

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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In the Matter of  
CHARLES M. CARGILLE, M.D.

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FINAL DECISION  
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3/19/86  
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A formal hearing was convened before the Louisiana State Board of Medical Examiners (Board) on February 20, 1986 at the Board's office, 830 Union Street, Suite 100, New Orleans, Louisiana, to adjudicate the alleged and specific violations of the Louisiana Medical Practice Act by Charles M. Cargille, M.D. (Dr. Cargille), to-wit:

- 1) "... conviction of a crime," LSA-R.S. 37:1285(1);
- 2) "... submitting false claims to any governmental authority for the purpose of obtaining monetary compensation," LSA-R.S. 37:1285(11); and
- 3) "... unprofessional conduct," LSA-R.S. 37:1285(13).

## PROCEDURAL MATTERS

On February 9, 1986, Dr. Cargille specifically requested a speedy hearing in this matter. A notice of the formal hearing was sent on February 14, 1986 setting the hearing for February 20, 1986.

Dr. Cargille and his attorney, Leslie J. Schiff, stipulated to the holding of the hearing on February 20, 1986, in these proceedings. The hearing was scheduled at this date and time to accommodate Dr. Cargille and his attorney. Both Dr. Cargille and his attorney, Mr. Schiff, stipulated, at the hearing of this matter, that Dr. Cargille did receive the Notice of Hearing and further that Dr. Cargille waived all of the delays concerning said Notice of Hearing, under the Administrative Procedure Act or any other statute, and that they desired to proceed with the hearing.

A legal quorum of the Board was present, consisting of Richard M. Nunnally, M.D., Ike Muslow, M.D., J. Morgan Lyons, M.D., Elmo J. Laborde, M.D., F. P. Bordelon, Jr., M.D., Anthony J. Hackett, Jr., M.D. and Gerald R. LaNasa, M.D. Dr. Cargille was present and represented by counsel, Leslie Schiff, Esq.

After receiving and considering the testimony, documentary evidence and the arguments of counsel, pursuant to LSA-R.S. 49:958, the Board renders the following findings of fact, conclusions of law and decision.

#### FINDINGS OF FACT

##### I.

On the 7th day of May, 1985, the Attorney General for the State of Louisiana filed a Bill of Information in the 13th Judicial District Court for the Parish of Evangeline, State of Louisiana, against Charles M. Cargille, M.D. charging him with committing the offense of Medicaid fraud as defined by Louisiana Revised Statute 14, Article 70.1, Counts I through XXV.

II.

On December 21, 1985, a jury found Dr. Cargille guilty of the twenty-five (25) counts of violating Revised Statute Title 14, Article 70.1, in that he did present for payment false and fraudulent claims for services rendered with the intent to defraud the State of Louisiana through the Medical Assistance Program, a program created under the Federal Social Security Act and administered by the Department of Health and Human Resources.

The criminal event offenses of which Dr. Cargille was found guilty, after a trial, arose out of and from his practice of medicine in the State of Louisiana and his exercise of the privileges of medical licensure and, because of the nature thereof, impugns the integrity of the entire medical profession, and more particularly, jeopardizes the trust placed in physicians by the citizens of this state.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes, as a matter of law, that:

I.

Charles M. Cargille, M.D. has been found guilty of a criminal charge and, therefore, just cause exists for actions against his license on all three charges as provided for by LSA-R.S. 37:1285(1), LSA-R.S. 37:1285(11) and LSA-R.S. 37:1285(13).

DECISION

Considering the foregoing,

IT IS ORDERED that the license of Charles M. Cargille, M.D. to practice medicine in the State of Louisiana, as evidenced by Certificate No. 05043R be, and the same is hereby suspended for a period of six (6) months from the date hereof;

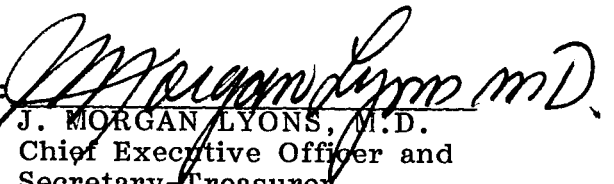
IT IS FURTHER ORDERED that Dr. Cargille is hereby placed on probation for a period of five (5) years following the expiration of the suspension of his license, during which period he will comply with the provisions of the Medical Practice Act;

IT IS FURTHER ORDERED that any violation of the probationary terms, conditions and restrictions set forth herein, shall be deemed just cause for the suspension or revocation of the medical license of Charles M. Cargille, M.D., or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the cause provided in LSA-R.S. 37:1285.

New Orleans, Louisiana, this 19 day of March, 1986.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By:

  
J. MORGAN LYONS, M.D.  
Chief Executive Officer and  
Secretary-Treasurer