

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of	:	05-I-171
	:	
MARY CROSSLEY-MILLER, M.D.	:	
<i>(Certificate No. 07371R),</i>	:	CONSENT
	:	ORDER
<i>Respondent.</i>	:	
	:	_____
----- X		

The Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board"), began an investigation of Mary Crossley-Miller, M.D., a physician licensed by the Board to practice medicine in the state of Louisiana pursuant to the Louisiana Medical Practice Act (the "Act"), La. Rev. Stat. §§37:1261-92, as evidenced by Certificate No. 07371R, after receipt of reliable information that Dr. Crossley-Miller had been charged with 21 counts of cruelty to animals and that she was later arrested for writing a prescription for controlled dangerous substances after she had voluntarily surrendered her federal DEA certificate. The animal cruelty charges were dismissed, but the felony controlled substances charges are pending.

A psychiatric evaluation was obtained that showed that Dr. Crossley-Miller does not suffer from any medical condition that would affect her ability to practice medicine with reasonable skill and safety to patients. However, the allegation that she wrote a prescription for controlled substances after surrendering her DEA certificate would, if proven, constitute a violation of La. R.S. §§37:1285(6)¹ and provide sufficient cause for an action against her medical license according to the Louisiana Medical Practice Act.

As evidenced by her subscription hereto, Dr. Crossley-Miller acknowledges the accuracy of the foregoing information and that such acknowledgment and reported information would provide the Investigating Officer with probable cause to initiate formal administrative proceedings against her license pursuant to the Louisiana Medical Practice

¹ Pursuant to La. R.S. §37:1285A(6), the Board may take action against the license of an individual licensed to practice medicine in the State of Louisiana as a result of "prescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefor or in other than a legal or legitimate manner."

Act, constituting cause for such action against the physician's license to practice medicine in the state of Louisiana as the Board may deem appropriate.

Recognizing her right to have an administrative adjudication of such charges, at which time Dr. Crossley-Miller 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. Rev. Stat. §§49:955-965, Dr. Crossley-Miller, nonetheless, hereby waives her right to formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Dr. Crossley-Miller also 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. Crossley-Miller 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. Rev. Stat. §49:960. Dr. Crossley-Miller 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 filing and 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. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Mary Crossley-Miller, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 07371R shall receive an **OFFICIAL REPRIMAND**. Dr. Crossley-Miller's continued exercise of the rights and privileges as a licensed physician in this state shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Controlled Substances - All Schedules.** Dr. Crossley-Miller shall not, for the remainder of her medical career, prescribe, dispense or administer (i) any controlled substance which may be classified, defined, enumerated or included in 21 C.F.R. §§1308.11-15, La. Rev. Stat. §40:964; or (ii) any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statute; or (iii) any drug or medication which affects the central nervous system or which is capable of producing physiological or psychological dependence; or (iv) any mood-altering substance; or (v) the drugs Nubain, Dalgan, Soma, Ultram and Butalbitol in any form or generic thereof.

This prohibition shall remain in effect for as long as Dr. Crossley-Miller shall hold any form of license or permit to practice medicine in the state of Louisiana. This prohibition shall not prohibit Dr. Crossley-Miller from ordering controlled substances and other prescription medications for administration to inpatients of a hospital or similar institution where she may be employed or exercise staff and clinical privileges under the controlled substance license and registration of such hospital or institution and in accordance with such hospital or institution's prescribed policies and procedures governing the administration of controlled substances.

(2) **Practice of Pain Management Limited.** Dr. Crossley-Miller shall not, for the remainder of her medical career, practice in fields of pain management that involve use of controlled substances.

(3) **Effect of Conviction on Pending Charges.** Dr. Crossley-Miller agrees and acknowledges that the Investigating Officer, in her sole discretion, may request a modification of this Consent Order if the pending criminal charges result in a felony conviction. If, following a felony conviction on the pending charges, the Investigating Officer and Dr. Crossley-Miller are not able to reach an agreement on a suitable modification of this Consent Order within a reasonable time, not exceeding 90 days following such conviction and the exhausting of any appeal rights, the Investigating Officer may ask the Board to void this Consent Order and to initiate formal administrative action by filing an Administrative Complaint. Dr. Crossley-Miller expressly acknowledges that the prior approval of this Consent Order by the Board shall not affect the Board's capacity to adjudicate such a Complaint.

(4) **Sanction.** By her subscription hereto, Dr. Crossley-Miller acknowledges that her receipt of written notification from the Board that it has received apparently reliable information which indicates her failure to abide by the terms and conditions of this Order, shall, without need for formal hearing or providing her with any right to which she may 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 consent to the immediate suspension of her license to practice medicine in this state for a period not to exceed 90 days, pending the issuance of a decision by the Board following administrative adjudication of such charges.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Crossley-Miller shall be deemed adequate and sufficient cause, upon proof of such violation or


failure, for the revocation and cancellation of Dr. Crossley-Miller's license to practice medicine in the state of Louisiana, 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 15th day of May, 2006.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:


KWELI J. AMUSA, M.D.
VICE PRESIDENT

Acknowledgement and Consent on Following Page

In the Matter of
Mary Crossley-Miller, M.D.

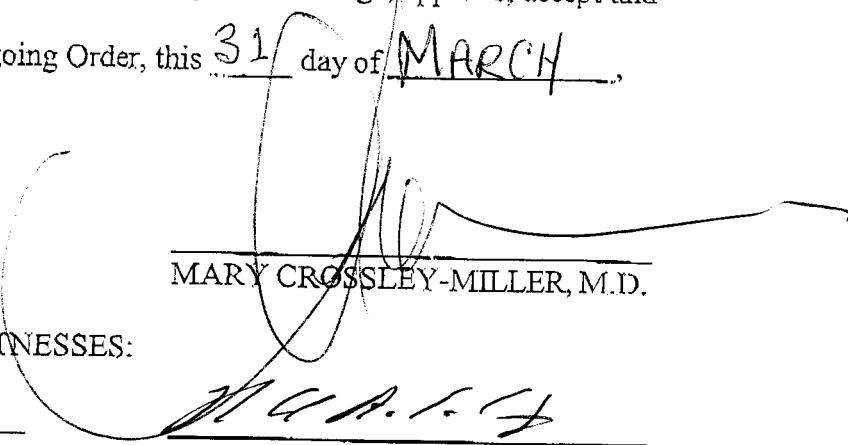
Consent Order

Page 5

STATE OF LOUISIANA
PARISH/COUNTY OF TANGIPAHOA

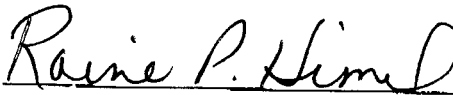
ACKNOWLEDGMENT
AND CONSENT

I, MARY CROSSLEY-MILLER, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 31 day of MARCH, 2005.



MARY CROSSLEY-MILLER, M.D.

WITNESSES:



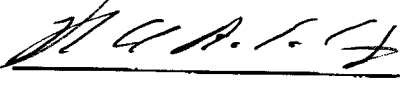
Signature

RAINE P. HIMEL

Typed Name

403 E. MULBERRY
AMITE, LA 70422

Address



Signature

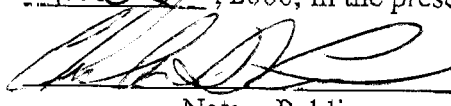
RICHARD A. SCHWARTZ

Typed Name

210 E. MULBERRY ST
AMITE, LA 70422

Address

Sworn to and subscribed before me at AMITE, Louisiana, this 31st day of March, 2006, in the presence of the two stated witnesses.



Notary Public

Print name CHARLES D. CHRISTMAS

Bar/Notary No.: 26849