

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250



Telephone (504) 524-6763
FAX (504) 568-8893
Answers Direct Dial

(504) _____

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IN THE MATTER OF:	:	Adj. No. 00-A-002
	:	Inv. No. 00-I-009
JAIME OLIVO, M.D.	:	
(Certificate No. 03407R),	:	CONSENT ORDER
<i>Respondent.</i>	:	_____

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners ("Board") following receipt of allegations regarding Jaime Olivo, M.D. Investigation of the captioned matter was assigned to the Medical Consultant/Director of Investigations ("Investigating Officer") for the Board, whose investigation indicates that Dr. Olivo's license has not heretofore been the subject of Board action. The information, records and documents obtained and reviewed revealed to the Investigating Officer that from November 1982 through January 1983 Dr. Olivo was involved in the inpatient, medical care of a patient who had suffered severe injuries in an automobile accident. Sometime thereafter, Dr. Olivo began seeing this patient on a non-professional basis and for the next seven (7) years—beginning from April 1983 through September 13, 1990—Dr. Olivo was involved in an intimate, personal, sexual relationship with this individual while simultaneously seeing her as a consulting physician over the course of two (2) hospitalizations and issuing a variety of prescriptions for her. The investigation also disclosed that Dr. Olivo had been involved in two (2) other intimate, personal, sexual relationships with ex-patients after he stopped providing for their medical care; one from 1977 through 1981 and the other from 1987 through 1990. The Investigating Officer's analysis established to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against Dr. Olivo, charging him with violation of the Louisiana Medical Practice Act (the "Act") pursuant to La. Rev.

Stat. §§ 37:1285A(13), (14) and (15). An Administrative Complaint dated March 20, 2001 was filed with the Board.

Dr. Olivo was prepared to defend the allegations made against him. However, because of the expense involved, and the uncertainty of the outcome of any administrative hearing, Dr. Olivo agrees to this Consent Order. As evidenced by his subscription hereto, without admitting the FACTS as enumerated in the aforesaid Administrative Complaint or any violation of the Louisiana Medical Practice Act, Dr. Olivo acknowledges that the information developed by the Board's investigation would constitute, if proven, probable cause for the institution of administrative proceedings against his medical licensure, pursuant to Administrative Complaint, and that proof of such information upon administrative evidentiary hearing would establish grounds under the Louisiana Medical Practice 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, pursuant to La. Rev. Stat. §§ 37:1285A(13), (14) and (15).

Recognizing his right to have notice of any allegation or charge asserted against him, to administrative adjudication of such allegation or charge, pursuant to La. Rev. Stat. §§ 49:955-58, and to a subsequent final decision rendered upon written findings of fact and conclusions of law, Dr. Olivo, nonetheless, hereby waives his right to formal 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. Olivo acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951, et seq., or to which otherwise may be afforded him by law. Further Dr. Olivo specifically waives his rights to contest the Board's investigation as well as his agreement to, or the force and effect of this document in any court or other forum. Dr. Olivo, furthermore, hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as any legal counsel assisting the Investigating Officer in connection herewith, 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 Dr. Olivo waives any objection to such disclosures under La. Rev. Stat. § 49:960. Dr. Olivo expressly acknowledges that the disclosure of the information to the Board by the Investigating Officer, or his legal counsel, shall be without prejudice to the Investigating Officer's authority to file or proceed with 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.

On the basis of the information provided to the Board, the Board is persuaded that the public interest would be properly protected and served by allowing Dr. Olivo to maintain his Louisiana license, subject to appropriate specified terms and conditions. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, 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 the license of Jaime Olivo, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 03407R, be and the same is hereby, effective as of the date hereof, **OFFICIALLY REPRIMADED**.

IT IS FURTHER ORDERED that Dr. Olivo shall, within one year of the effective date of this Consent Order, undertake and complete fifty (50) hours of continuing medical education, approved by and qualifying for the AMA's Physician's Recognition Award. On or before the anniversary date of this Consent Order, Dr. Olivo shall cause to be forwarded to the Board's probation officer proof of the course credits earned pursuant to this provision. The education credits obtained pursuant to this provision may count toward the continuing medical education requirements¹ of the Board should they otherwise fully satisfy those requirements.

IT IS FURTHER ORDERED that Dr. Olivo shall, within one year of the effective date of this Consent Order, successfully complete a course regarding Boundary Issues, pre-approved in writing by the Board. On or before the anniversary date of this Consent Order, Dr. Olivo shall cause to be forwarded to the Board's probation officer proof of the course

credits earned pursuant to this provision. The education credits obtained pursuant to this provision may count toward the fifty (50) hours of continuing medical education required in the immediate paragraph hereinabove and toward the continuing medical education requirements of the Board should they otherwise fully satisfy those requirements.

IT IS FURTHER ORDERED that Dr. Olivo shall pay a fine of \$1,000.00, to be paid in full to the Board within thirty (30) days of the effective date of this Consent Order.

IT IS FURTHER ORDERED that any violation by Dr. Olivo of, or failure of strict compliance by him with, any of the terms, conditions or restrictions set forth by this Order, shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of his license to practice medicine in the State of Louisiana, as well as any right to renewal and/or reinstatement thereof, or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. § 37:1285.

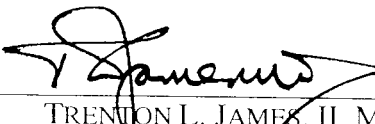
IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a **public record**.

Effective Date. This Consent Order shall take effect as of the date that it is dated and signed by the Board President.

New Orleans, Louisiana, this 15th day of January, 2002.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY:

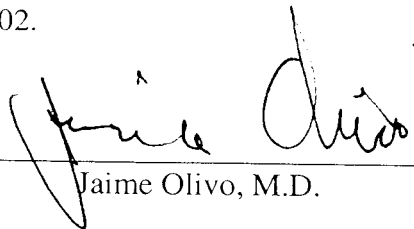

TRENTON L. JAMES, II, M.D.
PRESIDENT

¹ Rules, Department of Health and Hospitals, Board of Medical Examiners, Title 46, Part XLV, Subpart II, Chapter 10, Subchapter I, §§ 417 and 419 and Title 46, Part XLV, Subpart II, Chapter 10, Subchapter K, §§ 433-449.

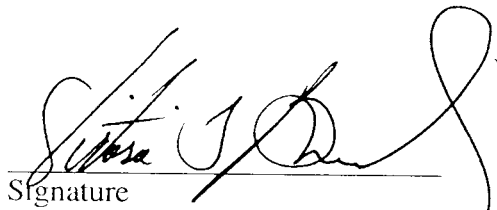
**ACKNOWLEDGMENT
AND CONSENT**

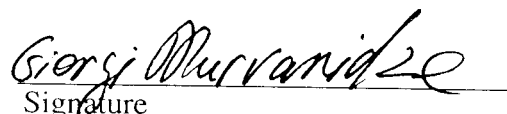
Having been duly advised by my legal counsel as to the meaning, scope and effect of the foregoing Consent Order,

I, Jaime Olivo, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Consent Order by the Louisiana State Board of Medical Examiners, this 8th day of January, 2002.

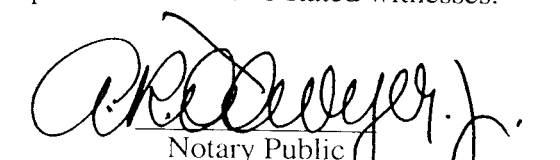

Jaime Olivo, M.D.

WITNESSES:


Signature
Victoria T. Broussard
Typed Name
279 Oak St., Harahan, LA
Address 70123


Signature
Giorgi Murvanidze
Typed Name
1416 Webster St., New Orleans, LA
Address 70118

Sworn to and subscribed before me at New Orleans Louisiana, this 8th day of January, 2002 in the presence of the two stated witnesses.


Notary Public
My commission expires at death