

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130

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**BEFORE THE
LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

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(504) _____

IN THE MATTER OF:

No. 2019-A-011

KEVIN GOVAN WORK, M.D.

(Credential No. MD.025394),

Respondent

CONSENT ORDER

Kevin Govan Work, M.D. ("Dr. Work") is, and at all times pertinent hereto has been, a physician licensed to practice medicine in the State of Louisiana, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. § 37:1261 *et seq.* (the "Act" or the "MPA"), as evidenced by Credential No. MD.025394.

It came to the Board's attention through a written complaint and probationary review that Dr. Work may be practicing medicine in a solo-practitioner capacity which could violate the terms of the Board's June 20, 2017 Order for Reinstatement of Medical License on Probation (Dr. Work's "Probation Order"). Further investigation also revealed that Dr. Work was practicing at a facility without having received prior approval, in writing, from the Board, as required under the terms of his probation. In light of Dr. Work's prior disciplinary history, the Board, finding the information before it to be reliable, determined that the public health, safety, and welfare imperatively required emergency action. Accordingly, on February 26, 2019, the Board, acting through its president, summarily suspended Dr. Work's license.

Predicated upon the information referenced above, the Director of Investigations ("DOI") has determined that reasonable cause exists to pursue administrative proceedings against Dr. Work for violation of the Act¹ and his Probation Order.²

As evidenced by his subscription hereto, Dr. Work, without admitting any liability or violation of federal or state law or regulation, and without admitting that he violated the terms of his probation, and for purposes of this Consent Order only, acknowledges that such information

¹ La. Rev. Stat. § 37:1285(A)(13) ("Unprofessional conduct, including but not limited to... failing to cooperate with the board."); La. Rev. Stat. § 37:1285(A)(30) ("Violation of any rules and regulations of the board, or any provisions of this Par.").

² Order for Reinstatement of Medical License on Probation, *In re: Kevin Govan Work, M.D.*, LSBME, No. 15-A-009, June 20, 2017 ("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. Work shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Work'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").

would provide the DOI with a reasonable basis to initiate formal administrative proceedings against his license pursuant to the Act, in order to determine whether he has violated the terms of his probation, constituting cause for such action against the physician's license to practice medicine in the state of Louisiana as the Board may deem appropriate, pursuant to the Act.

Dr. Work recognizes and acknowledges that a formal administrative complaint has been filed against him and that he is entitled to a full administrative adjudication of the charges against him; to be represented and assisted by legal counsel of his choosing in defending against the charges against him; to conduct formal discovery and request and obtain files of the Board regarding the complaint that are not privileged or required to remain confidential; to attend and present evidence at a formal hearing, including calling and examining witnesses, in defense or in mitigation of the charges against him; and to receive a final decision of the Board, based upon written findings of fact and conclusions of law, pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. § 49:951 *et seq.* (the "APA"). Nevertheless, Dr. Work, by his subscription hereto, hereby waives all of the foregoing rights and, pursuant to La. Rev. Stat. § 49:955(D), and in accordance with the Act, consents to the entry of the Order set forth hereinafter and waives his right to judicial review of this Order, under the APA, and any and all rights he may otherwise have had to contest, in any tribunal or court of law, the Board's investigation, the force and effect of this Order, or his consent and agreement to this Order. By his subscription hereto, Dr. Work also hereby authorizes the DOI and Complaint counsel 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. Work expressly acknowledges that the disclosure of such information to the Board by the DOI or Complaint counsel shall be without prejudice to the DOI's authority to proceed with the adjudication of the administrative charges that have been filed or 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.

Dr. Work represents to the Board and covenants that, regardless of the status of his Louisiana medical license, he will not practice obstetrics in the State of Louisiana, other than diagnosing pregnancy and referring pregnant patients to another provider for obstetric care, at any time following the effective date of this Order unless and until he (a) becomes certified by the American Board of Obstetrics & Gynecology ("ABOG") and (b) receives written permission from the Board signed by the president or vice-president of the Board. Additionally, Dr. Work also represents to the Board and covenants that he will not practice in the area of abortion care in the State of Louisiana.

Accordingly, in consideration of the foregoing, including the representations and covenants of the Respondent, all of which has all been duly acknowledged under oath by the Respondent in writing and again upon oral examination by the Board during a personal appearance before the Board by the Respondent, 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 Kevin Govan Work, M.D., is officially reprimanded by the Louisiana State Board of Medical Examiners for his conduct.

IT IS FURTHER ORDERED that the license of Kevin Govan Work, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Credential No. MD.025394 be, and the same hereby is, **REINSTATED** and placed **ON PROBATION** for a term of two (2) months, from the effective date of this Order; *provided, however*, that Dr. Work's medical license and his continuing exercise of rights and privileges granted him thereby, shall be conditioned upon, and subject to his acceptance of, and strict compliance with, the following terms, conditions, and restrictions:

- (1) **Limitation of Practice.** Dr. Work shall only engage in the practice of medicine in a setting approved by the Board in writing and signed by the president of the Board or another member of the Board designated by the president of the Board for this purpose. Additionally, Dr. Work shall not work as a solo-practitioner and, at all times that Dr. Work is engaged in the practice of medicine, there must be another physician onsite who holds an unrestricted license to practice medicine in the State of Louisiana.
- (2) **Continuing Medical Education.** Prior to requesting termination of this probation Dr. Work shall have obtained not less than one hundred (100) credit hours after June 20, 2017, through attendance at and participation in continuing medical education ("CME") programs accredited by the American Medical Association and shall cause to be submitted to the Board written certification of the CME programs and credits completed by him since June 20, 2017.
- (3) **Probation Monitoring Fee.** Dr. Work shall pay the balance, if any, of the probation fee imposed upon him by the June 20, 2017 Probation Order.
- (4) **Payment of Fines, Costs, and Fees.** Dr. Work shall pay the balance, if any, of his five thousand dollar and no cents (\$5,000.00) fine, referenced in the June 20, 2017 Probation Order.
- (5) **Effect of Violation/Sanction.** By his subscription hereto, Dr. Work 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; provided, however, that after the receipt of the written notification of suspension as provided for by this paragraph, on written motion to the Board filed by Dr. Work within seven (7) days of his receipt of the written notification, Dr. Work may request a preliminary hearing regarding the suspension order, which hearing shall be conducted according to the following procedures by a single member of the Board designated for this purpose. Upon such motion by Dr. Work requesting a hearing, the designated Board member shall schedule a hearing within ten (10) days of the motion by Dr. Work. Said hearing shall be conducted on written submissions by the parties filed five (5) days before the telephonic hearing, and

a telephonic hearing conducted by the designated Board member who shall, based on the written submissions and the telephonic hearing, issue a decision either sustaining or vacating the suspension order pending the issuance of a final order by the Board at the conclusion of the administrative proceedings.

- (6) **Certification of Compliance with Probationary Terms/Personal Appearance.** At least thirty (30) days prior to a regularly scheduled meeting of the Board that is scheduled to occur on any date after June 1, 2019, Dr. Work shall (a) provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order and, notwithstanding the probation violations alleged in the administrative complaint and referenced herein, that he has complied with the terms of the Probation Order issued on June 20, 2017 and (b) contact the Board and arrange for a personal appearance before the Board at the next regularly scheduled Board meeting. Thereafter, Dr. Work shall make a personal appearance before the Board to permit the Board to determine Dr. Work's compliance with the terms, conditions, and restrictions imposed by this Order and the Probation Order issued on June 20, 2017. The probationary period and all of its terms, conditions, and restrictions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Work's compliance with this provision and the Board's determination that Dr. Work has fulfilled the requirements of this Order and, notwithstanding the probation violations alleged in the administrative complaint and referenced herein, that Dr. Work has complied with the terms of the Probation Order issued on June 20, 2017.

IT IS FURTHER ORDERED that the Board's June 20, 2017 Order for Reinstatement of Medical License on Probation is superseded and replaced by this Consent Order

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 April, 2019.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 

CHRISTY L. VALENTINE, M.D.
President

*Acknowledgement and Consent
Follows on the Next Page*

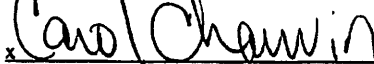
**ACKNOWLEDGMENT
AND CONSENT**


**STATE OF LOUISIANA
PARISH OF ORLEANS**

I, Kevin Govan Work, 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 represent and covenant that, regardless of the status of my Louisiana medical license, I will not practice obstetrics in the State of Louisiana, other than diagnosing pregnancy and referring pregnant patients to another provider for obstetric care, at any time following the effective date of this Order unless and until I (a) become certified by the American Board of Obstetrics & Gynecology ("ABOG") and (b) receive written permission from the Board signed by the president or vice-president of the Board. Additionally, I have decided not to provide abortion care in Louisiana, and, accordingly, I represent to the Board and covenant that I will not practice in the area of abortion care in the State of Louisiana. The foregoing representations and covenants are made of my own free will and volition, and I understand—and intend—that the Board will rely upon my representations and covenants in approving this Consent Order. And I understand and agree that if I do not abide by my covenants, this affidavit will constitute, among other things, false sworn information to the Board and deceit in obtaining reinstatement of my medical license. I understand and agree that, even if the Board reinstates my license to an unrestricted status in the future, I am still bound by my representations and covenants, and I will continue to refrain from practicing obstetrics and abortion care in Louisiana as stated above. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Consent Order without duress and of my own free will and accord, this 15th day of April, 2019.

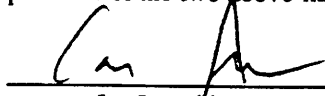

KEVIN GOVAN WORK, M.D.

WITNESSES:

x 
Name: Carol Chauvin
Address: 630 Camp St.
ND. LA 70130

x 
Name: Lawrence Robinson
Address: 630 Camp St.
New Orleans, LA 70130

Sworn to and subscribed before me, Notary Public, this 15th day of April, 2019, in the presence of the two above-named witnesses.


Ian L. Atkinson, La Bar # 31605
My Commission is for Life