



# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Web site: <http://www.lsbme.la.gov>

## BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2023-I-805

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### IN THE MATTER OF:

**NANCY KIEU DIEM TRAN, M.D.**  
*(Internship Registration No. 327572),*  
*Respondent*

### CONSENT ORDER FOR REPRIMAND

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Nancy Kieu Diem Tran, M.D. (“Dr. Tran”) is a resident physician permitted to practice medicine in the State of Louisiana by the Louisiana State Board of Medical Examiners (the “Board”), pursuant to the Louisiana Medical Practice Act (the “Act”), La. R.S. 37:1261 *et seq.*, as evidenced by Internship Credential No. 327572. At all relevant times, Dr. Tran has been engaged in the practice of internal medicine as a resident in and around New Orleans, Louisiana. Dr. Tran has not been the subject of prior discipline by the Board.

The above-entitled proceeding was docketed to the Investigating Officer of the Board (the “DOI” or “Investigating Officer”) upon receipt of apparently reliable information indicating that Dr. Tran had received a positive drug screen on or around November 2, 2023, in violation of her monitoring agreement with the Healthcare Professionals’ Foundation of Louisiana (the “HPFL”).

Specifically, on October 1, 2022, Dr. Tran was arrested for operating a vehicle while intoxicated. In March 2023, after meeting with the Investigating Officer, Dr. Tran completed an evaluation at a Board-approved facility, which recommended an HPFL monitoring agreement and, if she was unable to maintain sobriety, residential treatment.

On April 6, 2023, Dr. Tran entered a two-year monitoring agreement with the HPFL. As stated, on November 2, 2023, Dr. Tran received a positive alcohol screen. On November 22, 2023, in compliance with her then-active HPFL agreement, Dr. Tran enrolled in residential treatment at a Board-approved facility. The evaluators diagnosed Dr. Tran with alcohol use disorder and concluded that she should continue with her HPFL agreement, attend a professional support group, and attend aftercare with an HPFL-approved therapist. Accordingly, on January 9, 2024, Dr. Tran entered into a five-year monitoring agreement with the HPFL.

On March 4, 2024, Dr. Tran met with the Investigating Officer to discuss her treatment. Dr. Tran confirmed that she entered into a monitoring agreement with the HPFL in January 2024 and stated that she had been attending meetings as recommended by her evaluators.

As evidenced by her subscription hereto, Dr. Tran acknowledges the substantial accuracy of the foregoing information and that the reported information would provide the Investigating Officer with probable cause to pursue administrative proceedings against her for violations pursuant to La. R.S. 37:1285(A)(5),<sup>1</sup> and that such information, if proven upon administrative evidentiary hearing, would establish sufficient cause to take action against her permit to practice medicine in the State of Louisiana. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, 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. R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter by consent.<sup>2</sup>

Recognizing her right to notice and administrative adjudication of any charges that may be asserted against her in these proceedings, at which time Dr. Tran would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her own behalf 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. R.S. 49:975 *et seq.*, Dr. Tran, nonetheless, hereby waives her right to notice and formal adjudication and, pursuant to La. R.S. 49:975(D), consents to entry of the Order set forth hereinafter. Dr. Tran acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950 *et seq.*, or which may be afforded to her by any other law to contest or appeal her agreement to or the force and effect of the Board's investigation or this Consent Order in any court or other forum. By her subscription hereto, Dr. Tran also hereby authorizes the Investigating Officer designated by the Board with respect hereto 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. R.S. 49:977.2. Dr. Tran expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the adjudication of an administrative complaint 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 foregoing and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:975(D);

**IT IS ORDERED** that the permit for Nancy Kieu Diem Tran, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Internship Registration No. 327572, be and the same is hereby, **OFFICIALLY REPRIMANDED** for the above-described conduct.

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<sup>1</sup> La. R.S. 37:1285(A)(5) ("The board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license, permit, or certificate issued pursuant to this Part or Part I-D of this Chapter for the following causes...(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.").

<sup>2</sup> The Board has considered the guidelines for minimum and maximum disciplinary dispositions and the aggravating and mitigating circumstances apparent from the particular facts and circumstances of this matter. *See* La. Admin. Code tit. 46, pt. XLV, §§ 9714; 9716.

**IT IS FURTHER ORDERED** that Dr. Tran shall, within one hundred and twenty (120) days of the date of this Order, pay to the Board a fine in the amount of One Thousand and No/100 Dollars (\$1,000.00).

**IT IS FURTHER ORDERED** that, within six (6) months of the effective date of this Order, Dr. Tran shall complete the free online course “Laws and Rules for Louisiana Physicians,” which may be accessed through the following link, <https://www.lsbme.la.gov/content/board-orientations-online-courses>. Upon completion of the course, Dr. Tran shall complete the verification process and obtain a certificate of completion that will be submitted to the Board or its designee by the course provider.

**IT IS FURTHER ORDERED** that any violation of or failure of strict compliance with any of the terms set forth by this Order by Dr. Tran shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Tran’s permit 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. R.S. 37:1285.

**IT IS FURTHER ORDERED** that this Consent Order shall be effective as of the date it is approved and accepted by the Board as shown by the signature of the Board’s representative below.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a public record, and shall likewise be available on the Board’s website, <https://www.lsbme.la.gov/>, under “Disciplinary Actions”, and shall be reported to the National Practitioner Data Bank (“NPDB”).

New Orleans, Louisiana, this 20<sup>th</sup> day of May, 2024.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By:



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TERRIE R. THOMAS, M.D.  
*President*

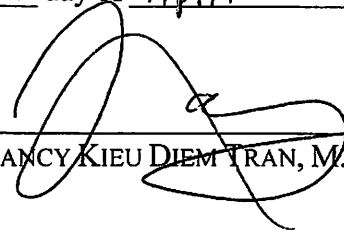
*(Acknowledgment and Consent on Following Page)*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF LOUISIANA

PARISH OF Jefferson

I, NANCY KIEU DIEM TRAN, 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 4<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
NANCY KIEU DIEM TRAN, M.D.

WITNESSES:

  
\_\_\_\_\_  
Signature

Lekisha Noten  
\_\_\_\_\_  
Typed Name

1801 Manhattan Blvd, Ste. J  
\_\_\_\_\_  
Street Address

Harvey, LA 70058  
\_\_\_\_\_  
City/State/Zip Code

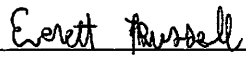
  
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Signature

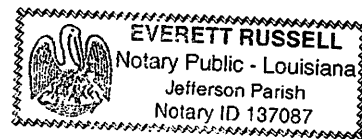
WARREN CANSECO  
\_\_\_\_\_  
Typed Name

1801 Manhattan Blvd, Ste. J  
\_\_\_\_\_  
Street Address

Harvey, LA 70058  
\_\_\_\_\_  
City/State/Zip Code

Sworn to and subscribed before me this 4<sup>th</sup> day of April, 2024, in the presence of the two stated witnesses.

  
\_\_\_\_\_  
Notary Public (Signature)



Name: Everett Russell

Notary/Bar No.: 137087

Commission expires: at death