

(b) Investigation of the captioned matter was assigned to the I/O whose review and analysis confirms to her satisfaction that the actions identified hereinabove provide probable cause for recommending to the Board that an Administrative Complaint be filed in this matter charging Mr. Baudoin with various violations of the Louisiana Physician Assistant Practice Act (the "Act"), La. Rev. Stat. §37:1360.21 *et seq.*, and the Board's rules pertaining to physician assistants, La. Adm. C. 46:XLV.1501-1519 and 4501-4513, to-wit: La. Rev. Stat. §37:1360.33(3) and La. Adm. C. 46:XLV.4513A(16);¹ La. Rev. Stat. §37:1360.22(8), La. Rev. Stat. §37:1360.31A(1), La. Adm. C. 46:XLV.1503A, 4505E.1, and 4505E.4;² La. Adm. C. 46:XLV.1508.A.3 and 1523B;³ La. Adm. C. 46:XLV.1521A.5, 1523A.4, 1525A.2, 1527A.4, 4511B,⁴ La. Adm. C. 46:XLV.4511A.4, 4506A.2 and 4511C;⁵ and La. Adm. C. 46:XLV.4506C.2.a.⁶

(c) Pursuant to the Louisiana Physician Assistant Practice Act, La. Rev. Stat. §§37:1360.21-1360.38 *et seq.*, and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, Mr. Baudoin would be entitled, prior to final disciplinary action against his physician assistant's license, to have notice of any allegations and charges asserted against him

¹The Board may take action against the license of a PA who: "(3) [V]iolates any provision of this Part or any regulations adopted by the board pertaining to this Part." La. Rev. Stat. §37:1360.33. The Board's rules provide a similar prohibition, La. Adm. C. 46:XLV.4513A(16).

²A PA shall not practice without supervision as defined in La. Rev. Stat. §37:1360.22(8) and La. Adm. C. 46:XLV.1503, except in life-threatening emergencies, La. Rev. Stat. §37:1360.31A(1), La. Adm. C. 46:XLV.4505E.1, nor act as or engage in the functions of a PA other than on the direction and under the direction and supervision of his supervising physician, La. Adm. C. 46:XLV.4505E.4.

³To be eligible for approval and registration as a supervising, such physician shall "not be employed by or serve as an independent contractor to a physician assistant or be a party to any other or similar employment, contractual or financial relationship," La. Adm. C. 46:XLV.1508A.3; Accord: La. Adm. C. 46:XLV.1523B.3.

⁴Clinical practice guidelines are required to be set forth and signed by the SP, La. Adm. C. 46:XLV.1521A.5, 1523A.4, 1525A.2, 1527A.4, 4511B.2.a and 4511B.3.

⁵It is the mutual obligation of the SP and PA to insure, with respect to each direct patient encounter, that all activities, functions, services, treatment measures, medical devices or medication prescribed or delivered to the patient by the physician assistant are properly documented in written form in the patient's record by the physician assistant and that "each such entry is countersigned by the supervising physician within . . . 72 hours in an office, clinic and all other practice settings," La. Adm. C. 46:XLV.4511A.4. Further, the medical record of any patient for whom the physician assistant has prescribed medication or a medical device, or delivered a bona fide medication sample, shall be properly documented, reviewed and countersigned in accordance with §4511A.4, La. Adm. C. 46:XLV.4506A.2. A PA and SP "shall bear equal and reciprocal obligations to insure strict compliance with the obligations, responsibilities and provisions set forth in the rules of this Chapter, and to immediately report any violation or noncompliance thereof to the board." La. Adm. C. 46:XLV.4511C.

⁶A PA who has been delegated prescriptive authority shall not prescribe medication or medical devices "except to the extent delegated by a supervising physician, as evidenced by approval of registration on file with the board in accordance with §§1507-1527 of these rules," La. Adm. C. 46:XLV.4506C.2.a.

and to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:951 *et seq.* At such hearing Mr. Baudoin would be entitled to be represented by legal counsel, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made and to a decision by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951, *et. seq.*

2. **VOLUNTARY SURRENDER OF LICENSE.** In lieu of the institution and prosecution of formal administrative proceedings in this matter, and notwithstanding his right to notice of formal charges, administrative hearing and a decision thereon, as provided by La. Rev. Stat. §49:951 *et seq.*, in recognition of the stipulations set forth hereinabove toward final disposition of the investigation now pending in this matter Mr. Baudoin, nonetheless, waives his right to notice of charges and formal adjudication and hereby voluntarily surrenders to the Board for cancellation his license to practice as a physician assistant in the state of Louisiana, as evidenced by Certificate No. PA 200056RX. By his subscription hereto Mr. Baudoin also hereby authorizes the I/O designated by the Board with respect hereto to present this Stipulation and Agreement for Voluntary Surrender of Physician Assistant License 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.

3. **EFFECT OF VOLUNTARY SURRENDER OF LICENSE.** Mr. Baudoin acknowledges, stipulates and agrees that the voluntary surrender of his license to practice as a physician assistant effected hereby, in the presence of an administrative investigation, shall have and shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings. Mr. Baudoin further acknowledges, stipulates and agrees that as a result of the voluntary surrender of his license to practice as a physician assistant that he shall not have any right or entitlement to reinstatement or renewal of such license nor shall he hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewed license to practice as a physician assistant in the state of Louisiana.

4. **TERMINATION OF PROCEEDINGS.** By the voluntary surrender of his license to practice as a physician assistant occasioned hereby Mr. Baudoin moreover, acknowledges, stipulates and agrees 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.*, the Louisiana Physician Assistant Practice Act, La. Rev. Stat. §§37:1360.21 *et seq.*, or which otherwise may be afforded to him by any law to contest his agreement to, or the force and effect of this document in any court or other forum relating to stipulations, agreements, acknowledgments and other matters referred to herein.

5. **ADVICE OF COUNSEL.** Mr. Baudoin acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and that all of the

terms, conditions, restrictions and limitations contained herein have been explained to him and/or that he fully understands them.

6. **PUBLIC RECORD.** Mr. Baudoin acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Physician Assistant License shall be, and shall be deemed to be, a **PUBLIC RECORD**.

*Stipulation and Agreement and Acceptance pages
follow this page*

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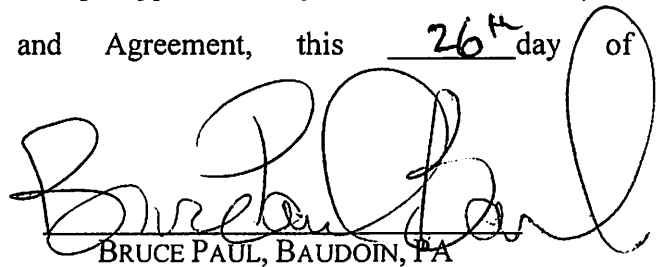
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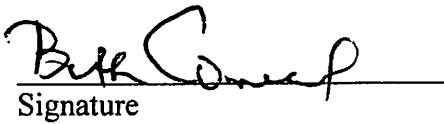
**STIPULATION
AND AGREEMENT**

STATE OF LOUISIANA
PARISH OF LAFAYETTE

I, BRUCE PAUL BAUDOIN, PA, hereby acknowledge, approve, accept and consent to entry of
the above and foregoing Stipulation and Agreement, this 26th day of
September, 2011.



BRUCE PAUL, BAUDOIN, PA

WITNESSES:


Signature

BETH COMERA
Typed Name

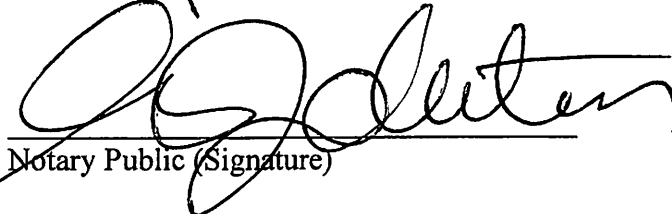
203 Wadsworth Drive
Address Lafayette LA 70503


Signature

Christy Comner
Typed Name

200 Corporate Blvd, Laf 70508
Address

Sworn to and subscribed before me at Lafayette, Louisiana, this 26th
day of September, 2011, in the presence of the two stated witnesses.


Notary Public (Signature)

Christopher C. Johnston, NP
Printed Name/Notary # 19903

ACCEPTANCE

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CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Physician Assistant License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, this 17th day of October, 2011.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

By: Mark H. Dawson MD
MARK H. DAWSON, M.D.
President

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