

**BEFORE THE  
LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

-----  
In The Matter of:  
  
MARILYN J. JANSEN, P.A.  
(Certificate No. A20041)

Respondent  
-----

**CONSENT ORDER**

An investigation conducted on behalf of the Louisiana State Board of Medical Examiners ("Board") beginning in July, 1991, developed information indicating that Marilyn J. Jansen, P.A. ("Ms. Jansen"), a physician's assistant licensed by the Board to practice as a physician's assistant under the supervision of David T. Henry, M.D., alternatively, under the locum tenens supervision of Tony L. Alleman, M.D., engaged in conduct proscribed by the Louisiana Physician's Assistant Act (the "Act"), and the rules and regulations adopted and promulgated by the Board applicable to Physician's Assistants.<sup>1</sup> More particularly, a physician's assistant may not, among other functions, exercise independent medical judgment except in life-threatening emergencies, issue prescriptions, dispense medications, or perform any activity, function or service beyond the scope of those permitted by the Act or specified in her application approved by the Board.<sup>2</sup> Despite such prohibitions, apparently reliable information indicates that Ms. Jansen has exercised independent judgment, prescribed and dispensed medication and performed activities beyond those specified in her physician's assistant application approved by the Board on three (3) occasions during July and

---

<sup>1</sup>See *Louisiana Physicians Trained Assistant Practice Act*, LSA-R.S. §37:1360.21, et seq., and rules and regulations adopted by the Board referable to physician's assistants, *Louisiana Register*, Vol. 4, No. 4, Apr. 20, 1978.

<sup>2</sup> See LSA-R.S. §37:1360.23(D).

August, 1991.

Predicated on the information received during the course of the investigation, an Administrative Complaint was filed against Ms. Jansen charging her with violations of the Louisiana Trained Physician's Assistant Practice Act, LSA-R.S. §37:1360.23(D) and the rules adopted by the Board regarding the authority and limitation of physicians' assistants, Rule 12(c)(1),(2) and (6).<sup>3</sup>

Ms. Jansen, recognizing her right to have the allegations and charges asserted in the aforesaid Administrative Complaint adjudicated, pursuant to LSA-R.S. §§49:955-58, and to a final decision rendered upon findings of fact and conclusions of law, nonetheless, hereby waives her right to formal adjudication and, pursuant to LSA-R.S. §49:955D, consents to entry of the Order set forth hereinafter. By her subscription hereto, Ms. Jansen also hereby authorizes the Investigating Officer designated by the Board with respect hereto, personally and/or through legal counsel, to present this Consent Order to the Board for its consideration and to fully disclose and to discuss with the Board the nature and results of the investigation.

Based upon the information provided, accordingly, and on the recommendation of the Investigating Officer assigned to this matter, John B. Bobear, M.D., the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to LSA-R.S. §37:1360.21 et seq., will be effectively served by entry of the Order set forth hereinafter, by consent.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by LSA-R.S. §37:1360.24 and LSA-R.S. §49:955D;

---

<sup>3</sup> See *Louisiana Register*, Vol. 4, No. 4, *Authority and Limitations of Physician's Assistant*, Rules 12(c)(1), (2) and (6). Also see LSA-R.S. §37:1360.23(D), which provides:

"A physician's assistant shall not, however, exercise independent judgment in determining the need of prescribing or administering treatment except in life threatening emergencies nor shall the duties of a physician's assistant be construed to mean the dispensing of drugs as provided in the rules and regulations of the State Board of Pharmacy."

**IT IS ORDERED** that the license of Marilyn J. Jansen, P.A., to practice as a physician's assistant in the state of Louisiana, as evidenced by Certificate No. A20041, shall be, and the same is hereby, placed on PROBATION for a period of one (1) year, effective from the date of the Board's approval of this Order.

**IT IS FURTHER ORDERED** that during the one (1) year probationary period referred to hereinabove, Ms. Jansen shall strictly comply with and satisfy the following probationary terms, conditions and restrictions:

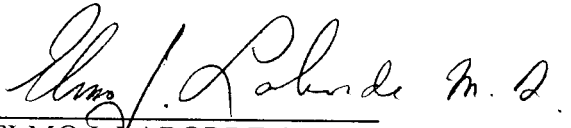
- (a) ***Supervision by David T. Henry, M.D., and Tony L. Alleman, M.D.*** Effective immediately upon approval of this Order by the Board, Ms. Jansen shall no longer serve as a physician's assistant under the supervision of David T. Henry, M.D., or under the locum tenens direction of Tony L. Alleman, M.D., and the prior authorization and appointments issued by the Board to that effect are hereby withdrawn and cancelled;
- (b) **Community Service:** For each of the twelve (12) months of the probationary period, identified hereinabove, Ms. Jansen shall perform eight (8) hours of community service per month, for a total of ninety-six (96) hours of community service acceptable to and approved by the Board in writing. On or before August 20, 1992 and February 20, 1993, Ms. Jansen shall cause to be submitted to the Board written certification of the community service activity completed by her during the preceding six (6) months;
- (c) **Absence from State-Effect on Probation:** Should Ms. Jansen, at any time during the period of probation ordered hereinabove, be absent from the state of Louisiana, relocate to and/or take up residency in any other state for a period of thirty (30) days or more, then, in such instance, the suspension period ordered hereinabove shall be deemed interrupted and shall not commence to run until Ms. Jansen returns to and takes up residency in the state of Louisiana. In such instance, Ms. Jansen shall not receive credit towards the probationary period ordered hereinabove for the time period for which she was absent from the state of Louisiana, regardless of whether or not Ms. Jansen actually practiced as a physician's assistant in such other state during the period of absence; and
- (d) ***Verification of Compliance/Probation Officer:*** Ms. Jansen shall submit to the Board's Probationary Officer, or such other authorized representative of the Board, the nature and location of her proposed community service, as well as all other documents, items or matters provided for herein, throughout her probationary period. Moreover, Ms. Jansen shall notify the Probationary Officer of her current personal and business addresses and telephone numbers, as well as any change thereof.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to

be, a public record.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

BY:

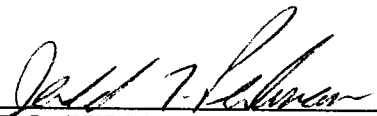
  
ELMO J. LABORDE, M.D.  
PRESIDENT

ACKNOWLEDGMENT AND CONSENT

I, MARILYN J. JANSEN, P.A., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 17<sup>th</sup> day of February, 1992.

  
MARILYN J. JANSEN, P.A.

REVIEWED AND APPROVED  
AS TO FORM:

  
JERALD L. PERLMAN, ESQ.  
Walker, Tooke, Perlman & Lyons  
1700 Irving Place  
Shreveport, Louisiana 71101  
(318) 221-8644  
Attorney for Marilyn J. Jansen, P.A.

Approved by unanimous voice vote during the February 20, 1992 session of the Board.