

# 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



Telephone: (504) 568-6820  
FAX: (504) 568-8893  
Writer's Direct Dial:

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

-----X  
:  
**In The Matter Of** :

**MIRANDA C. JOHNSTON, P.A.** :  
(Certificate No.10528) :  
*Respondent* :  
:  
-----X

**No. 10-I-096**

**CONSENT ORDER FOR  
OFFICIAL REPRIMAND**

The Louisiana State Board of Medical Examiners (the "Board") conducted an investigation of Miranda C. Johnston, PA, ("Ms. Johnston") who has been licensed in Louisiana since October 2002, and practicing in the area of internal medicine. The Board has developed reliable information indicating that Ms. Johnston practiced as a physician assistant, including exercising prescriptive authority, beyond that authorized by law. In particular, the investigation revealed that Ms. Johnston issued legend and controlled prescriptions when she did not have Board approval for prescriptive authority with her supervising physician. Further, the Clinical Practice Guideline document that Ms. Johnston produced was not in compliance with the Board's rules, in that the Clinical Practice Guideline document did not contain the required paragraph of text acknowledging the supervising physician and physician assistant's obligations and responsibility to comply with all requirements of Section 4511 of the Louisiana Administrative Code.

On her own behalf, Ms. Johnston represents that there may have been an oversight in that she failed to include a form to obtain prior Board approval of the delegation of prescriptive authority from her supervising physician. All other documents pertinent to making a change in her supervising physician were sent to the Board and the delegation of prescriptive authority by Ms. Johnston's current supervising physician is articulated in the Clinical Practice Guideline document that was on file in the office practice at the time of the on-site review by the Board's representative.

Predicated on the foregoing, the Director of Investigation has determined that probable cause exists for recommending to the Board that an Administrative Complaint be filed in this matter charging Ms. Johnston with violation of the Louisiana Physician Assistant Practice Act, La. Rev. Stat. §37:1360.33(3), (“the Act”),<sup>1</sup> and the Board’s Rules pertaining to Physician Assistants, La. Adm. C. 46: XLV§1525.A(2)<sup>2</sup>; La. Adm. C. 46: XLV§4511.A(4),<sup>3</sup> La. Adm. C. 46: XLV§4513.A(19)<sup>4</sup>, and La. Adm. C. 46: XLV§1521(D)<sup>5</sup>.

As evidenced by her subscription hereto, Ms. Johnston acknowledges the substantial accuracy of the foregoing information and that proof of such information upon an administrative evidentiary hearing could constitute sufficient cause under the Act for the imposition of such terms, conditions, or restrictions on her license to practice as a physician assistant in the state of Louisiana as the Board may deem appropriate.

Recognizing her right to have administrative adjudication of the matters mentioned above, at which time she 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. §§ 49:951, *et seq.*, Ms. Johnston nonetheless, hereby waives her right to notice, formal adjudication and written findings of fact and conclusions of law, and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By her subscription hereto, Ms. Johnston also acknowledges that she waives 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, to contest her agreement to or the force and effect of the Board’s investigation or this document in any court or other forum relating to the matters referred to herein.

---

<sup>1</sup>La. Rev. Stat. §37:1360.33(3) provides: “The Board may, exercising due process, discipline any physician assistant, as provided in R.S.37:1360.34, that ... ( 3) violates any provision of this Part or any regulation adopted by the Board pertaining to this Part.”

<sup>2</sup>La. Adm. C. 46: XLV§1525.A(2) provides: “A physician assistant application for registration of prescriptive authority shall be made upon forms supplied by the Board and shall include confirmation that clinical practice guidelines or protocols conforming to §1521.A.5 have been signed by the supervising physician and physician assistant.”

<sup>3</sup>La. Adm. C. 46: XLV§4511.A(4) provides: “The physician assistant and supervising physician shall insure that, with respect to each direct patient encounter, all activities, functions, services, treatment measures, medical devices or medication prescribed or delivered to the patient by the physician assistant are properly documented in written form in the patient’s record by the physician assistant and that each such entry is countersigned by the supervising physician within...72 hours in an office, clinic, ...”.

<sup>4</sup>La. Adm. C. 46: XLV§4513.A(19) provides: “The Board may refuse to issue, or may suspend, revoke or impose probationary or other restrictions on, any license issued under this Chapter, or issue a private or public reprimand for utilizing prescriptive authority in violation of any of the provisions of §§1501-1529 or 4501-4513 of the Board’s rules”.

<sup>5</sup>La. Adm. C. 46: XLV§1521(D) provides: “The Board may deny registration of prescriptive authority to an otherwise eligible physician assistant for any of the causes enumerated by R.S. 37:1360.33, or any other violation of the provisions of the Louisiana Physician Assistant Practice Act, R.S. 37:1361.21, *et. seq.* or its rules applicable to physician assistants.”

By her subscription hereto, Ms. Johnston 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 to the Board under La. Rev. Stat. §49:960. Ms. Johnston expressly acknowledges that the disclosure of 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 complaint, should the Board decline to accept this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1326 and La. Rev. Stat. § 49:955(D);

**IT IS ORDERED** that Miranda C. Johnston, P.A. is hereby **OFFICIALLY REPRIMANDED**.

**IT IS FURTHER ORDERED** that:

1. **Payment of Fine.** Ms. Johnston shall pay a fine of \$1,000.00 to the Board, which payment shall be made within six (6) months of the effective date of this Order by the Board; and
2. **Demonstration of Understanding-Board's Rules.** Within one hundred eighty (180) days of the effective date of this Order, Ms. Johnston shall provide evidence to the Board's satisfaction that she has gained an understanding of and is practicing in accordance with the law and the Board's rules and regulations respecting physician assistants; and
3. **Prescription of Controlled Substances Prohibited for One Year.** Ms. Johnston shall not apply for registration of prescriptive authority for controlled substances until at least one (1) year from the effective date of this Order; and
4. **Notification to Supervising Physicians/Employers.** Ms. Johnston shall provide a copy of this Order to each supervising physician, hospital, clinic, facility, or other employer at which or for whom she is presently providing services as a physician assistant in this state.

**IT IS FURTHER ORDERED** that the failure of Ms. Johnston to comply with the above terms shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further action against her license to practice as a physician assistant in the state of Louisiana as the Board may deem appropriate, as if such failure were enumerated among the causes provided in La. Rev. Stat. §37:1360.33(3).

In the Matter of:  
Miranda C. Johnston, P.A.

For Reprimand

4

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

Signed at New Orleans, Louisiana, and effective this 22 day of June, 2010.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:



ROBERT E. DAWSON, M.D.  
*Vice President*

*Acknowledgment and Consent Follows  
on Next Page*

STATE OF LOUISIANA  
PARISH OF \_\_\_\_\_

**ACKNOWLEDGMENT  
AND CONSENT**

I, MIRANDA C. JOHNSTON, P.A., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 4<sup>th</sup> day of June, 2010.

Miranda C. Johnston PA  
MIRANDA C. JOHNSTON, P.A.

WITNESSES:

Robin B. Vrettos

Signature

Robin Vrettos

Typed Name

1980 N. Hwy 190  
Covington, LA 70433  
Address

Tania Levi

Signature

Tania Levi

Typed Name

1980 N. Hwy 190  
Covington, LA 70433  
Address

Sworn to and subscribed before me at COVINGTON, Louisiana, this 4<sup>th</sup> day of JUNE, 2010, in the presence of the two stated witnesses

Guy H. Leland  
Notary Public (Signature)

Printed Name/Notary #

**Guy H. Leland  
Notary Public  
LA Bar Roll # 25764**