

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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In The Matter Of :

LAWRENCE L. McALPINE, M.D. :

CONSENT
ORDER

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Information was provided to the Louisiana State Board of Medical Examiners ("Board") indicating that Lawrence L. McAlpine, M.D. ("Dr. McAlpine") was charged with unprofessional conduct consisting of incompetency and repeated and similar negligent acts in discharging his duties as a physician by the Board of Medical Quality Assurance of the State of California.¹ The Board was also advised that by Decision of July 16, 1982, Dr. McAlpine's license to practice medicine in the State of California was revoked; however, the revocation was stayed and the physician's license was placed on probation, under specified terms and conditions, for a period of five (5) years from August 16, 1982.²

Alternative to the institution of formal investigative³ and adjudicatory proceedings under the Louisiana Medical Practice Act, the Board

¹ Accusation and First Supplemental Accusation," In the Matter of Accusation Against: Lawrence L. McAlpine, M.D.," No. D-2650 (December 31, 1980 and April 30, 1981, respectively).

² By "Decision" of July 16, 1982, the Board of Medical Quality Assurance assigned August 16, 1982 as the effective date on which said Decision would be initiated.

³ LSA-R.S. 37:1261-91. The Board is empowered to suspend, revoke or impose probationary conditions on the license of any physician, for having had his medical license, permit or certificate revoked, suspended or restricted by the licensing authority of any other state; "[c]ontinuing or recurrent medical practice which fails to satisfy the prevailing and usually accepted stands of medical practice in this state;" and "[p]rofessional or medical incompetency," LSA-R.S. 37:1285(30), 1285(14) and 1285(12), respectively.

has determined that the public interest would be properly and adequately served by Dr. McAlpine's execution of a Consent Order by virtue of which the physician's Louisiana license would be placed on probation consistently with the duration, specified terms and conditions imposed by the State of California. The Board has so advised Dr. McAlpine,⁴ who, in response,⁵ and as evidenced by his subscription hereto, has accepted the disposition proposed by the Board in lieu of formal administrative proceedings.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to LSA-R.S. 49:955-58, to be represented therein by legal counsel of his choice and to a final decision rendered upon written findings of fact and conclusions of law, Dr. McAlpine, nonetheless, hereby waives his right to notice and formal adjudication of charges, pursuant to LSA-R.S. 49:959D, and acknowledges, accepts and consents to entry of the following order.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by LSA-R.S. 37:1285 and LSA-R.S. 49:955D,

IT IS ORDERED that, until and unless this Order is modified or rescinded by written Order of the Board:

A. Lawrence L. McAlpine, M.D. shall comply in each and every respect with the enumerated terms and conditions of the "Decision"⁶ of the Board of Medical Quality Assurance of the State of California;

⁴ Letter from J. Morgan Lyons, M.D., Sec.-Treas., La. St. Bd. Med. Exam., to Lawrence L. McAlpine, M.D. (July 30, 1983).

⁵ Gary Boland, Esq., legal counsel to Lawrence L. McAlpine, M.D., verbally advised the Board of the physician's agreement to the Consent Order.

⁶ Attached hereto as Exhibit "A" and incorporated herein by reference.

B. Consistent with this Order, Dr. McAlpine hereby authorizes and directs the Board of Medical Quality Assurance of the State of California to report and respond to the Board's inquiries concerning his compliance with the terms and conditions of the "Decision"; and

C. Dr. McAlpine will immediately notify the Board in writing if, prior to the expiration of the five (5) year probationary period specified in the "Decision," (1) he is relieved of any of the specified terms and conditions of the said Decision or (2) he relocates to the State of Louisiana for the purpose of engaging in the practice of medicine. Upon notice of either of the above-mentioned by Dr. McAlpine, the Board reserves to itself the right to reimpose and supervise the terms and conditions of the said "Decision" on its own behalf for the remainder of the five (5) year probationary period.

IT IS FURTHER ORDERED that any violation of the terms, conditions and restrictions set forth hereinabove, shall be deemed just cause for the suspension or revocation of the medical license of Lawrence L. McAlpine, M.D., or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-R.S. 37:1285.

New Orleans, Louisiana, this 26th day of ~~February~~^{July}, 1984.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: Charles B. Odom, M.D.
CHARLES B. ODOM, M.D.
President

I HEREBY acknowledge, approve, accept and consent to entry of the above and foregoing Consent Order and the terms, conditions and restrictions set forth therein, this 20 day of JULY, 1984.

Lawrence L. McAlpine, M.D.
LAWRENCE L. MCALPINE, M.D.