

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**IN THE MATTER OF:
JOHN BERNARD CAIRE, M.D.
(CERTIFICATE NO. 005657)**

**DECISION
99-A-012**

This matter comes before the Louisiana State Board of Medical Examiners ("Board") pursuant to an Administrative Complaint, charging John Bernard Caire, M.D., with a number of violations of the Medical Practice Act.

The matter was heard before a panel of the Board on December 14, 1999, representing a quorum of its membership consisting of Drs. Mary Lou Applewhite, Trenton L. James II, and Elmo J. Laborde. Also present were Judge Frederick S. Ellis, Independent Counselor for the Board and Philip O. Bergeron, Attorney at Law, representing the Complainant.

Dr. Caire, although unaccompanied by counsel at the hearing, was represented by an attorney throughout the pre-hearing phases of this matter, and all agreements and stipulations were entered into with advice of counsel.

FINDINGS OF FACTS

Essentially, Dr. Caire has admitted all of the allegations of the complaint, and has entered into a stipulation that his practice, in a number of respects, failed to satisfy the prevailing and usually accepted standards of medical practice in this state.

The record reveals that Dr. Caire practiced obstetrics and gynecology from 1954 until 1986, when he retired from obstetrics. He continued his office practice in gynecology, but gradually began to practice bariatrics. It is in this area only that Dr. Caire's practice is called into question.

First, it is alleged, and admitted, that he failed to observe the Board's rules and regulations respecting his management of patients he treated for weight loss. Second, it is alleged, and admitted that Dr. Caire improperly diagnosed hypothyroidism by history

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and axillary body temperature readings, rather than by blood or other laboratory analysis; and that he failed to perform any blood or laboratory testing to determine whether the thyroid or diuretic therapy, which he dispensed to patients was indicated or continued at therapeutic levels.

In support of the allegations, the records of thirteen of Dr. Caire's patients are in evidence before us, and demonstrate the validity of the specific allegations against him.

Dr. Caire testified that he was unaware that the Board had promulgated any rules relative to the treatment of obesity. He also testified that he had retired from all practice of medicine earlier this year.

CONCLUSIONS OF LAW

In view of the record, and of Dr. Caire's stipulations we find that he is guilty of the charges against him.


DECISION

However, because he has stated that he has retired, and does not plan to return to the practice of medicine, we will impose no sanctions, except to require that when he renews his license, he will no longer be permitted to prescribe medications. He will have to appear before the Board if he seeks any change in his status thereafter.

In addition, Dr. Caire shall pay all costs of this proceeding.

NEW ORLEANS, LOUISIANA, this 23rd day of December, 1999.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**


Mary Lou Applewhite, M.D.
President