

# Louisiana State Board of Medical Examiners

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## IN THE MATTER OF:

**RALPH MAXWELL, III, M.D.**  
(Certificate No. 012596),  
*Respondent*

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**No. 11-I-496**

## **STIPULATION AND AGREEMENT FOR VOLUNTARY SURRENDER OF MEDICAL LICENSE**

This *Stipulation and Agreement* is made by Ralph Maxwell, III, M.D. ("Dr. Maxwell"), a physician licensed to practice medicine in the State of Louisiana, with and in favor of the Louisiana State Board of Medical Examiners (the "Board").

1. *Acknowledgment and Stipulations.* Dr. Maxwell hereby acknowledges, stipulates and agrees that:

(a) On May 2, 2011, Dr. Maxwell pled nolo contendere to the charge of Obscenity, in violation of La. R.S. 14:106, a felony under the laws of the State of Louisiana, after which Dr. Maxwell pled no contest to the amended charge. As a result of his no contest plea, Dr. Maxwell was sentenced to serve two (2) years at hard labor with the Department of Public Safety and Corrections of the State of Louisiana, fined \$2,500 and ordered to pay \$500 per month to CASA for each month during the entirety of any time he may spend on parole after serving his two year sentence, with execution of the sentence to begin on May 16, 2011.

(b) Investigation of the captioned matter was assigned to the Medical Consultant/Director of Investigations for the Board, whose review and analysis has confirmed to her satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed charging Dr. Maxwell with violations of the Louisiana Medical Practice Act, La. R.S.

37:1285A(1).<sup>1</sup>

(c) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Maxwell would be entitled, prior to final disciplinary action against his medical license, to have notice of the allegations and charges asserted against him, and to administrative adjudication of such charges, pursuant to La. R.S. 49:955-958. At such hearing, Dr. Maxwell would be entitled to be represented by legal counsel, to have those charges proved against him by evidence, to appear and confront adverse witnesses, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made, to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:955-965 and to have any further hearing, as well as his rights to appeal the action of the Board or any other right to which he may be afforded by the Louisiana Administrative Procedure Act, La. R.S. 49:951, *et seq.*, or otherwise.

2. ***Voluntary Surrender of License.*** Notwithstanding his right to notice of formal charges, administrative hearing and a decision thereon, as provided by La. R.S. 49:955, in recognition of the stipulations set forth herein-above toward final disposition of the investigation now pending in this matter and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Maxwell, nonetheless, acknowledges the substantial accuracy of the information received by the Investigating Officer in his investigation and he hereby waives his right to notice of charges and formal adjudication and voluntarily surrenders to the Board, for cancellation, his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 012596. By his subscription hereto, Dr. Maxwell also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or his legal counsel assisting him in that capacity, to present this Stipulation and Agreement for Voluntary Surrender of Medical 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. R.S. 49:960.

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<sup>1</sup> La. R.S. 37:1285A(1) provides that the Board may take action against the license of a physician as the result of '[C]onviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of Louisiana or of the United States.'

3. ***Effect of Voluntary Surrender of License.*** Dr. Maxwell acknowledges, stipulates and agrees that the voluntary surrender of his medical license 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. Dr. Maxwell further acknowledges, stipulates and agrees that as a result of the voluntary surrender of his medical license effected hereby he shall not have any right or entitlement to reinstatement or renewal of his license to practice medicine in the state of Louisiana, nor shall he hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewal license to practice medicine in the state of Louisiana.

4. ***Surrender of Controlled Substances Privileges.*** As of the effective date of the Board's acceptance hereof, Dr. Maxwell shall not prescribe, dispense or administer any controlled substance as defined, enumerated or included in federal or state statutes or regulations, 21 C.F.R. § 1308, La. R.S. 40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statutes. Within thirty (30) days of the execution of this stipulation, Dr. Maxwell shall, if he has not already done so, surrender for cancellation to the issuing authorities, any and all state and federal registrations authorizing Dr. Maxwell to prescribe, dispense, or administer any controlled substance.

5. ***Termination of Proceedings.*** By the voluntary surrender of his medical license, and the attendant dismissal of the investigation occasioned hereby, Dr. Maxwell, moreover, acknowledges, stipulates and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or to which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of, this document in any court relating to the matters referred to herein.

6. ***Public Record.*** Dr. Maxwell acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Medical License shall be, and shall be deemed, to be a **PUBLIC RECORD**.

**STIPULATION  
AND AGREEMENT**

STATE OF LOUISIANA  
PARISH OF Tangipahoa

I, RALPH MAXWELL, III, M.D., hereby acknowledge, approve, accept and consent to entry  
of the above and foregoing Stipulation and Agreement, this 23 day of January 2012  
2012.

Ralph Maxwell III  
RALPH MAXWELL, III, M.D.

WITNESS:

L.C. St Amant  
Signature

LES St Amant  
Printed Name

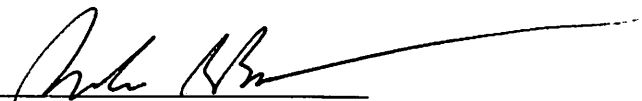
630 Ramp St, NO LA  
Address

**ACCEPTANCE**

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Medical License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, this 13<sup>th</sup> day of February 2012.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

By:



MELVIN G. BOURGEOIS, M.D.  
*President*