

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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IN THE MATTER OF  
MARION J. TRAHAN, M.D.

A hearing was held by the Louisiana State Board of Medical Examiners on the 24th day of April, 1975, on charges brought against Dr. Marion J. Trahan in order to determine whether or not just cause existed for action against Dr. Trahan's license to practice medicine in the State of Louisiana as provided for in Louisiana Revised Statutes 37:1285 (3) (4) (9) and (11).

The hearing was held subsequent to notice to Dr. Trahan of the charges as well as the proposed time and place of the hearing. Dr. Trahan was in attendance and was represented by Mr. T. Barrett Harrington, Esq. The entire Board was present for the hearing.

After hearing the witnesses and reviewing the evidence the Louisiana State Board of Medical Examiners issues the following findings of fact, conclusions of law, and decision.

## FINDINGS OF FACT

### 1.

Based upon Dr. Trahan's testimony as well as the evidence relative to two hospital commitments for alcoholism, the Board concludes that Dr. Marion Joseph Trahan has suffered from and may be presently suffering from alcohol addiction and that on occasions of remission, such addiction has resulted in drunkenness which prevented his carrying out the duties and responsibilities of his profession in an adequate manner.

2.

The evidence submitted relative to habitual use of habit-forming drugs was insufficient to justify a conclusion by the Board that Dr. Trahan has been guilty of drug abuse.

3.

The evidence submitted by the members of the hospital staff of Abram Kaplan Memorial Hospital establishes that Dr. Trahan was failing to make timely visits and examinations on his patients confined therein and that Dr. Trahan has been making entries into patient records that indicate a more frequent visitation schedule than that which actually occurred.

4.

The evidence submitted to the Board, including the testimony of local physicians, indicated that as long as Dr. Trahan was free from the effects of alcohol, his professional competency was adequate and therefore the Board concludes that the evidence was insufficient to justify a finding of incompetency.

#### CONCLUSIONS OF LAW

Based on the foregoing, the Louisiana State Board of Medical Examiners concludes that:

A.

Dr. Trahan's addiction to alcohol indicates that just cause exists for suspension of his license as provided for by Louisiana Revised Statutes 37:1285 (3) "habitual drunkenness".

B.

Just cause does not exist for suspension of his license as provided for in Louisiana Revised Statutes 37:1285 (4) "habitual use of morphine, opium, cocaine, or other drugs having a similar effect."

C.

Dr. Trahan's failure to make timely visits and examinations on his patients in the hospital and the improper entries in the hospital records pertaining thereto constitute efforts to deceive the public and therefore just cause exists for suspension of Dr. Trahan's license as provided for in Louisiana Revised Statutes 37:1285 (9) "efforts to deceive or defraud the public".

D.

Just cause does not exist for suspension of Dr. Trahan's license as provided for in Louisiana Revised Statutes 37:1285 (11) "incompetence".

#### DECISION

Considering the foregoing, the Louisiana State Board of Medical Examiners hereby suspends the license of Dr. Marion Joseph Trahan to practice medicine in the State of Louisiana for a period of three years, commencing from the date hereof.

The effect of this order of suspension is, in itself, suspended and held in abeyance, and Dr. Marion J. Trahan is authorized to continue his practice of medicine on probation in this state for a similar period of time as long as he complies in good faith with the following terms and provisions of probation.

1.

That he refrain from drinking alcoholic beverages in any form.

2.

That he conduct such practice of medicine in a location other than in Kaplan, Louisiana and/or the Abram Kaplan Memorial Hospital.

3.

That he make arrangements for psychiatric care and counseling with a licensed psychiatrist of his choice and that such psychiatrist report to the Board approximately every eight weeks during this probationary period with reference to Dr. Trahan's physical and mental ability to refrain from the use of alcohol or any type of drug abuse.

4.

That he makes arrangements to communicate with the medical counselor of the Louisiana State Medical Society for the district in which he intends to practice in order to provide such counselor with the opportunity to observe his medical practice and to report on such practice to the Board approximately every six months during this period of probation.

5.

That he submit himself to a physical or mental examination by a physician of the Board's choice upon reasonable notice thereof should the Board desire such independent examination and evaluation of his condition.

In the event that the foregoing conditions are not complied with by Dr. Trahan in good faith, then the order of suspension of his license to practice medicine in this State set forth above will be automatically reinstated in full force and effect for a full term of three years, commencing from the date of the violation of any of the above conditions.

New Orleans, Louisiana this / 6 day of June, 1975.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

BY:

A handwritten signature in cursive script, appearing to read "Charles B. Odom", is written over a horizontal line.

Charles B. Odom, M.D., President