



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2022-I-499

IN THE MATTER OF:

CONSENT ORDER

SPENCER DAVIS LAUNEY, M.D.
(Credential No. MD.205994),
Respondent

The above-captioned matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") upon receipt of reliable information that Spencer Davis Launey, M.D. ("Dr. Launey"), a physician who at all times pertinent has been licensed to practice medicine in this state pursuant to the Louisiana Medical Practice Act (the "Act"), La. R.S. 37:1261-92, as evidenced by Credential No. MD.205994, had failed to timely respond to eight pending preliminary reviews.

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 learned that the Board initiated the first preliminary review upon receipt of a complaint from an inmate at the Raymond Laborde Correction Center regarding Dr. Launey's practice in his former position as the Medical Director at that facility.¹ The Board subsequently received seven additional complaints from inmates at the Raymond Laborde Correction Center regarding Dr. Launey's practice.² Dr. Launey initially cooperated with investigations staff regarding the pending preliminary reviews, but ultimately failed to provide a formal response to each complaint and failed to respond to numerous subsequent communications from investigations staff.

In March 2023, Dr. Launey informed investigations staff that he had voluntarily entered an inpatient treatment program out of state to address a process addiction. After completing treatment, Dr. Launey underwent an evaluation at Board-approved facility. Dr. Launey's evaluators determined that he was not safe to practice medicine with reasonable skill and safety until he completed additional inpatient treatment at a Board-approved inpatient professionals' program,

¹ Investigation No. 2021-I-1274.

² Investigation Nos. 2021-I-1274, 2022-I-213, 2022-I-216, 2022-I-293, 2022-I-305, 2022-I-335, & 2022-I-747.

although they also determined that Dr. Launey did not have any “documented workplace events of a boundary violation nature.”

Dr. Launey thereafter underwent the recommended inpatient treatment at a Board-approved inpatient professionals’ program. Dr. Launey’s treatment providers determined that Dr. Launey was cleared to return to the practice of medicine as long as he adheres to the systems of accountability regarding his practice that have been recommended by his treatment providers.

Dr. Launey met with the Investigating Officer on December 6, 2023, during which meeting he accepted responsibility for his actions in failing to timely respond to the preliminary reviews. Dr. Launey also has executed a five-year monitoring agreement with the Healthcare Professionals Foundation of Louisiana (“HPFL”) and has now satisfactorily responded to each preliminary review.

As evidenced by his subscription hereto, Dr. Launey acknowledges the substantial accuracy of the foregoing information and that such information would provide the Investigating Officer with cause to pursue administrative proceedings against him for violations of the Act, including La. R.S. 37:1285(A)(12),³ and that proof of such information upon administrative evidentiary hearing would establish sufficient cause to take action with respect to his 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.⁴

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time Dr. Launey 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. 49:950 *et seq.*, Dr. Launey, nonetheless, hereby waives his 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 his subscription hereto, Dr. Launey also waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950 *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. Launey also hereby authorizes the Investigating Officer designated by the

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 or Part 1-D of this Chapter for the following causes: (12) An inability to practice medicine with reasonable skill or safety due to mental illness or deficiency, including but not limited to deterioration through the aging process or the loss of motor skills or excessive use or abuse of drugs, including alcohol.”

⁴ 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.

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. 49:977.2. Further, Dr. Launey 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 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);

IT IS ORDERED that the license of Spencer Davis Launey, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Credential No. MD.205994, be and the same is hereby **OFFICIALLY REPRIMANDED**.

IT IS FURTHER ORDERED that the license of Spencer David Launey, M.D., to engage in the practice of medicine shall be placed **ON PROBATION** for a period of five (5) years (the "probationary period") from the effective date of this order, *provided, however*, that Dr. Launey's continuing exercise of any rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Maintenance of Complete Abstinence.** Dr. Launey shall maintain complete and total abstinence from the use of alcohol, controlled and any mood-altering substance for the duration of the probationary period, except as may be prescribed by a treating physician for a legitimate medical condition. Dr. Launey shall personally inform the Board's Probation and Compliance Officer, both orally and in writing, within forty-eight (48) hours of the prescription or administration of any controlled or mood-altering substance received by him from any physician for treatment of a legitimate medical condition. If the prescription is from another physician, he shall also inform his treating/monitoring physician in this same manner.
- (2) **HPFL Agreement, Reports to Board.** Dr. Launey shall continue to maintain a monitoring agreement with the HPFL for the duration of the probationary period. Dr. Launey shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring which are contained in such agreement, as well as those recommended by his treating physicians and those prescribed by any other health care provider involved in his care to the extent that they continue to follow him. Dr. Launey shall, in addition, authorize and cause the HPFL to submit to the Board or its designee, not less frequently than quarterly, written reports and/or verbal reports, should the Board or its designee desire the latter, on his compliance with the terms, conditions and restrictions of this Order and his monitoring agreement.

- (3) **Aftercare and Outpatient Programs.** Dr. Launey shall, within thirty (30) days of the effective date of this Order, provide confirmation that he is enrolled in individual and group outpatient therapy and/or aftercare programs that are consistent and compliant with his evaluators' recommendations and that are acceptable to and have been approved by the Board or its designee in writing. Dr. Launey shall update the Board or its designee annually on his continuing participation in outpatient therapy and/or aftercare programs.
- (4) **Drug Screens.** Dr. Launey shall submit to periodic, unannounced blood, urine, saliva and/or hair collection and/or other screens to detect the presence of mood-altering substances for the duration of the probationary period. Such screenings shall be random and shall occur at a frequency determined by the HPFL or its designee. Unless and until this condition is modified or rescinded by the Board or its designee, Dr. Launey shall authorize and cause such physician or testing facility and/or the HPFL to report the results of such drug screens to the Board or its designee not less frequently than quarterly throughout the probationary period.
- (5) **Practice Monitor.** Within thirty (30) days of the effective date of this Order, Dr. Launey shall enter into a contract or arrangement with a Practice Monitor, who has been pre-approved in writing by the Board or its designee, to review Dr. Launey's medical practice during the probationary period, specifically pertaining to timely completion of documentation. The Practice Monitor shall work in conjunction with the Board or its designee to develop parameters for monitoring Dr. Launey's practice, including a review of Dr. Launey's patient records and charts. The Practice Monitor shall review no less than twelve (12) medical records quarterly and provide quarterly written reports to the Board or its designee attesting to whether Dr. Launey's medical practice falls within established standards of care. Any and all fees, costs or expenses incurred by Dr. Launey in connection with this monitoring requirement shall be borne by Dr. Launey.
- (6) **Board Approved Practice Setting; Hours Limitation.** Dr. Launey 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 or its designee in writing. Dr. Launey shall not work more than fifty (50) hours a week unless he receives prior approval from the Board or its designee.
- (7) **Fine.** Dr. Launey shall, within one hundred and twenty (120) days of the effective date of this Order, pay to the Board a fine in the amount of Two Thousand Dollars and No/100 (\$2,000.00).
- (8) **Laws and Rules for Louisiana Physicians Online Course; Verification.** Within six (6) months of the effective date of this Order, Dr. Launey 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. Launey 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.

- (9) **Notification of Order and Authorization.** Dr. Launey 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. Launey 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. Launey from any hospital, institution or other health care entity where Dr. Launey has or has had privileges.
- (10) **Cooperation with Board's Probation and Compliance Officer.** Dr. Launey 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. Dr. Launey shall cooperate with the Probation and Compliance Officer on all matters and inquiries pertaining to his 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.
- (11) **Absence from the State/Practice/Effect on Probation.** Should Dr. Launey 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 he 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. Launey notifies the Board in writing that he has resumed the practice of medicine in Louisiana.
- (12) **Probation Monitoring Fee.** For each year of the probationary period, Dr. Launey 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.
- (13) **Effect of Violation/Sanction.** By his subscription hereto, Dr. Launey acknowledges that his receipt of written notification that the Board has received reliable information indicating his 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 him with any right to which he 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 him by law, constitute his irrevocable consent to the immediate suspension of his 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.
- (14) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Dr. Launey shall provide the Board with an affidavit certifying that he 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. Launey's compliance with the requirements of this provision.

(15) **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. Launey shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Launey'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, 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 19th day of February, 2021.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 
 DocuSigned by:
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 TERRIE R. THOMAS, M.D.
 President

(Acknowledgment and Consent on Following Page)

In the Matter of
Spencer Davis Launey, M.D.

CONSENT ORDER

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**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Louisiana

PARISH OF Evangeline

I, SPENCER DAVIS LAUNEY, 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 25th day of January, 2024.


SPENCER DAVIS LAUNEY, M.D.

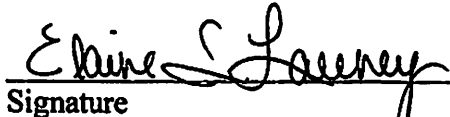
WITNESSES:


Signature

ROBERT A. LAUNEY
Typed Name

413 LeROY DRIVE
Street Address

VILLE PLATTE, LA. 70586
City/State/Zip Code

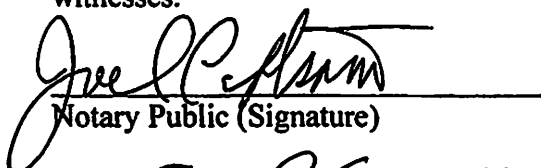

Signature

Elaine S. Launey
Typed Name

413 LeRoy Dr.
Street Address

Ville Platte, LA 70586
City/State/Zip Code

Sworn to and subscribed before me this 25th day of January, 2023, in the presence of the two stated witnesses.


Notary Public (Signature)

Name: JOEL C. STROMER

Notary/Bar No.: 34315

Commission expires: 2025

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