

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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(504) _____

IN THE MATTER OF:

CHRISTOPHER TODD NICHOLS, M.D.
(Certificate No. MD.311032)
Respondent

No. 20-I-370

CONSENT ORDER

The above-entitled matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information that Christopher Todd Nichols, M.D. ("Dr. Nichols"), a physician who at all times pertinent has been licensed to practice medicine in the state of Louisiana, but has been engaged in the practice of medicine in the State of Alabama, had surrendered his Alabama Controlled Substances Certificate and Pain Management Registration on or about July 13, 2020, as well as the U.S. Drug Enforcement Agency registration associated with his former Alabama practice.

Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter determined reasonable cause existed such that a formal Administrative Complaint could be filed against Dr. Nichols, charging him with violations of the Louisiana Medical Practice Act, La. Rev. Stat. §37:1285(A)(29)¹.

As evidenced by his subscription to this Order, Dr. Nichols acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and the reported information would provide the Investigating Officer ("I/O") assigned to this matter by the Board with probable cause to pursue administrative proceedings against him for violation of the Louisiana Medical Practice Act, La. Rev. Stat. §37:1285(A)(29), and further, that proof of such information upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation, or imposition of such other terms, conditions, or restrictions on his license to practice medicine in the state of Louisiana as the Board may determine appropriate.

Recognizing his right to written notification of any charges that may be asserted against him as a result of this investigation, as well as the right to administrative adjudication of such charges, at which time he 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

¹ The Board may take action against the license of a physician as a result of La. Rev. Stat. §37:1285A: (29) The 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, or the surrender of a license, permit, or certificate issued by another state when criminal or administrative charges are pending or threatened against the holder of such license, permit, or certificate;...

by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951 et seq. Dr. Nichols, nonetheless, hereby waives his rights to notice, formal adjudication and written decision and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Furthermore, Dr. Nichols acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 et seq., or to which he otherwise may be afforded by any law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum. By his subscription hereto, Dr. Nichols 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 he waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Nichols 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 this matter against him, or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Consent Order.

Based upon the information provided, the Board has concluded that the public interest would be properly protected and served by allowing Dr. Nichols to maintain his license. In consideration of this finding, 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 this Order set forth hereinafter by consent. 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 Christopher Todd Nichols, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. MD.311032, be and the same is hereby placed **ON PROBATION** for three (3) years, provided, however, that such licensure and Dr. Nichols' continuing exercise of rights and privileges thereunder, shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Prescription, Dispensation, Administration of Controlled Substances Limited.** Except as authorized herein, Dr. Nichols shall not prescribe, dispense or administer any substance which may be classified, defined, enumerated or included in 21 C.F.R. §§1308.11-.15 or La. Rev. Stat §40:964, as a Schedule II, controlled substance, or any substance classified, defined, or enumerated as a benzodiazepine. This prohibition shall not prevent him from ordering the administration of controlled substances and other prescription medications to in-patients of and at a hospital or similar institution where he may be employed or exercise staff and clinical privileges in accordance with such hospital or institution's prescribed policies and procedures governing the administration of controlled substances, or prohibit Dr. Nichols from prescribing no more than a one (1) week supply of controlled substances to a patient, upon discharge from the hospital or facility, to be filled at a pharmacy outside of the hospital or facility.

- (2) Limitations on Prescribing – Use of Controlled Substances in the Treatment of Chronic Pain and Obesity.** Dr. Nichols shall not prescribe controlled substances to patients for the treatment of chronic pain or obesity. Until and unless otherwise modified by the Board, in its sole discretion, the restrictions contained in this provision shall survive the probationary period and remain in effect so long as Dr. Nichols shall hold any form of license or permit to practice medicine in the State of Louisiana. Dr. Nichols may, upon completion of the probationary period required in this Order, petition the Board to lift this restriction, the Board having the sole discretion of whether to grant the petition.
- (3) Continuing Medical Education.** Dr. Nichols shall obtain not less than fifty (50) credit hours per year for the probationary period through attendance at and participation in continuing medical education ("CME") programs accredited by the American College of Physicians, the American Medical Association, or such other national accrediting association or organization as the Board may approve in writing. On or before each anniversary date of the effective date of this Consent Order, Dr. Nichols shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months.
- (4) Notification of Order.** Dr. Nichols shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom he provides services as a physician in this state.
- (5) Cooperation with the Board's Probation and Compliance Officer.** Dr. Nichols shall immediately notify the Board's Probation and Compliance Officer of any change in his current home, professional addresses and telephone numbers and other requested contact information, and he shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms, conditions and restrictions of this Order.
- (6) Payment of Fine.** Within one (1) year of the effective date of this Order, Dr. Nichols shall pay to the Board a fine in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars.
- (7) Probation Monitoring Fee.** For each year of the probationary period, Dr. Nichols 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 from the effective date of this Order. All subsequent payments shall be due on or before the anniversary date of the initial fee payment.
- (8) Effect of Violation/Sanction.** By his subscription hereto, Dr. Nichols acknowledges that his receipt of written notification that the Board has received reliable information which indicates his failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing

or for providing him with any right to which he 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 him by law, constitute his irrevocable consent to the immediate suspension of his license to practice medicine 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.

- (9) **Certification of Compliance with Probationary Terms/Personal Appearance.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Dr. Nichols shall provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order and he shall contact the Board and arrange for a personal appearance before the Board or its designee at its meeting preceding the expiration of his 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. Nichol's compliance with the requirements of this provision.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Dr. Nichols shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Nichol's license to practice medicine in the state of Louisiana as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:1285(A).

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 29th day of March, 2021.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



Roderick V. Clark, M.D.
President

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*Acknowledgement and Consent on
the Following Page*

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STATE OF LOUISIANA
PARISH OF CALCASIEU

*MIS
Spelled*

**ACKNOWLEDGMENT
AND CONSENT**

I, CHRISTOPER TODD NICHOLS, 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 25th day of FEBRUARY, 2021.

Christopher Todd Nichols
CHRISTOPER TODD NICHOLS, M.D.
misspelled

WITNESSES:

Monique Nichols
Signature

Isabella Nichols
Signature

Monique Nichols
Printed Name

Isabella Nichols
Printed Name

4012 Barbe Woods Dr
Address

4012 Barbe Woods Dr
Address

Lake Charles LA 70605
City/State/Zip Code

Lake Charles LA 70605
City/State/Zip Code

Sworn to and subscribed before me this 25th day of FEBRUARY, 2021 in the presence of the two stated witnesses.

[Signature]
Notary Public (Signature and Seal)

MARY M REIO
Printed Name/Notary or Bar Number
Notary ID No. 057560
CALCASIEU PARISH
STATE OF LOUISIANA