative evidentiary hearing would establish sufficient cause to take action with respect to her license to practice medicine in the State of Louisiana.

In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, 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. R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter by consent.²

Recognizing her right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time Dr. Mire 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. R.S. 49:950 *et seq.*, Dr. Mire, nonetheless, hereby waives her right to notice of charges, formal adjudication and written decision and pursuant to La. R.S. 49:975(D), consents to entry of the Order set forth hereinafter. Moreover, by her subscription hereto, Dr. Mire also waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950 *et seq.*, or which otherwise may be afforded to her by 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 or body relating to the matters referred to herein. By her subscription hereto, Dr. Mire 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 she waives any objection to such disclosures under La. R.S. 49:977.2. Further, Dr. Mire 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 her, 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 consideration of the foregoing, and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:975(D);

¹ 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 or Part 1-D of this Chapter for the following causes: (14) Medical incompetency, including but not limited to, incompetency manifested by continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state."

² The Board has considered the guidelines for minimum and maximum disciplinary dispositions and the aggravating and mitigating circumstances apparent from the particular facts and circumstances of this matter. *See* La. Admin. Code tit. 46, pt. XLV, §§ 9714; 9716.

IT IS ORDERED that Dr. Mire's application for licensure is hereby **GRANTED**, however, Dr. Mire's license to practice medicine in the State of Louisiana shall be issued **ON PROBATION** for a period of one (1) year (the "probationary period"), which probationary period may be continued as deemed necessary by the Board in its discretion, and Dr. Mire's continuing exercise of any rights and privileges thereunder shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) Supervising Physician On-Site.** Prior to beginning practice, Dr. Mire shall enter into an agreement with a physician to act as her direct supervisor ("Supervising Physician") who has been pre-approved by the Board in writing. Such agreement shall provide that the Supervising Physician must practice on-site during the probationary period. The Supervising Physician shall determine the scope of Dr. Mire's practice and shall keep records of same.
- (2) Practice Monitoring; quarterly reports.** Dr. Mire's Supervising Physician shall review Dr. Mire's medical practice during the probationary period and shall work in conjunction with the Board or its designee to develop parameters for monitoring Dr. Mire's practice, including a review of Dr. Mire's patient records and charts. For the first ninety (90) days of Dr. Mire's practice, the Supervising Physician shall conduct a review of ten (10) percent of Dr. Mire's patient records and charts. Thereafter, the Supervising Physician shall review no less than fifteen (15) patient records and charts quarterly. Dr. Mire shall ensure that her Supervising Physician provides quarterly written reports to the Board or its designee attesting to whether Dr. Mire's medical practice falls within established standards of care. Any and all fees, costs or expenses incurred by Dr. Mire in connection with this monitoring requirement shall be borne by Dr. Mire.
- (3) Continuing Medical Education.** Dr. Mire shall successfully take and complete thirty (30) hours of continuing medical education courses in either: (1) internal medicine; (2) family medicine; or (3) pediatrics. These courses shall be in addition to the twenty (20) hours of CME required by La. Admin. Code tit. 46 pt. XLV § 435. Before the completion of the probationary period, Dr. Mire shall cause to be submitted to the Board written certification of the continuing medical education programs and credits completed during the probationary period.
- (4) Board Approved Practice Setting; No Solo Practice.** Dr. Mire shall not engage in the practice of medicine other than at and within the course and scope of a practice setting pre-approved by the Board in writing. Dr. Mire shall not work in a solo practice setting.
- (5) Laws and Rules for Louisiana Physicians Online Course; Verification.** Within six (6) months of the effective date of this Order, Dr. Mire shall complete the free online course "Laws and Rules for Louisiana Physicians," which may be accessed through the following link, <https://www.lsbme.la.gov/content/board-orientations-online-courses>. Upon completion of the course, Dr. Mire shall complete the verification process and obtain a certificate of completion that will be submitted to the Board or its designee by the course provider.

- (6) Notification of Order and Authorization.** Dr. Mire shall provide a 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, and upon request of the Board's Probation and Compliance Officer Dr. Mire shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or other employment records pertaining to Dr. Mire from any hospital, institution or other health care entity where Dr. Mire has or has had privileges.
- (7) Cooperation with Board's Probation and Compliance Officer.** Dr. Mire shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and professional addresses and telephone numbers and she shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer. Dr. Mire shall cooperate with the Probation and Compliance Officer on all matters and inquiries pertaining to her compliance with the terms and conditions of this Order, specifically including without limitation providing cooperation and assistance to the Board, its designee, or the HPFL in obtaining any records required under this Consent Order.
- (8) Absence from the State/Practice/Effect on Probation.** Should Dr. Mire at any time 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 she will so advise the Board in writing. In such instance, the probation ordered herein and all terms, conditions and restrictions thereof shall be deemed interrupted and extended and shall not commence again until Dr. Mire notifies the Board in writing that she has resumed the practice of medicine in Louisiana.
- (9) Probation Monitoring Fee.** For each year of the probationary period, Dr. Mire shall pay the Board an annual 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.
- (10) Effect of Violation/Sanction.** By her subscription hereto, Dr. Mire acknowledges that her receipt of written notification that the Board has received reliable information indicating her failure to comply with the requirements set forth by this Consent 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. R.S. 49:950, *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 as a physician in this state pending a hearing before the Board and the conclusion of the administrative proceeding by 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 period imposed herein, Dr. Mire shall provide the Board with an affidavit certifying that she has complied with each of the terms of

probation imposed by this Order. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Mire's compliance with the requirements of this provision

(12) Effective Date. This Consent 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 any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Mire shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Mire's temporary 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, and shall likewise be available on the Board's website, <https://www.lsbme.la.gov/>, under "Disciplinary Actions" and reported to the National Practitioner Data Bank ("NPDB").

New Orleans, Louisiana, this 11th day of December 2023.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: _____


TERRIE R. THOMAS, M.D.
President

(Acknowledgment and Consent on Following Page)

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Louisiana

PARISH OF St. Tammany

I, KRISTINA M. MIRE, 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 20 day of November, 2023.

Kristina M. Mire, MD
KRISTINA M. MIRE, M.D.

WITNESSES:

K. Authement
Signature

D. Domingue
Signature

KATHY AUTHEMENT
Typed Name

DHAUN DOMINGUE
Typed Name

360 Emerald Forest Blvd STE. D
Street Address

360 Emerald Forest Blvd STE. D
Street Address

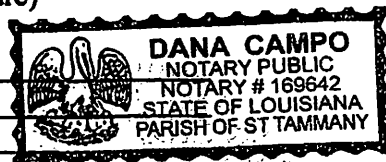
Covington, LA 70433
City/State/Zip Code

Covington, LA 70433
City/State/Zip Code

Sworn to and subscribed before me this 20 day of November, 2023, in the presence of the two stated witnesses.

Dampo
Notary Public (Signature)

Name: _____
Notary/Bar No.: _____
Commission expires: _____



My Commission is for Life