

Before The
Louisiana State
Board of Medical Examiners

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In The Matter Of : 89-I-018-6
CHERRY BLAIR ADAMS, CRT :
(License No. LT0229 :
Respondent : CONSENT
ORDER
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The above-entitled and numbered proceeding has been noticed and docketed for hearing before the Louisiana State Board of Medical Examiners (Board) upon the Administrative Complaint of Elmo J. LaBorde, M.D., Investigating Officer, alleging that Cherry B. Adams, CRT currently suffers from an addiction to Dilaudid, a controlled substance, and, accordingly, is charged with "... unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public." La. Rev. Stat. Section 37:3358 A.

On the basis of information provided to the Board with Ms. Adams' knowledge and consent, the Board is persuaded that the condition from which Respondent suffers may be susceptible to effective medical treatment, resulting in restoration of Ms. Adams' capacity to engage in the practice of respiratory therapy with reasonable skill and safety to patients, provided that Ms. Adams strictly observe and comply with reasonable and appropriate restrictions on and conditions to maintenance of her licensure. In consideration of this finding, and on the recommendation of the Investigating Officer, the Board has concluded that its

responsibility to safeguard the health, safety and welfare of the people of this state against the unprofessional, unqualified and unsafe practice of respiratory therapy, La. Rev. Stat. Section 37:3358A, will be effectively served by entry of the order set forth hereinafter, by consent.

Ms. Adams, recognizing her right to have the allegations and charges asserted in the Administrative Complaint adjudicated pursuant to La. Rev. Stat. Section 49:955-58, and to a final decision rendered upon written findings of fact and conclusions of law, nonetheless hereby waives her right to formal adjudication of such Complaint and, pursuant to La. Rev. Stat. Section 49.955D, consents to entry of the order set forth hereinafter. By her subscription hereto, Ms. Adams also hereby authorizes the Investigating Officer designated by the Board 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 this investigation.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. Section 37:3351 and La. Rev. Stat. Section 49:955D;

IT IS ORDERED the license of Ms. Adams, CRT, to engage in the practice of respiratory therapy in the state of Louisiana, as evidenced by license no. LT0229, be, and the same is hereby, effective as of the date hereof, SUSPENDED;

IT IS FURTHER ORDERED that the Board's reinstatement of Ms. Adams' license to practice respiratory therapy in the state of Louisiana, shall be subject to her acceptance of and strict compliance with the following terms, conditions and restrictions:

(a) Suspension of Practice/Reinstatement. Ms. Adams shall not practice respiratory therapy 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 respiratory medicine. As an express condition of the issuance of such Order, in addition to such other conditions as are set forth hereinafter, Ms. Adams shall have been discharged from the Treatment Facility and the Board shall have received the opinion of two physicians acceptable to the Board that Ms. Adams is then capable of practicing respiratory therapy with reasonable skill and safety to patients, based upon their personal examination, evaluation and diagnosis; and

IT IS FURTHER ORDERED that upon Ms. Adams' compliance with and complete and continuing satisfaction of the terms, conditions and restrictions hereinabove set forth, her license to practice respiratory therapy in the state of Louisiana shall be reinstated by the Board, ON PROBATION, for a period of one (1) year from the date of her discharge from inpatient treatment; provided, however, that such reinstatement of licensure, and Ms. Adams' continuing exercise of rights and privileges thereunder, shall be conditioned upon her acceptance and strict compliance with the follofollowing terms, conditions and restrictions:

(a) Appearance Before the Board. Prior to reinstatement of licensure, Ms. Adams shall appear before the Board to discuss the terms and conditions of her aftercare treatment.

- (b) Aftercare Treatment Contract. Following her discharge from inpatient treatment, Ms. Adams shall enter into and execute a Treatment Contract with the Treatment Facility for a period of one (1) year, providing for her aftercare monitoring and treatment under the care of a specified treating physician, or aftercare counselor, or aftercare facilitator, designated by her treating physician, acceptable to the Board, and further providing for attendance at Alcoholics Anonymous and/or Narcotics Anonymous meetings three (3) times per week;
- (c) Periodic Outpatient/Aftercare Reports. Ms. Adams shall authorize and cause such physician, or aftercare counselor, or aftercare facilitator, designated by her treating physician, to submit to the Board, not less frequently than quarterly, until such requirement is waived by the Board in writing, written reports on Ms. Adams' then-current treatment program, diagnosis, prognosis, and her compliance with the terms and conditions of this Order and any aftercare agreements she may execute hereafter.
- (d) Aftercare Treatment Contract Alcoholic and Narcotics Anonymous Meetings. Following her discharge from inpatient treatment, Ms. Adams shall enter into and execute a Treatment Contract with the Treatment Facility for a period of one (1) year, providing for her aftercare monitoring and treatment under the care of a specified treating physician, or aftercare counselor, or physician, acceptable to the Board, and further providing for attendance at Alcoholic Anonymous and/or Narcotics Anonymous meetings three (3) times per week;


IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any terms, conditions or restrictions of this Order by Ms. Adams, or Ms. Adams' failure to maintain complete and total abstinence from the use of controlled substances (except upon the written prescription of a physician in connection with the treatment of a legitimate medical condition) or alcohol either during or after the expiration of her aftercare contract, shall be deemed adequate and sufficient cause upon proof of such violation or failure, for the final revocation and cancellation of Ms. Adams' license to practice respiratory therapy in the state of Louisiana.

IT IS FURTHER ORDERED that the Administrative Complaint filed here on July 17, 1989 be, and the same is hereby, dismissed, without prejudice.

New Orleans, Louisiana, this 17th day of August, 1989.


LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By:


Elmo John LaBorde, M.D.
Secretary Treasurer

ACKNOWLEDGEMENT
AND CONSENT

I, Cherry B. Adams, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 04 day of August, 1989.


Cherry B. Adams

Witness:
