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THE MATTER OF :
JOHN JOHNSTON JONES, JR., M.D. :
- - - - - X

FINAL DECISION

A formal hearing was convened before the Louisiana State Board of Medical examiners (Board) on August 29, 1985 to consider and adjudicate alleged, specific violations of the Louisiana Medical Practice Act by John Johnston Jones, Jr., M.D. (Dr. Jones), to wit:

"...entry of a plea of guilty to a criminal charge,"
LSA-R.S. 37:1285(1).

PROCEDURAL MATTERS

Hearing on the above-specified charges had been originally set for July 25, 1985. By letter dated July 17, 1985 counsel for Dr. Jones, Mr. John R. Martzell, requested a continuance of this hearing on the grounds that he was involved in a lengthy trial and would be unable to adequately represent Dr. Jones and appear on his behalf at the scheduled hearing.

On July 25, 1985 the Board considered the request for a continuance and received a statement from Dr. Jones, who appeared on that date, reiterating the reasons for the requested continuance. After considering the request the Board elected to continue the hearing until August 29, 1985 at which time the merits of the charge would be considered.

A legal quorum of the Board was present, consisting of Dr. Richard M. Nunnally, Dr. Ike Muslow, Dr. J. Morgan Lyons, Dr. F. P. Bordelon, Jr., Dr. Anthony J. Hackett, Jr., Dr. Gerald R. LaNasa and Dr. Elmo J. Laborde. Dr. Jones was present and represented by counsel, Mr. John R. Martzell, Esq., a member of the bar of the State of Louisiana.

After receiving and considering the 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 14th day of February, 1985 the grand jury in and for the Eastern District of Louisiana, United States District Court, returned an indictment against John J. Jones, Jr., and John J. Jones, Jr., M.D., a professional medical corporation, charging John J. Jones, Jr., M.D., individually, with violations of Title 18, Sections 1341 and 1342 (Count I - relative to Mail Fraud) and John J. Jones, Jr., M.D., a professional

medical corporation, with violations of Title 42, Section 1395 nn(a)(1)(i) (Counts II & III - relative to Medicare Fraud).

II.

With respect to Count I, a plea of guilty was entered by John J. Jones, Jr., M.D., individually, on April 11, 1985 before the Honorable Veronica D. Wicker, Judge, Section L, United States District Court, Eastern District of Louisiana.

III.

On that same day, and with respect to Counts II and III, a plea of guilty was entered by John J. Jones, Jr., M.D., a professional medical corporation, through its authorized employee, John J. Jones, Jr., M.D., before the Honorable Veronica D. Wicker, Judge, Section L, United States District Court, Eastern District of Louisiana.

The criminal offenses to which Dr. John J. Jones, Jr. entered a plea of guilty, individually and on behalf of the professional medical corporation, 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.

John J. Jones, Jr. has entered a plea of guilty to a criminal charge, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(1).

DECISION

Considering the foregoing,

IT IS ORDERED that the license of John J. Jones, Jr., M.D. to practice medicine in the State of Louisiana, as evidenced by Certificate No. 013373 be, and the same hereby is, SUSPENDED, for a period of TWO (2) YEARS from the date hereof;


IT IS FURTHER ORDERED that Dr. Jones 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 all but the first year of this suspension be suspended, provided that there is compliance with the following terms and conditions:

- 1) During the period of suspension, Dr. Jones is to comply with the provisions of the Medical Practice Act (LSA-R.S. 37:1261, et seq., as amended); and
- 2) Dr. Jones is to personally appear before the Board within thirty (30) days prior to the completion of the first year of suspension to satisfy the Board of his fitness to return to the practice of medicine.

New Orleans, Louisiana, this 18 day of September, 1985.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS


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