

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130  
General Correspondence Address: Post Office Box 30250, New Orleans, LA 70190-0250  
[www.lsbme.org](http://www.lsbme.org)



Telephone: (504) 568-6820

FAX: (504) 568-8893

Writer's Direct Dial:

Ext. \_\_\_\_\_

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**In The Matter Of**  
:  
**JANIS WALDER, M.D.**  
*(Certificate No. 012433),*  
:  
*Respondent.*  
:  
----- X

**04-I-004**

**CONSENT  
ORDER**

\_\_\_\_\_

The Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board"), began an investigation of Janis A. Walder, M.D., a physician licensed by the Board to practice medicine in the state of Louisiana pursuant to the Louisiana Medical Practice Act (the "Act"), La. Rev. Stat. §§37:1261-92, as evidenced by Certificate No. 012433, after receipt of reliable information that Dr. Walder had been charged with over 100 counts of cruelty to animals and was jailed in lieu of a \$25,000 bond. On or about March 15, 2004, the Board ordered Dr. Walder to undergo a psychiatric evaluation by Dr. Joseph Roniger to determine her ability to practice medicine with reasonable skill and safety to patients. Dr. Walder was in jail at the time and agreed to be evaluated upon her release from jail. On or about August 17, 2004, after spending approximately five months in jail, Dr. Walder pleaded guilty to 123 felony counts of animal cruelty and was sentenced to ten years in prison, with that sentence suspended, and five years probation.<sup>1</sup>

<sup>1</sup>La. R.S. 14:102.1(B), provides, in pertinent part, as follows:

## **§ 102.1. Cruelty to animals; simple and aggravated**

B. (1) Any person who intentionally or with criminal negligence tortures, maims, or mutilates any living animal, whether belonging to himself or another, shall be guilty of aggravated cruelty to animals.

(2) Any person who tampers with livestock at a public livestock exhibition or at a private sale shall also be guilty of aggravated cruelty to animals.

(3) Any person who causes or procures to be done by any person any act designated in this Subsection shall also be guilty of aggravated cruelty to animals.

(4) Whoever commits the crime of aggravated cruelty to animals shall be fined not less than five thousand dollars nor more than twenty-five thousand dollars or imprisoned, with or without hard labor, for not less than one year nor more than ten years, or both.

Upon her release from jail, Dr. Walder was evaluated by Dr. Roniger, who concluded that he could not ascertain the likelihood of a recurrence of her problem of animal hoarding. This fact, in addition to Dr. Walder's conviction for 123 counts of the felony of cruelty to animals, constitute violations of the Louisiana Medical Practice Act, La. R.S. §37:1285A(1)<sup>2</sup> and §1285A(25)<sup>3</sup>, and provides sufficient cause for an action against her medical license according to the Louisiana Medical Practice Act.

As evidenced by her subscription hereto, Dr. Walder acknowledges the accuracy of the foregoing information and that such acknowledgment and reported information would provide the Investigating Officer with probable cause to initiate formal administrative proceedings against her license pursuant to the Louisiana Medical Practice Act, constituting cause for such action against the physician's license to practice medicine in the state of Louisiana as the Board may deem appropriate.

Recognizing her right to have an administrative adjudication of such charges, at which time Dr. Walder 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. Rev. Stat. §§49:955-965, Dr. Walder, nonetheless, hereby waives her right to formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Dr. Walder also acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §49:951, et seq., or to which she otherwise may be afforded by any 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. By her subscription hereto, Dr. Walder 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. Rev. Stat. §49:960. Dr. Walder 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 such

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<sup>2</sup> Pursuant to La. R.S. §37:1285A(1), the Board may take action against the license of an individual licensed to practice medicine in the State of Louisiana as a result of a "conviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of Louisiana or of the United States."

<sup>3</sup> La. Rev. Stat. §37:1285A(25) provides that the Board may take action against the license of a physician as a result of "(I)nability to practice medicine...with reasonable skill or safety to patients because of...mental illness or deficiency . . ."

Complaint, should the Board decline to approve this Consent Order.

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 Janis Walder, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 012433 be, and the same is hereby, **SUSPENDED INDEFINITELY**. Dr. Walder shall not practice medicine in any form in the state of Louisiana until and unless the Board issues and serves on her a written order reinstating her license to practice medicine. As express conditions to the issuance of such Order, the Board must receive the opinion from Dr. Roniger that Dr. Walder is able to practice medicine with reasonable skill and safety to patients, based upon his personal examination, evaluation and diagnosis of her. Dr. Walder shall also provide an affidavit from her probation officer that she is in full compliance with all terms and conditions of her probation that resulted from the aforementioned felony convictions. Finally, Dr. Walder shall provide evidence to the Board that she has successfully completed the Special Purpose Examination ("SPEX"), which is offered by the Federation of State Boards of Medical Examiners.

**IT IS FURTHER ORDERED** that upon Dr. Walder's satisfaction of the terms and conditions of reinstatement hereinabove set forth, her license to practice medicine in the state of Louisiana shall be reinstated by the Board, **ON PROBATION**, for a period of three (3) years from the date of reinstatement; *provided, however*, that such reinstatement of license and Dr. Walder's continuing exercise of rights and privileges thereunder shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

(1) **Personal Appearance Before Impaired Physicians Committee.** Prior to the consideration of her request for reinstatement of her license, Dr. Walder shall personally appear before the Physicians Health Committee of the Board to permit the Committee and the Board to consider her current and aftercare treatment program, her compliance with the terms of this Order and to advise the Committee and the Board of her intentions with respect to her continued practice of medicine.

(2) **Additional Probationary Terms.** In addition to such other terms and conditions as are placed upon her license to practice medicine by this Order, Dr. Walder hereby consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length or nature thereof, including, but not limited to, additional treatment, reports and evaluations and

extensions of her suspension and probationary periods, which the Board in its sole discretion may deem necessary or appropriate to impose thereon.

**(3) Continuing Treatment/Reports to Board.** Dr. Walder shall continue in, abide by and strictly adhere to each of the recommendations for ongoing treatment and monitoring of her condition, which have or may be prescribed by Dr. Roniger or other health care provider involved in her care to the extent that they continue to follow her. Dr. Walder shall, in addition, authorize and cause her treating and monitoring physicians to submit to the Board, not less frequently than quarterly throughout the probationary period, written reports on her then-current treatment diagnosis, course of treatment, prognosis, her fitness and ability to practice medicine with reasonable skill and safety to patients and her compliance with the terms, conditions and restrictions of this Order.

**(6) Board Access to Treatment Records and Reports.** Dr. Walder shall and does by her subscription hereto authorize and cause any physician or any institution at which she undergoes treatment for any psychiatric condition, as well as any physician under whose care she may come at such an institution, who has or may hereafter evaluate, diagnose, treat or monitor her, to provide the Board with complete copies of all medical records and reports relating to Dr. Walder's history, examination, diagnosis, treatment and prognosis and to provide the Board with written and verbal reports relative thereto. Dr. Walder expressly waives any privilege that may otherwise be afforded the disclosure of such records, pursuant to state or federal law and by her subscription hereto acknowledges that she shall immediately execute any authorization presented to her by the Board to obtain such records.

**(7) Controlled Substances - All Schedules.** Dr. Walder shall not, for the remainder of her medical career, prescribe, dispense or administer (i) any controlled substance which may be classified, defined, enumerated or included in 21 C.F.R. §§1308.11-.15, La. Rev. Stat. §40:964; or (ii) any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statute; or (iii) any drug or medication which affects the central nervous system or which is capable of producing physiological or psychological dependence; or (iv) any mood-altering substance; or (v) the drugs Nubain, Dalgan, Soma, Ultram and Butalbital in any form or generic thereof. This prohibition shall survive the term of probation ordered herein and remain in effect so long as Dr. Walder shall hold any form of license or permit to practice medicine in the state of Louisiana. This prohibition shall not prohibit Dr. Walder from ordering controlled substances and other prescription medications for administration to inpatients of a hospital or similar institution where she may be employed or exercise staff and clinical privileges under the controlled substance

license and registration of such hospital or institution and in accordance with such hospital or institution's prescribed policies and procedures governing the administration of controlled substances. Consistent with this Order, Dr. Walder shall immediately surrender her controlled substance certificate and registration to the state and federal issuing authorities.

**(8) Practice of Pain Management Limited.** Dr. Walder shall not, for the remainder of her medical career, practice in fields of pain management that involve use of controlled substances.

**(9) Sanction.** By her subscription hereto, Dr. Walder acknowledges that her receipt of written notification from the Board that it has received apparently reliable information which indicates her failure to abide by the terms and conditions of this Order, shall, without need for formal hearing or providing her with any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, or which otherwise may be afforded to her by law, constitute her consent to the immediate suspension of her license to practice medicine in this state pending the issuance of a decision by the Board following administrative adjudication of such charges.

**(10) Fees and Costs of Treatment; Testing and Reports.** Any and all fees, costs or expenses incurred by Dr. Walder in connection with her continuing psychiatric and/or other treatment, including the drug screens ordered herein, as well as the reporting requirements contained in this Order, shall be borne by Dr. Walder.

**(11) Cooperation with Board's Probation and Compliance Officer.** Upon the Board's issuance of any order of reinstatement, Dr. Walder 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 that may then be required by the Board pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms, conditions and restrictions of her reinstatement.

**(12) Absence from State—Effect on Probation.** Should Dr. Walder at any time during the period of probation be absent from the state of Louisiana, relocate to and/or take up residency in another state or country for a period of thirty (30) days or more, she will so advise the Board in writing. In such instance, the probationary period ordered herein and all terms and conditions thereof shall be deemed interrupted and extended and shall not commence to run until Dr. Walder notifies the Board in writing that she has returned to, relocated in and/or taken up

residency in the state of Louisiana. In such instance, Dr. Walder shall not receive credit toward completion of the probationary period for the time during which she was absent from the state of Louisiana.

**(13) Certification of Compliance with Probationary Terms/Personal Appearance Before the Board.** At least sixty (60) days prior to the conclusion of the probationary term imposed herein, Dr. Walder shall provide the Board with an executed affidavit certifying that she has complied with each of the terms of probation imposed upon her by this Order, and she shall contact the Board and arrange for a personal appearance before the Physicians Health Committee of the Board, or such other committee as may be designated by the Board, at its meeting preceding the expiration of the probationary term ordered herein.

**(14) Payment of Costs and Probation Monitoring Fee.** Within two years of any order of reinstatement, Dr. Walder shall a fine of \$2,000. Dr. Walder acknowledges that the timely payment of the fine is her legal obligation and responsibility and she understands that she shall cease practicing medicine in this state if the fine is not paid within two years as ordered. For each year of the probationary term Dr. Walder shall pay the Board a 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 date on which the Board may hereafter order that the suspension of Dr. Walder's license has ended and she is authorized to resume her practice. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

**(15) Compliance with Criminal Probation.** Dr. Walder shall comply with all aspects of the probation imposed by the Twenty-Second Judicial District Court in connection with her guilty plea.

**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. Walder shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Walder's license to practice medicine in the state of Louisiana, 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.

New Orleans, Louisiana, this 22<sup>nd</sup> day of March, 2005.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:

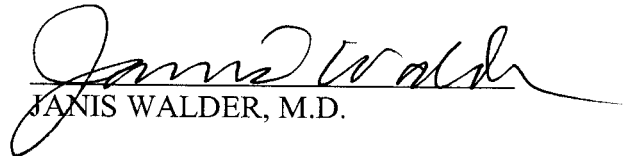
K E LeBlanc MD  
KIM EDWARD LEBLANC, M.D., PH.D.  
*PRESIDENT*

*Acknowledgement and Consent on Following Page*

STATE OF Louisiana  
PARISH/COUNTY OF Orleans

**ACKNOWLEDGMENT  
AND CONSENT**

I, JANIS WALDER, M.D., hereby acknowledge, approve, accept and consent to  
entry of the above and foregoing Order, this 17 day of Feb, 2005.

  
JANIS WALDER, M.D.

WITNESSES:



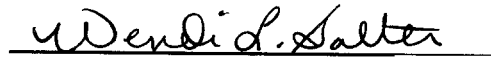
Signature

Virginia Farmer

Typed Name

3305 ST. ANN ST  
NOLA 70119

Address



Signature

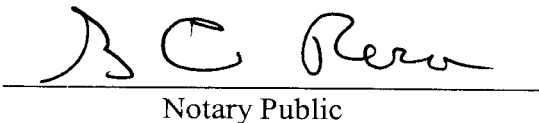
Wendi L. Salter

Typed Name

909 Poydras St, Ste 2600  
New Orleans, LA 70112

Address

Sworn to and subscribed before me at N.O., Louisiana, this 17 day of  
Feb, 2005, in the presence of the two stated witnesses.

  
Notary Public

**STEPHEN C. RESOR**  
NOTARY PUBLIC  
Parish of Jefferson, State of Louisiana  
My Commission is issued for Life.