



# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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## BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2023-I-535

IN THE MATTER OF:

**PHYLLIS BRYAN WALLO, M.D.**

*(Credential No. MD.019636).*

*Respondent*

CONSENT ORDER

Phyllis Bryan Wallo, M.D. (“Dr. Wallo”) is a psychiatrist licensed to practice in the State of Louisiana pursuant to the Louisiana Medical Practice Act (“the Act”), La. R.S. 37:1261 *et seq.*, as evidenced by Credential No. MD.019636, who at all relevant times has been engaged in the practice of psychiatry in and around New Orleans, Louisiana.

Dr. Wallo has been the subject of prior disciplinary action before the Board. On September 21, 2009, Dr. Wallo entered into a consent order with the Board for an indefinite suspension due to a relapse in her substance abuse disorder.<sup>1</sup> On September 20, 2010, Dr. Wallo, after completing the necessary treatment and evaluation, was reinstated on probation for five years.<sup>2</sup> On September 21, 2015, the Board concluded that Dr. Wallo satisfied the terms of her prior Superseding Order and reinstated her license without restriction.<sup>3</sup> Dr. Wallo has had five other cases before the Board, two of which were closed without action, one which was closed with a non-public Letter of Concern, one which was closed with a confidential Healthcare Professionals’ Foundation of Louisiana (“HPFL”) referral, and one which remains open.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., the Director of Investigations for the Board (the “Investigating Officer” or “DOI”). On or about July 27, 2023, the Board received a complaint from the HPFL informing them that Dr. Wallo self-referred to the HPFL due to a relapse in her substance abuse disorder. During a February 5, 2024, meeting with the Investigating Officer, Dr. Wallo confirmed that she relapsed, and in the course of her treatment she disclosed that she had multiple patient boundary violations over the

<sup>1</sup> See Consent Order, *In the Matter of: Phyllis Bryan Wallo, M.D.*, No. 07-I-746, LA. STATE BD. OF MED. EXAM’RS (Sept. 21, 2009).

<sup>2</sup> See Superseding Order for Reinstatement of License on Probation, *In the Matter of Phyllis Bryan Wallo, M.D.*, No. 07-I-746, LA. STATE BD. OF MED. EXAM’RS (Sept. 20, 2010).

<sup>3</sup> See Order for Reinstatement of Unrestricted License, *In the Matter of Phyllis Bryan Wallo, M.D.*, No. 07-I-746, LA. STATE BD. OF MED. EXAM’RS (Sept. 21, 2015).

course of her career, including a sexual encounter with a former patient/staff member and several exchanges of treatment for gifts or services.

From September 11 to September 12, 2023, Dr. Wallo underwent a preliminary evaluation at a Board-approved facility. The evaluators noted that while Dr. Wallo demonstrated an awareness and understanding of her concerns and took accountability for her actions, she failed to disclose her relapse for over a year and only did so in response to her psychiatrist raising concerns over her behavior. The evaluators ultimately found Dr. Wallo to be currently unfit to practice medicine and recommended that she complete a professional program with a focus on relapse prevention to address her substance abuse. The evaluators also recommended that Dr. Wallo enter into a monitoring agreement with the HPFL.

On December 22, 2023, Dr. Wallo completed a 10-week comprehensive professional enhancement program at a Board-approved facility. Dr. Wallo stated that she completed the program in two five-week intervals, separated by a two-week break. The evaluators concluded that Dr. Wallo was not cleared to return to the practice of medicine and should document at least three months of sobriety before being allowed to return to practice. The evaluators further recommended that, after sufficiently documenting her sobriety, Dr. Wallo enter a lifetime monitoring contract with the HPFL and close her private practice to work in a single workplace with an interdisciplinary team. Dr. Wallo entered into a monitoring agreement with the HPFL on January 3, 2024.

As evidenced by her subscription hereto, Dr. Wallo acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing would establish sufficient cause to take action with respect to her license to practice medicine in this state pursuant to La. R.S. 37:1285(A)(5)<sup>4</sup> and (13).<sup>5</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. Wallo 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. 49:950 *et seq.*, Dr. Wallo, 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. Wallo acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act,

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<sup>4</sup> La. R.S. 37:1285(A) (“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) Habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence.”).

<sup>5</sup> La. R.S. 37:1285(A) (“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: . . . (13) Unprofessional conduct, including but not limited to, conduct manifested as sexual misconduct[.]”); *see also* La. Admin. Code tit. 46, pt. XLV, § 7603(A)(1) (“*Sexual Misconduct*--any act of sexual intimacy, contact, exposure, gratification, abuse, exploitation or other sexual behavior with or in the presence of a patient or any other individual related to the physician's practice of medicine regardless of consent.”) (emphasis in original).

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 Order in any court or other forum. By her subscription hereto, Dr. Wallo also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this 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 49:977.2. Dr. Wallo 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 Order.

Based upon the information provided, and upon the recommendation of the Investigating Officer, the Board hereby concludes that, consistent with its mandate under La. R.S. 37:1261, the interests of public health, safety, and welfare will be effectively served by entry of the Order set forth hereinafter by consent.<sup>6</sup> 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. 49:955(D);

**IT IS ORDERED** that the license of Phyllis Bryan Wallo, M.D., to practice medicine in the State of Louisiana as evidenced by Credential No. MD. 019636, be **SUSPENDED** for a period of one year (the "period of suspension") from the date this order is approved and accepted by the Board (the "Effective Date").

**IT IS FURTHER ORDERED** that, upon the completion of the period of suspension, Dr. Wallo may request that the Board issue a Superseding Order reinstating her license to practice medicine on probation. Thereafter, upon completing the appropriate application and Dr. Wallo demonstrating that she satisfies the eligibility and other requirements of the Board's rules governing license issuance, renewal and/or reinstatement as of the date of her petition or request, pursuant to La. Admin. Code tit. 46, pt. XLV, ch. 39, Dr. Wallo's license may be reinstated on **INDEFINITE PROBATION**, *provided, however*, that any reinstatement of Dr. Wallo's license to practice medicine and continuing exercise of any rights and privileges thereunder shall further be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Continuing treatment, Monitoring Agreement with HPFL, Reports to the Board.** Dr. Wallo shall maintain a monitoring agreement with the HPFL for as long as she holds a license to practice medicine in this state. Dr. Wallo shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring that are contained in her monitoring agreement and any amendments thereto, or any subsequent agreement or amendments thereto that may be recommended by the HPFL, 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

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<sup>6</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.

her. Dr. Wallo shall, in addition, authorize and cause her treating and monitoring physicians and/or the HPFL to submit to the Board or its designee, not less frequently than quarterly, written reports and/or verbal reports, should the Board or its designee desire the latter, on her then-current treatment diagnosis, prognosis, course of treatment, 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 HPFL monitoring agreement.

- (2) **Compliance with Treatment Team's Recommendations.** Dr. Wallo shall continue in, abide by, and strictly adhere to all recommendations for her practice, ongoing treatment, and monitoring which are recommended by her treatment providers, as well as those recommended by any other health care provider involved in her care to the extent that they continue to follow her.
- (3) **Continuing Medical Education.** Dr. Wallo shall obtain not less than fifteen (15) credit hours each year through attendance at and participation in continuing medical education ("CME") programs on medical ethics, professionalism and/or boundaries. On or before the anniversary date of the Effective Date of this Consent Order each year, Dr. Wallo 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.
- (4) **Board Approved Practice.** Dr. Wallo shall not engage in the practice of medicine other than at and within the course and scope of a practice setting approved in writing by the Board or its designee. Dr. Wallo shall not practice in a "solo setting," *i.e.*, a setting in which she is the only physician within a private or institutional practice, and shall close her current private practice. Dr. Wallo shall only work in a single workplace, limited to either a psychiatric hospital, a paper-only job (e.g., insurance review), or a hospital setting. Dr. Wallo shall not work remotely. The Board may deny approval of any setting that it determines would provide inadequate external controls on Dr. Wallo's practice.
- (5) **Workplace Monitor.** Within thirty (30) days of her resuming practice on probation, Dr. Wallo shall designate one or more workplace monitors, acceptable to and preapproved by the Board or its designee. The workplace monitor shall be a supervisor or other individual who exercises management authority over Dr. Wallo. Dr. Wallo shall inform the monitor of her areas of concern, including substance abuse and work boundaries, so that the monitor will know what behavior to observe. The monitor shall provide routine updates to the Board at least quarterly on Dr. Wallo's workplace behavior.
- (6) **Workplace Chaperone.** Within thirty (30) days of her resuming practice on probation, Dr. Wallo shall submit a plan of practice designating one or more workplace chaperones, acceptable to and preapproved by the Board or its designee, in whose presence and under whose direct observation she will (a) conduct the entirety of any and all visits and examinations of patients for as long as she practices medicine in the

state of Louisiana, and (b) conduct the entirety of any and all visits and examinations of staff members. Any chaperone shall be a physician, nurse, or other health care professional licensed by and in good standing with a health care professional and occupational regulatory board in this state. Should the Board find cause to review or investigate Dr. Wallo's practice at any time, Dr. Wallo shall submit or cause to be submitted any relevant records or reports associated with the chaperone(s) as the Board or its designee may in their sole discretion request.

- (7) **Treatment of Self, Family Members, Co-Workers Prohibited.** Except as may be necessitated by an emergency or life-threatening medical condition, Dr. Wallo shall not, for the remainder of her medical career, undertake to treat, dispense, prescribe or administer any medication, controlled or non-controlled substances, nor render any medical care to her children, spouse, or any member of her immediate family, or anyone with whom she works. In addition, Dr. Wallo shall arrange for other physicians to attend to her own healthcare needs.
- (8) **Fine.** Dr. Wallo shall, within one hundred and twenty (120) days of the effective date of this Order, pay to the Board a fine in the amount of One Thousand Five Hundred Dollars and No/100 (\$1,500.00).
- (9) **Notification of Order and Authorization.** Dr. Wallo shall provide a copy of this Consent Order and any order of reinstatement on probation to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a psychiatrist in this state. and upon request of the Board's probation officer Dr. Wallo shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or other employment records pertaining to Dr. Wallo from any hospital, institution or other health care entity where Dr. Wallo has or has had privileges.
- (10) **Cooperation with Board's Probation and Compliance Officer.** Dr. Wallo shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and/or 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 probation, Dr. Wallo shall pay the Board an annual 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 date the Board may reinstate Dr. Wallo's license on probation. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.
- (12) **Effect of Violation/Sanction.** By her subscription hereto, Dr. Wallo acknowledges that her receipt of written notification that the Board has received reliable information

indicating her failure to comply with the requirements set forth by this Consent 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. R.S. 49:950, *et seq.*, or which otherwise may be afforded to her by law, constitute her irrevocable consent to the immediate or continued suspension of her license to practice medicine in this state pending a hearing before the Board and the conclusion of the administrative proceeding by issuance of a final decision following administrative adjudication of such charges.

**IT IS FURTHER ORDERED** that Dr. Wallo may petition the Board for relief from probationary status and/or any of the above terms, no sooner than five (5) years from the effective date of her reinstatement on probation, which petition the Board may, in its sole discretion, grant, grant in part, or deny. As an express condition to the consideration of such petition, Dr. Wallo shall provide the Board with an affidavit certifying that she has complied with each of the terms of probation imposed by this Order and any order of reinstatement on probation, and she shall make herself available upon request for a personal appearance before the Board to discuss her compliance and then-current practice and future plans for practice in this state.

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

**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 22<sup>nd</sup> day of April, 2024.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By: \_\_\_\_\_

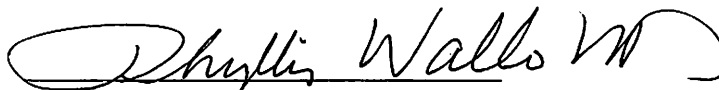
  
TERRIE R. THOMAS, M.D.  
*President*

**ACKNOWLEDGMENT  
AND CONSENT**

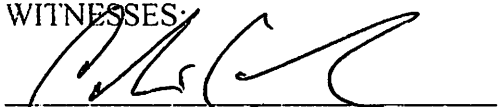
STATE OF LOUISIANA

PARISH OF ORLEANS

I, PHYLLIS BRYAN WALLO, 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 9<sup>th</sup> day of March, 2024.

  
PHYLLIS BRYAN WALLO, M.D.

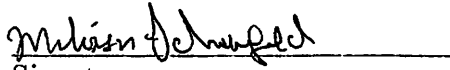
WITNESSES:

  
Signature

COLIN CAMBRE  
Typed Name

7001 Argonne Blvd.  
Street Address

New Orleans, LA 70124  
City/State/Zip Code

  
Signature

MELISSA SCHOENFELD  
Typed Name

6976 General Haig St.  
Street Address

New Orleans, LA 70124  
City/State/Zip Code

Sworn to and subscribed before me this  
9 day of March, 2024, in the  
presence of the two stated witnesses.

  
Notary Public (Signature)

Name: \_\_\_\_\_  
Notary/Bar No.: \_\_\_\_\_  
Commission expires: \_\_\_\_\_

**Stephen Michael Schoenfeld**  
**NOTARY PUBLIC**  
State of Louisiana  
Bar Roll Number: 27289  
My Commission Is Issued for Life.

