

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of :
JOHN P. JARRELL, JR., M.D. :
(Certificate No. 010290) :
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:
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No. 98-I-038

CONSENT ORDER

An investigation conducted by the Louisiana State Board of Medical Examiners (the "Board") has indicated that John P. Jarrell, Jr., M.D. ("Dr. Jarrell"), a physician who at all times pertinent was licensed to practice medicine in the state of Louisiana, as well as in the state of Mississippi, currently suffers and for some time has suffered from alcoholism. Dr. Jarrell's condition was first recognized during the year 1991, when he commenced outpatient treatment and monitoring for alcoholism. During that same year the physician entered into a treatment contract with the Orleans Parish Medical Society Impaired Physicians Committee (the "IPC"), which provided for continued treatment and monitoring of his condition through January 1993, when he successfully completed the treatment recommended by the IPC.

More recently, in connection with the renewal of his 1998 license, Dr. Jarrell, who for the past several years has been engaged in the practice of medicine in the state of Mississippi, advised that he had suffered a relapse of his use and abuse of alcohol. Such information reveals that in disposition of an investigation conducted by the Mississippi State Board of Medical Licensure (the "Mississippi Board"), on November 20, 1997, Dr. Jarrell entered into a Consent Order with the Mississippi Board. Pursuant to such Order Dr. Jarrell's license to practice medicine in the state of Mississippi was indefinitely suspended, the suspension was itself simultaneously stayed and Dr. Jarrell was permitted to continue practice under enumerated terms and conditions imposed on his license with leave to petition the Mississippi Board for relief after the expiration of three (3) years.¹ Since execution of the Mississippi Order, Dr. Jarrell has relocated to the state of Alaska and has voluntarily enrolled in a physician's recovery program sponsored by the Alaskan State Medical Association for ongoing therapy and monitoring of his condition.

¹Consent Order, In the Matter of the Physician's License of John Percha Jarrell, M.D., pending before the Miss. St. Board of Med. Licensure (Nov. 20, 1997). Among other conditions, the Mississippi Board's Order required Dr. Jarrell to complete his treatment for chemical dependency at Talbot Recovery Center, Atlanta, Georgia; affiliate himself with the Mississippi State Medical Association Impaired Professionals Program and furnish reports to the Mississippi Board; successfully complete a psychiatric/psychological evaluation by a Board approved psychiatrist and adhere to his recommendations for treatment and aftercare; refrain from the personal use of alcohol and any addicting substance; refrain from treating or prescribing, dispensing or administering controlled substances to himself or his family members; submit to random, unannounced and witnessed urine and/or blood screens; and subject his practice to periodic surveillance, including a review of his charts by the Mississippi Board.

As evidenced by his subscription hereto, Dr. Jarrell acknowledges the substantial accuracy of the foregoing information, and that such acknowledgment and the Consent Order which he entered with the Mississippi Board would provide the Investigating Officer herein with probable cause to pursue formal administrative proceedings against him, for violation of the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1285(A)(5), (25) and (29), respectively, constituting sufficient cause for the suspension or revocation of his license to practice medicine in the state of Louisiana.²

On the basis of apparently reliable information, however, the Board is persuaded that the condition from which Dr. Jarrell suffers may be susceptible to effective medical treatment and therapy resulting in the maintenance of the physician's capacity to engage in the practice of medicine with reasonable skill and safety to patients, provided that Dr. Jarrell strictly observes and complies with appropriate restrictions on and conditions to maintenance of his medical license. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer respecting the pending investigation, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing his right to have administrative adjudication of the above charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his 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.*, Dr. Jarrell, nonetheless, hereby waives his right to formal charges and adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Jarrell also acknowledges that he waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, or which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Dr. Jarrell also hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as his legal counsel assisting him in connection herewith, 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 disclosures under La. Rev. Stat. §49:960. Dr. Jarrell expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his legal counsel shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges, 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 Dr. Jarrell to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 010290, be and the

²Pursuant to La. Rev. Stat. §37:1285A, the Board may revoke, suspend, or take such other action against the license of an individual to practice medicine in the state of Louisiana, as a result of any of the following: (5) 'Habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence;' (25) 'Inability to practice medicine ... with reasonable skill or safety to patients because of ... excessive use or abuse of drugs, including alcohol;' and (29) 'the revocation, suspension, or other restriction imposed on a license ... issued by such licensing authority which prevents or restricts practice in that state.'

same is hereby, effective as of the date hereof, placed ON INDEFINITE PROBATION; *provided, however*, that such license and Dr. Jarrell's continuing exercise of rights and privileges thereunder, shall be conditioned upon his acceptance of and strict compliance with the general terms and conditions of probation heretofore adopted by the Board as well as the following terms, conditions and restrictions:

(a) Practice in Louisiana, Notice of Relocation, Appearance Before the Board's Physicians Health Committee. In no event shall Dr. Jarrell engage in the practice of medicine in the state of Louisiana until and unless he has first received a written order from the Board authorizing such practice. In the event that Dr. Jarrell decides to return to Louisiana for the purpose of practicing medicine in this state, he shall provide the Board with at least sixty (60) days advance written notice of such intention, and he shall contact the Board office for the purpose of scheduling an informal appearance before the Board's Physicians Health Committee to advise the Committee and the Board of his compliance with the terms of this Order, the nature and/or extent of any treatment or monitoring to which he has submitted since entry of the Mississippi Order and his plans for the practice of medicine in Louisiana.

(b) Additional Probationary Terms. In addition to such other terms and conditions as are placed upon his Louisiana license by this Order, Dr. Jarrell hereby consents to, agrees with and acquiesces in the imposition of any additional probationary terms, conditions or restrictions, as well as the length or nature thereof, which the Board, in its sole discretion, may deem necessary or appropriate to impose upon his Louisiana license should Dr. Jarrell at any time in the future decide to relocate to the state of Louisiana for the purpose of engaging in the practice of medicine.

(c) Cooperation with Board's Probation and Compliance Officer. Dr. Jarrell shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers, and he shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms, conditions and restrictions of this Order.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the restrictions set forth by this Order by Dr. Jarrell shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Jarrell's license to practice medicine in the state of Louisiana or for such other action as the Board may deem 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.

In the Matter of:

JOHN P. JARRELL, JR., M.D.

CONSENT ORDER

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Signed at New Orleans, Louisiana, and effective on this 24th day of March, 1999.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY: Mary Lou Applewhite
MARY LOU APPLEWHITE, M.D.
President

ACKNOWLEDGMENT
AND CONSENT

STATE OF ALASKA

COUNTY OF:

I, JOHN P. JARRELL, JR., M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 13th day of March, 1999.

John P. Jarrell, Jr.
JOHN P. JARRELL, JR., M.D.

WITNESSES:

Angela L. Anderson
Signature
ANGELA L. ANDERSON
Typed Name
ANCHORAGE, AK
Address

Ashleigh Fuller
Signature
Ashleigh Fuller
Typed Name
ANCHORAGE, AK
Address

Sworn to and subscribed before me at Anchorage, Alaska, this 13 day of March, 1999, in the presence of the two stated witnesses.

Michael Meyer
Notary Public

