

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In Re:
Application of
TIMOTHY RAY ROLLER
For Respiratory Therapy Technician
Temporary Permit

CONSENT ORDER
FOR ISSUANCE OF
TEMPORARY PERMIT
ON PROBATION

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This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Timothy Ray Roller for an 18-month temporary permit as a respiratory therapy technician. While it appears from information available to the Board, as supplied by Mr. Roller's application and otherwise, that the applicant is generally qualified for such a permit, Mr. Roller acknowledges in his application that he has a history of alcohol abuse, as evidenced by multiple convictions for driving while intoxicated in Texas and Louisiana from April 1983 through January 1992. Such convictions could constitute sufficient legal grounds for the Board to deny Mr. Roller's application for a temporary permit under the Respiratory Therapy Practice Act and the rules and regulations of the Board promulgated pursuant thereto.¹

In connection with his application, Mr. Roller appeared before the Physicians Health Committee of the Board on December 6, 1995. At that time it appeared that, notwithstanding his history of alcohol abuse, Mr. Roller has not abuse alcohol since 1992, or during or since his commencement and completion of a respiratory care training program at the Southeastern Louisiana University School of Nursing from June 1994 through July 1995. Both the Director of Clinical Education and the Program Director fore Respiratory Care at such institution, based on their personal observation, report that Mr. Roller exhibited no behavior indicative of alcohol or drug abuse and recommend him for a temporary permit.²

In consideration of all of the information and circumstances presented, the Board is persuaded that the public interest will be properly protected and served by the issuance to Mr. Roller of a temporary permit as a respiratory therapy technician, subject to his acceptance of and compliance with appropriate terms and conditions. And by his subscription hereto, Mr. Roller hereby consents to entry of the order set forth below and to issuance of a temporary permit pursuant thereto. Accordingly,

¹La. Rev. Stat. § 37:3358(A)(2), (3); La. Admin. C. § 46:XLV.5519(A)(5).

²Letter, M. R. Sanders, Dir. of Clin. Education, SLU Resp. Care Prog. to P. M. Mensen, La. State Bd. Med. Exam. (Nov. 28, 1995); Letter, J. T. Bush, RRT, Prog. Dir. for Resp. Care, Southeastern Louisiana Univ. , to P. M. Mensen, La. State Bd. Med. Exam. (Nov. 28, 1995).

IT IS ORDERED that an 18-month temporary permit as a respiratory therapy technician in the state of Louisiana shall be issued to Timothy Ray Roller, ON PROBATION, for a term coextensive with the term of such permit, the issuance of such permit and Mr. Roller's continuing maintenance of such permit being expressly conditioned upon and subject to his acceptance of and strict compliance with the following probationary terms and conditions:

(a) **Participation in Alcoholism Recovery Program.** Mr. Roller shall enroll and actively participate in an ongoing alcohol recovery program including at least weekly attendance at meetings of Alcoholics Anonymous (AA) and his submission to unannounced, spontaneous alcohol screens at the request of the Board or its designee. Mr. Roller shall identify his AA sponsor to the Board and he shall authorize and cause his sponsor to submit quarterly written reports to the Board on Mr. Roller's attendance at AA meetings and participation in the AA program. Alternatively, Mr. Roller may enter into and execute a substance abuse treatment contract with the Physicians Health Program of the Louisiana State Medical Society, through the East Baton Rouge Parish Medical Society, providing for his regular attendance at AA meetings, and designating his treating and monitoring physicians respectively. Should he enter into such a treatment contract, Mr. Roller shall authorize and cause his treating and monitoring physicians as designated therein to submit written reports to the Board, not less frequently than quarterly during the term of the permit issued hereunder, regarding Mr. Roller's then-current diagnosis, course of treatment, prognosis and his compliance with the terms and conditions of this Order.

(b) **Medical Care.** Within 20 days of the issuance of this Order, Mr. Roller shall, at his expense, submit to evaluation and treatment by a physician acceptable to the Board knowledgeable and experienced in the treatment of alcohol/drug abuse. Mr. Roller shall abide by and comply with all treatment recommendations made by such physician and shall authorize and cause such physician to submit written reports to the Board, not less frequently than quarterly during the term of the permit issued hereunder, regarding Mr. Roller's then-current diagnosis, course of treatment and prognosis.

(c) **Maintenance of Abstinence.** Mr. Roller shall, maintain complete and total abstinence from the use of alcohol and any mood-altering substances except as may be prescribed by a treating physician other than himself for a *bona fide* medical condition.

(d) **Personal Appearance Before Physicians Health Committee.** Mr. Roller shall make arrangements to and shall personally appear before the Physicians Health Committee of the Board, or its designee, at its meeting preceding the expiration of the temporary permit issued hereunder.

IT IS FURTHER ORDERED that Mr. Roller's eligibility for extension or renewal of the temporary permit issued hereunder or for other respiratory therapy permit or licensure, shall be subject to the re-evaluation of his status by the Board at the time of such application and any permit or license thereafter issued may be conditioned upon and subject to such terms, conditions and restrictions as the Board may deem appropriate.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the restrictions set forth by this Order by Mr. Roller shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation of Mr. Roller's temporary permit as a respiratory therapy technician in the state of Louisiana.

New Orleans, Louisiana, this 9th day of January, 1996.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

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

ACKNOWLEDGMENT
AND CONSENT

I, TIMOTHY RAY ROLLER hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 29 day of December, 1995.

Timothy Ray Roller
TIMOTHY RAY ROLLER

CERTIFIED TRUE COPY

PAULA M. MENSEN
ADMINISTRATIVE MANAGER 2
Louisiana Board of Medical Examiners
Date _____