

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:	:	No. 98-I-017
	:	
Phillipa Louise Zylanoff, M.D.	:	
(Certificate No. 014010)	:	CONSENT
	:	ORDER
	:	_____

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners ("Board") following receipt of information which revealed that a comprehensive investigation was conducted by the State of Michigan, Department of Consumer and Industry Services, Office of Health Services, Board of Medicine, Disciplinary Subcommittee ("Michigan Board") into the medical practice of Phillipa Louise Zylanoff, M.D. ("Dr. Zylanoff"). The investigation, which commenced during the year 1995 indicates that Dr. Zylanoff violated the rules and regulations of the Michigan Board pertaining to impairment of her ability to practice medicine safely and skillfully, substance abuse, and mental or physical inability adversely affecting her ability to practice medicine safely and competently.<sup>1</sup> A formal hearing was held in February and March, 1998, at which Dr. Zylanoff admitted the allegations of the Administrative Complaint with the exception of the alleged refusal to cooperate with the Michigan Health Professionals Recovery Corporation. Following the hearing, the administrative law judge found that Dr.

<sup>1</sup> Administrative Complaint, State of Michigan, Department of Consumer and Industry Services, Office of Health Services, Board of Medicine, Disciplinary Subcommittee ("Michigan Board"), Case No. 43-97-1178-00, October 8, 1997. On that same day, the Michigan Board issued an Order of Summary Suspension of Dr. Zylanoff's medical license.

Zylanoff's conduct did violate the Michigan Public Health Code on all three (3) counts alleged.<sup>2</sup>

This Board's investigation further reflects that the Disciplinary Subcommittee of the Michigan Board issued its Final Order on June 25, 1998,<sup>3</sup> affirming the findings of fact and conclusions of law of the administrative law judge and ordering the following: (1) dissolution of its summary suspension order; limitation of Dr. Zylanoff's license to practice medicine solely for the purpose of completion of her psychiatric residency program; probationary status for that period, with probationary terms including entering into and compliance with a substance abuse monitoring agreement for an unlimited period of time. Dr. Zylanoff is eligible for an unlimited license, upon submission of written evidence of successful completion of her residency program, certification by the director of the residency program of her competence to practice medicine independently and compliance with the terms of the Final Order, in absence of violation of the Michigan Public Health Code.<sup>4</sup>

Investigation of the captioned matter was assigned to John B. Bobear, M.D., the Medical Consultant/Director of Investigations for the Board. Dr. Bobear's review and analysis of the matter confirms to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against Dr. Zylanoff, charging her with violation of the Louisiana Medical Practice Act (the "Act") pursuant to La. Rev. Stat. §§ 37:1285A(29).<sup>5</sup>

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<sup>2</sup> Proposal for Decision, April 13, 1998, Michael R. Corman, Administrative Law Judge, State of Michigan, Department of Consumer and Industry Services, Office of Legal Services, In the Matter of Phillipa Louise Zylanoff, M.D., Respondent, Docket 97-0590; Complaint No. 4397117800.

<sup>3</sup> Final Order, State of Michigan, Department of Consumer and Industry Services, Office of Health Services, Board of Medicine, Disciplinary Subcommittee, File No. 43-97-1178-00; Docket No. 97-0590, June 25, 1998.

<sup>4</sup> Investigation also indicated that action has been taken against the medical license of Dr. Zylanoff by the South Carolina Board of Medical Examiners in the form of suspension. See Letter South Carolina Board of Medical Examiners, November 5, 1998 to Ms. P. Riviere, Louisiana State Board of Medical Examiners.

<sup>5</sup> Pursuant to La. Rev. Stat. §37:1285A(29), the Board may take action against the license of an individual licensed to practice medicine in the State of Louisiana, as a result of the '[T]he refusal of a licensing authority of another state to issue or renew a license, permit or certificate to practice medicine . . . in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state . . .'

As evidenced by her subscription hereto, Dr. Zylanoff acknowledges the substantial accuracy of the foregoing information and, further, that proof of such information upon administrative evidentiary hearing would establish grounds under the Act for the suspension, revocation or such other action as the Board might deem appropriate against her license to practice medicine in the State of Louisiana, pursuant to La. Rev. Stat. §§37:1285A(29).

Recognizing her right to have notice of any allegation or charge asserted against her, to administrative adjudication of such allegation or charge, pursuant to La. Rev. Stat. §§49:955-58, and to a subsequent final decision rendered upon written findings of fact and conclusions of law, Dr. Zylanoff, nonetheless, hereby waives her right to formal 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. Zylanoff acknowledges that she hereby waives: any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act or to which she otherwise may be afforded by law, to contest her agreement hereto, or the force and effect of the Board's investigation or this document in any court. Dr. Zylanoff, furthermore, hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as his legal counsel assisting him in connection herewith, 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; and Dr. Zylanoff waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Zylanoff expressly acknowledges that the disclosure of the information to the Board by the Investigating Officer, or his legal counsel, shall be without prejudice to the Investigating Officer's authority to file a formal Administrative Complaint against her, or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent Order.

Based upon the information provided, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, 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 La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that the license of Phillipa Louise Zylanoff, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 014010, be, and the same is hereby, **SUSPENDED**, from the effective date hereof.

**IT IS FURTHER ORDERED** that Dr. Zylanoff shall not practice medicine in any form in the State of Louisiana until and unless the Board issues and serves on her a written order reinstating her license to practice medicine; *provided, however*, that the Board's reinstatement of Dr. Zylanoff's license to practice medicine and her continuing exercise of the rights and privileges thereunder shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

- a) **Renewal/Reinstatement; Practice of Medicine in Louisiana Prohibited for Three (3) Years.** In no event shall Dr. Zylanoff engage in or seek renewal or reinstatement of her license to practice medicine in the State of Louisiana, until the passage of at least three (3) years from the effective date of this Order.
- b) **Satisfaction of Terms and Conditions Imposed Upon Her Medical License by any State Medical Licensing Board.** Dr. Zylanoff shall satisfactorily comply with and complete all probationary terms, conditions and restrictions imposed upon her license by the Michigan Board's Orders referred to hereinabove. Moreover, should Dr. Zylanoff ever seek reinstatement of her Louisiana medical license, she shall provide satisfactory proof that her license in any state in which she is licensed to practice medicine is unrestricted, in good standing and is not the subject of any then-pending inquiry, investigation or action.

**IT IS FURTHER ORDERED** that upon Dr. Zylanoff's compliance with and complete and continuing satisfaction of the terms and conditions hereinabove set forth, she may, should she desire, seek reinstatement of her license to practice medicine in the State of Louisiana, **ON PROBATION**; *provided, however*, that any such reinstatement of license and Dr. Zylanoff's continuing exercise of the rights and privileges thereunder, shall be conditioned upon her acceptance of and strict compliance with the following minimum terms, conditions and restrictions:

- a) **Personal Appearance Before the Board.** In the event that Dr. Zylanoff decides to seek reinstatement of her license to practice medicine in Louisiana at any time following the three (3) year period referred to hereinabove, the successful completion of probation imposed upon her Michigan license to practice medicine by the Michigan Board and the satisfaction of the other terms and conditions imposed hereby, she shall, after successfully completing all necessary administrative applications and

requirements, contact the Board at least sixty (60) days in advance of her return to Louisiana to arrange an appearance before the Board at its next regularly scheduled meeting. At such meeting, Dr. Zylanoff shall demonstrate her compliance with the terms and conditions imposed upon her by this Order and the Michigan Orders referred to herein, and she shall discuss with the Board her intended plans for the practice of medicine in this state.


- b) **Additional Probationary Terms.** In addition to such other terms and conditions as are placed upon her right to seek reinstatement of her Louisiana medical license by this Order, Dr. Zylanoff hereby consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length or nature thereof, which in the sole discretion of the Board it may deem necessary or appropriate to impose upon any reinstated license which may be issued to her, should she ever decide to again engage in the practice of medicine in the State of Louisiana.

**IT IS FURTHER ORDERED** that any violation of or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Zylanoff, shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of her license to practice medicine in the State of Louisiana, as well as any right to renewal and/or reinstatement thereof, or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:1285.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a **public record**.

New Orleans, Louisiana, this 20<sup>th</sup> day of JANUARY, 1999.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

BY:   
MARY LOU APPLEWHITE, M.D.  
PRESIDENT

**ACKNOWLEDGMENT  
AND CONSENT**

Having been duly advised by my legal counsel as to the meaning, scope and effect of the foregoing Consent Order, or having voluntarily waived counsel,

I, Phillipa Louise Zylanoff, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Consent Order by the Louisiana State Board of Medical Examiners, this 23 day of December, 1998.

Phillipa Louise Zylanoff  
Phillipa Louise Zylanoff, M.D.

WITNESSES:

Marjorie D. Alder  
Signature

Marjorie G. Alder  
Typed Name

1700 N. Woodward  
Address Bloomfield Hills, MI  
48301

Assunda R. Andrews  
Signature

Assunda R. Andrews  
Typed Name

1700 N. Woodward  
Address Bloomfield Hills, MI  
48301

Sworn to and subscribed before me at Republic,  
Bank, this 23 day of December, 1998 in the  
presence of the two stated witnesses.

Marjorie D. Alder  
Notary Public  
My commission expires 12-16-99

MARJORIE G. ALDER  
NOTARY PUBLIC - OAKLAND COUNTY  
MY COMMISSION EXP. 12/16/99