

BEFORE THE
LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of	:	No. 89-I-078-D
ROGER M. ANASTASIO, M.D.	:	CONSENT
(Certificate No. 011778)	:	ORDER
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An investigation conducted on behalf of the Louisiana State Board of Medical Examiners (the "Board") developed information indicating that Roger M. Anastasio, M.D. ("Dr. Anastasio"), a physician licensed to practice medicine in the state of Louisiana, and engaged in the practice of psychiatry in the New Orleans area, may have written and issued prescriptions for a variety of legally controlled or dangerous substances, including narcotics, narcotic-analgesics and benzodiazepines, in quantities and for periods that may have been inappropriate to two (2) patients. The investigation, which included analysis of prescription records maintained by pharmacies, together with the physician's own office records with respect to three (3) patients, indicated that Dr. Anastasio was prescribing controlled substances for the treatment of orthopedic complaints on two of the three patients at issue.

As evidenced by his subscription hereto, and without admitting the accuracy of the information described hereinabove, Dr. Anastasio acknowledges that proof of such information upon evidentiary hearing might establish grounds under the Louisiana Medical Practice Act for such action as the Board might deem appropriate pursuant to La. Rev. Stat. §37:1285(6).

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. Anastasio 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. Anastasio also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or his legal counsel assisting him in connection with this investigation, 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 disclosure under La. Rev. Stat. §49:960. Dr. Anastasio expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his counsel shall be without prejudice to the Investigating Officer's authority to file a formal administrative complaint against Dr. Anastasio, or to the Board's capacity to adjudicate such 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 Roger M. Anastasio, M.D., to practice medicine in the state of Louisiana, shall be placed ON PROBATION, for a period of one (1) year from the date of the Board's acceptance of this Consent Order; *provided, however*, that Dr. Anastasio's continuing exercise of the rights and privileges of his medical licensure shall be conditioned upon his acceptance to and strict compliance with the following terms, conditions, and restrictions:

(a) **Severance of Physician-Patient Relationship and Orthopedic Referral.** Dr. Anastasio shall refrain from further involvement in connection with the treatment of Ms. V. L. and he shall recommend orthopedic consultation in connection with the treatment of Mr. G. M.

(b) **Referral of Non-Psychiatric Complaints and Management of Medications for Non-Psychiatric Conditions.** Dr. Anastasio shall not treat non-psychiatric complaints without referral to a primary treating physician of an appropriate specialty who shall be responsible for and who shall maintain management of prescribing any medications in connection with the non-psychiatric condition for which the patient is referred.

(c) **Continuing Medical Education.** Dr. Anastasio shall obtain not less than fifty (50) credit hours of Continuing Medical Education ("CME") over the course of the one-year probationary period described herein, through attendance at and participation in CME programs accredited by and qualifying for the Physicians Recognitions Award of the American Medical Association. As part of the fifty (50) credit hours required herein, Dr. Anastasio shall participate in a course approved by the Board in the judicious prescribing of controlled substances. On or before June 1, 1993, Dr. Anastasio shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the twelve months of the probationary period identified hereinabove.

(d) **Reimbursement of Cost of Investigation.** Dr. Anastasio shall reimburse the Board the cost of the investigation in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars to be paid in full within three (3) months following the date of the Board's approval of this Order.

(e) **Cooperation with the Board's Probationary Officer.** Dr. Anastasio shall direct any and all correspondence and other matters required in connection with this Consent Order, including the reimbursement of costs of investigation, a request for approval of CME course credits, and written certification of CME course credits, to the attention of the Board's Probationary Officer, and he shall cooperate with him in all matters. Dr. Anastasio shall, moreover, immediately notify the Board's Probationary Officer of any change in his current home and professional addresses and telephone numbers.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms, conditions and/or restrictions of this Order by Dr. Anastasio, shall, upon proof of such violation or failure, be deemed adequate and sufficient cause for the revocation and cancellation of Dr. Anastasio'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 24 day of May, 1992.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By:


ELMO J. LABORDE, M.D.

President

**ACKNOWLEDGEMENT
AND CONSENT**

I, ROGER M. ANASTASIO, M.D., HEREBY ACKNOWLEDGE, APPROVE, ACCEPT AND
CONSENT to entry of the above and foregoing Order, this 20 day of May, 1992.



ROGER M. ANASTASIO, M.D.

Witness:


