

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter of:

**JOHN R. COLALUCA, D.O.**  
*(Certificate No. 021805)*

No. 02-I-021

**CONSENT ORDER  
FOR REPRIMAND  
OF LICENSE**

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The above-entitled proceeding was docketed for investigation by the Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board"). The Investigation Officer learned that on April 18, 2001, the Hardtner Medical Center summarily suspended the admitting and clinical privileges of John R. Colaluca, D.O., Certificate No. 021805, and ultimately revoked those privileges on about April 22, 2001 based on his arrest for possession of marijuana and driving while intoxicated on or about April 12, 2001, in addition to inappropriate medical care and prescription practices at Hardtner. The Investigating Officer further learned that Dr. Colaluca surrendered his federal controlled substances permit to the DEA on or about August 17, 2001. On or about January 10, 2002, Dr. Colaluca entered into a contract with the Louisiana PHP to evaluate and monitor possible substance abuse.

In connection with his September 29, 2001 application for renewal of his Louisiana medical license, Dr. Colaluca was asked to confirm certain historical data and provide updated information for the Board's records. On his renewal application, Dr. Colaluca was asked: [7] " **Were you the subject of disciplinary action or inquiry by a hospital or medical staff?**" In response to this question on his application, Respondent answered "NO." <sup>1</sup> In question 15, Dr. Colaluca was asked, "**Did you have a federal or**

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<sup>1</sup>Application for License/Certificate Renewal, 2001-02, John Colaluca, M.D. (September 29, 2001).

**state controlled substance permit?”** In response, Dr. Colaluca answered “YES” and provided his purported federal DEA number, even though he did not have a valid permit. These responses on Dr. Colaluca’s application were false.

As evidenced by his subscription hereto, Dr. Colaluca acknowledges the substantial accuracy of the foregoing information and, further, that proof of such information upon an administrative evidentiary hearing would establish grounds under the Louisiana Medical Practice Act for the suspension, revocation or such other action as the Board might deem appropriate against his license to practice medicine in the state of Louisiana, as a result of his failure to disclose the Hardtner Medical Center’s against him when he applied for renewal of his Louisiana license.<sup>2</sup>

Recognizing his right to have notice of the allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Colaluca, nonetheless, hereby waives his right to notice of charges and formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Colaluca also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or legal counsel assisting him in that capacity 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. Rev. Stat. §49-960. Dr. Colaluca expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his legal counsel shall be without prejudice to the Investigating Officer's authority to file a formal Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent 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 insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §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. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that John R. Colaluca, D.O. shall and hereby does receive an OFFICIAL REPRIMAND, and that his license to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 021805, shall be conditioned upon

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<sup>2</sup>La. Rev. Stat. §37:1285A(3) and (29).

his acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Participation in Physicians' Health Program.** Dr. Colaluca shall comply in all respects with the recommendations of the PHP, those of his evaluating and treating physicians, as well as the terms, provisions and conditions of his initial or any subsequent PHP Contract that may be offered or recommended by the PHP, and any aftercare criteria referenced therein, concerning ongoing monitoring and treatment of his conditions. Within five (5) days of his execution of any such PHP Contract, Dr. Colaluca shall cause a copy thereof to be delivered to the Board.
- (2) **Continuing Medical Education.** Dr. Colaluca shall obtain not less than fifty (50) credit hours of continuing medical education ("CME") for each of the next three (3) years, with courses of study accredited by the American Medical Association.
- (3) **Payment of Fine.** Within fifteen (15) days of the acceptance of this Order by the Board, Dr. Colaluca shall pay a fine of \$1,000 to the Board.


**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. Colaluca shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for further disciplinary action against Dr. Colaluca's license to practice medicine in the state of Louisiana, as if such violations were enumerated among the causes provided in La. Rev. Stat. §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 21<sup>st</sup> day of May, 2003.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

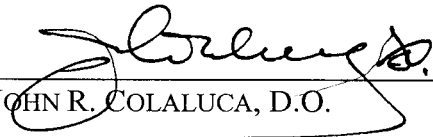
By:

  
ELMO LABORDE, M.D.  
President

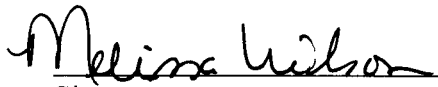
STATE OF LOUISIANA  
PARISH OF Richland

**ACKNOWLEDGMENT  
AND CONSENT**

I, JOHN R. COLALUCA, D.O., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 11 day of MARCH 2003.

  
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JOHN R. COLALUCA, D.O.

WITNESSES:

  
\_\_\_\_\_  
Signature

Melissa Wilson  
\_\_\_\_\_  
Typed Name

  
\_\_\_\_\_  
Signature

Brad Coenen  
\_\_\_\_\_  
Typed Name

Sworn to and subscribed before me at Rayville Louisiana, this 11 day of MARCH 2003, in the presence of the two stated witnesses.

  
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Notary Public

THEO J. COENEN, III  
P. O. BOX 988  
RAYVILLE, LA. 71269  
RICHLAND PARISH  
NOTARY PUBLIC  
COMMISSION EXPIRES AT MY DEATH