

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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New Orleans, LA 70112-1499

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	:	No. 93-I-083
<b>In The Matter Of</b>	:	
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<b>JUANITA GENEVA MCBEATH M.D.</b>	:	<b>CONSENT</b>
(Certificate No. 05314R)	:	<b>ORDER</b>
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An investigation in the referenced matter was initiated in early 1993 based on information supplied by the Shreveport Medical Society Impaired Physician's Committee (the "Shreveport IPC") reporting complaints by patients, nurses and other physicians of "inappropriate behavior" by Juanita G. McBeath, M.D., while attending patients hospitalized at them Willis-Knighton Medical Center, Shreveport, Louisiana, along with suspected abuse of alcohol. While denying that she suffered from alcoholism or any cognitive or physical impairment compromising her ability to practice medicine with reasonable skill and safety to patients, Dr. McBeath submitted to evaluation at the Jackson Recovery Center, Jackson, Mississippi in April 1993, with a resulting diagnosis of alcohol abuse and possible neuropsychological impairment. At the direction of the Board, Dr. McBeath was subsequently evaluated in late 1993 by an examining committee of physicians designated by the Board,<sup>1</sup> whose psychiatric and neuropsychological findings were essentially negative or inconclusive, though an "underlying substance abuse problem" was suspected. Such cognitive problems as were identified determined not be consistent with "chronic alcohol effects on the brain."

Since her initial confrontation by the Shreveport IPC, Dr. McBeath has apparently abstained totally from the use of alcohol and, in September 1993, at the suggestion of Richard F. Mestayer, III, M.D., a member of the Board's examining committee, Dr. McBeath began seeing James H. Phillips, M.D., a Shreveport psychiatrist, on a monthly basis for evaluation and treatment. Dr. Phillips has reported to the Board that Dr. McBeath has maintained complete sobriety for over two years and has benefited from supportive psychotherapy. He expresses the opinion that neither urine testing nor Alcoholics Anonymous participation is warranted in the physician's case. Based on follow-up evaluations by the physicians who had examined her at the request of the Board reported no impairment attributed to alcoholism and no contraindication to the physician's continued practice of medicine, though the evaluating physician's noted that Dr. McBeath had benefited and would continue to benefit from therapy and should be evaluated periodically for neurological problems and for suspected adjustment disorder or depression.

On the basis of such information, the Investigating Officer has recommended that this investigation be concluded pursuant to a Consent Order providing for Dr. McBeath's continuing treatment and periodic evaluation. And pursuant to such recommendation, 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 satisfied by the entry of an order ensuring Dr.

<sup>1</sup> RICHARD F. MESTAYER, III, M.D., (psychiatry) and RICHARD L. STRUB, M.D. (neurology), with R. John Wakeman, Ph.D., (neuropsychological testing).

McBeath's continuing treatment, periodic re-evaluation and continuing maintenance of abstinence from the use of alcohol.

Recognizing her right to have notice of allegations and charges asserted against her, to administrative adjudication of such charges pursuant to La. Rev. Stat. §§ 49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, by her subscription hereto Dr. McBeath nonetheless hereby waives her right to notice of charges and formal adjudication and, pursuant to La. Rev. Stat. § 49:955(D), consents to entry of the Order set forth hereinafter. By her subscription hereto, Dr. McBeath also acknowledges the substantial accuracy of the information set forth herein and hereby authorizes the Investigating Office 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, without prejudice to the right of the Board to hear and adjudicate this case, should this Consent Order not be accepted and formal administrative proceedings be instituted.

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 Juanita Geneva McBeath, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by certificate no. 05314R, shall hereafter, for a period of five years from the date hereof, be subject to and conditioned on her acceptance of and compliance with the following terms, conditions and restrictions:

**(a) Continuing Treatment by Dr. Phillips** Dr. McBeath shall continue under the care of James H. Phillips, M.D., Shreveport, Louisiana, with supportive psychotherapy or such other treatment as Dr. Phillips may prescribe or recommend not less frequently than bi-monthly. Dr. McBeath shall further authorize and cause Dr. Phillips to submit to the Board, not less frequently than semi-annually, written reports on her then-current diagnosis, prognosis and course of treatment.

**(b) Annual Evaluation.** Dr. McBeath shall annually, at her expense, submit to psychiatric and neurological evaluation by Richard F. Mestayer, III, M.D., and Richard L. Strub, M.D., at the Ocshner Clinic, New Orleans, Louisiana, or such other physicians as may be approved by the Board and shall authorize and cause such physicians to submit to the Board a written report on their findings and opinions respecting Dr. McBeath.

**(c) Physician's Health Committee Affiliation.** Dr. McBeath shall enter into and execute a treatment contract with the Physician's Health program of the Louisiana State Medical Society, through the Shreveport Medical Society Physician's Health Committee, providing for and designating a monitoring physician to maintain periodic contact with Dr. McBeath and to report to the Board on her compliance with the terms of this Order; provided, however, that such treatment contract need not provide for Dr. McBeath's attendance at Alcoholics Anonymous or similar meetings or require her to submit to urine or blood testing for alcohol.

**(d) Maintenance of Complete Abstinence.** Dr. McBeath shall maintain complete and total abstinence from the use of alcohol.

**(e) Personal Appearances Before Physicians Health Committee.** Dr. McBeath shall personally appear before the Board or its Physicians Health Committee, as the Board may designate, at its meeting preceding the expiration of the five-year term ordered hereunder.

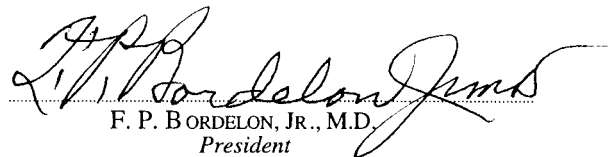
**IT IS FURTHER ORDERED** that any violation of or failure of strict compliance with any of the restrictions set forth by this Order by Dr. McBeath shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the final suspension or revocation of Dr. McBeath's license to practice

medicine in the state of Louisiana, or for such other administrative sanction as the Board may deem appropriate, as if such violation were enumerated among the causes provided by La. Rev. Stat. § 37:1285(A).

**IT IS FURTHER ORDERED** that this Consent Order is and shall be deemed to be a public record in all respects.

New Orleans, Louisiana, this 5<sup>th</sup> day of <sup>April</sup>~~March~~, 1995.

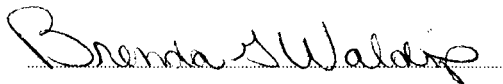
**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**


By:   
F. P. BORDELON, JR., M.D.  
President

**ACKNOWLEDGMENT  
AND CONSENT**

I, JUANITA G. McBEATH, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 27 day of February, 1995.

Witness:



  
JUANITA G. McBEATH, M.D.