



Medical Practice Act, La. Rev. Stat. §37:1285 (A) (5), and (25)<sup>1</sup> constituting sufficient cause for action against her license to practice medicine in the State of Louisiana. On the basis of apparently reliable information, however, the Board is persuaded that the condition from which Dr. Babineaux suffers may be susceptible to effective medical treatment, resulting in the maintenance of her capacity to engage in the practice of medicine with reasonable skill and safety to patients, provided that she strictly observes and complies with appropriate restrictions on and conditions to maintenance of her medical license. In consideration of this finding, accordingly, and on the recommendation of the I/O respecting the pending investigation, 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 effectively served by entry of the Order set forth hereinafter by consent.

Recognizing her right to written notification of any charges that may be asserted against her as a result of this investigation, as well as the right to administrative adjudication of such charges, at which time she would be entitled to be represented by legal counsel, to call witnesses and to present evidence in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951 et seq. Dr. Babineaux, nonetheless, hereby waives her rights to notice, formal adjudication and written decision and, pursuant to La. Rev. Stat. §49:955(0), consents to entry of the Order set forth hereinafter. Furthermore, Dr. Babineaux acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 et seq., or to which she otherwise may be afforded by any law to contest her agreement to or the force and effect of the Board's investigation or this document in any court or other forum. By her subscription hereto, Dr. Babineaux also hereby authorizes the I/O 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 she waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Babineaux expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the I/O's authority to proceed with the filing and adjudication of any administrative charges that may subsequently be filed in

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<sup>1</sup> The Board may take action against the license of a physician as a result of La. Rev. Stat. §37:1285 A: (5) "[H]abitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence;" and (25) "[I]nability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency; physical illness, including but not limited to deterioration through the aging process or loss of motor skills; and/or excessive use or abuse of drugs, including alcohol";

this matter against her, or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Consent Order. Accordingly, in consideration of the forgoing and pursuant to the authority vested in the Board by La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that the license of Jessica L. Babineaux, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. MD.199992, be and the same is hereby, placed **ON PROBATION** for a period of five (5) years (the "probationary period") *provided, however,* that Dr. Babineaux's continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to her acceptance of and strict compliance with the following terms and conditions and restrictions:

1. **Personal Appearance before the Board.** Dr. Babineaux shall personally appear before the Board or its designee to permit the Board to consider her intent to comply with the terms of this Order and to advise the Board or its designee of her intentions with respect to her continued practice of medicine.
2. **Maintenance of Complete Abstinence.** Dr. Babineaux shall maintain complete and total abstinence from the use of alcohol, controlled and any other mood-altering substance for as long as she holds a license to practice medicine in this state, except as may be prescribed by a treating physician other than herself for a bona fide medical condition. Dr. Babineaux shall personally inform the PHP and the Board's Compliance Officer, both orally and in writing, within forty-eight (48) hours of the prescription or administration of any controlled or mood-altering substance received by her from any physician for treatment of a bona fide medical condition. If the prescription is from another physician, she shall also inform her treating/monitoring physician in this same manner.
3. **Continuing Treatment, Participation in the PHP/Reports to Board.** If she has not already done so, Dr. Babineaux shall enter into and execute a monitoring agreement with the PHP. Dr. Babineaux shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring of her condition, which have or may be contained in her PHP monitoring agreement, or any subsequent agreement which may be recommended by the PHP, as well as those recommended by her treating physicians and those prescribed by any other health care provider involved in her care to the extent that they

continue to follow her. Dr. Babineaux shall, in addition, authorize and cause her treating and monitoring physicians and/or the PHP to submit to the Board, not less frequently than quarterly throughout the probationary period, written reports and/or verbal reports, should the Board desire the latter, on her then-current treatment diagnosis, prognosis, course of treatment, maintenance of abstinence from controlled and mood-altering substances, her fitness and ability to practice medicine with reasonable skill and safety to patients, and her compliance with the terms, conditions and restrictions of this Order and her PHP monitoring agreement.

4. **Drug Screens.** Dr. Babineaux shall submit to periodic, unannounced blood, urine, saliva and/or hair collection for testing for the presence of alcohol and/or controlled and other mood-altering substances by the PHP or its designee. Unless and until this condition is modified or rescinded by the Board, she shall authorize and cause such physician or testing facility and/or the PHP to report the results of such drug screens to the Board not less frequently than quarterly throughout the probationary period.
5. **Board Access to Treatment Records and Reports.** Dr. Babineaux shall, and does by her subscription hereto, authorize any physician or any institution at which she undergoes treatment for alcohol or other chemical abuse or dependency from which she may suffer or be diagnosed, as well as any physician under whose care she may come at such an institution who has or may hereafter evaluate, diagnose, treat or monitor her, to provide the Board with copies of all medical reports relating to Dr. Babineaux's history, examination, evaluation, diagnosis, treatment and prognosis and to provide the Board with written and verbal reports relative thereto. Dr. Babineaux expressly waives any privilege that may otherwise be afforded the disclosure of such records pursuant to state or federal law and shall immediately execute any authorization or release that may be necessary to permit the Board access to such records.
6. **Continuing Medical Education.** Dr. Babineaux shall obtain not less than fifty (50) credit hours per year for the five (5) years of her probationary period through attendance at and participation in continuing medical education ("CME") programs accredited by the American Medical Association. On or before each the anniversary date of the effective date of this Consent Order, Dr. Babineaux shall cause to be submitted to the Board written certification of the CME programs and credits completed by her during the preceding twelve (12) months.

- 7. Absence from the State/Practice/Effect on Probation.** Should Dr. Babineaux at any time during the period of probation ordered herein be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician, for a period of thirty (30) days or more, she will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which she was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.
- 8. Notification.** Dr. Babineaux shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a physician.
- 9. Board Approval of Practice Setting.** Dr. Babineaux shall only engage in the practice of medicine in a setting pre-approved in writing by the Board or its designee.
- 10. Cooperation with Board's Probation and Compliance Officer.** Dr. Babineaux shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and professional addresses and telephone numbers and she shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms and conditions of this Consent Order.
- 11. Probation Monitoring Fee.** For each year of the probationary period Dr. Babineaux shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days after the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.
- 12. Effect of Violation/Sanction/Resolution.** By her subscription hereto, Dr. Babineaux acknowledges that her receipt of written notification that the Board has received apparently reliable information which indicates her failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing her with any right to which she may, otherwise be entitled pursuant to the

Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951 et seq., or which otherwise may be afforded to her by law, constitute her irrevocable consent to the immediate suspension of her license to practice medicine as a physician in this state pending a hearing before the Board and the conclusion of the administrative proceedings by issuance of a final decision following administrative adjudication of such charges.

- 13. Certification of Compliance with Probationary Terms/Personal Appearance.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Dr. Babineaux shall provide the Board with an affidavit certifying that she has complied with each of the terms of probation imposed by this Order and she shall contact the Board and arrange for a personal appearance before the Board or its designee at its meeting preceding the expiration of her probationary period. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Babineaux's compliance with the requirements of this provision.

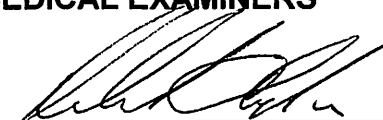
**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with any of the terms and conditions set forth by this Order by Dr. Babineaux shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Babineaux's license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

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

Signed at New Orleans, Louisiana, and effective on this 22<sup>nd</sup> day of February, 2021.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:



Roderick V. Clark, M.D., MBA  
President

ACKNOWLEDGMENT AND CONSENT

STATE OF LOUISIANA PARISH/COUNTY OF EAST BATON ROUGE

I, JESSICA L. BABINEAUX, M.D. hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 8th day of February, 2021.

[Handwritten signature of Jessica L. Babineaux]

JESSICA L. BABINEAUX, M.D.

WITNESSES:

[Handwritten signature of Nathy D. Blanchard] Signature

[Handwritten signature of Amanda B Campbell] Signature

NATHY D. BLANCHARD Printed Name

Amanda B Campbell Printed Name

5085 BLUEBONNET BLVD, STE B BATON ROUGE, LA 70809 Address

12424 Lake La Belle BATON ROUGE LA 70816 Address

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 8th day of February, 2021, in the presence of the two stated witnesses.

[Handwritten signature of Notary Public]

Kevin C. Curry Printed Name/Notary or La. Bar No. # 23012

Kevin C. Curry Notary Public State of Louisiana La. Bar Roll No. 23012 My Commission is for Life