

Louisiana State Board of Medical Examiners

Mailing Address: P.O. Box 30250, New Orleans, LA 70190-0250

Physical Address: 630 Camp Street, New Orleans, LA 70130

Phone: (504) 568-6820

Fax: (504) 568-5754

Web site: <http://www.lsbme.louisiana.gov>



Telephone: 568-6820

Fax 568-5754

11-I-332

IN THE MATTER OF:

FEASTER FAY FITZPATRICK, M.D.

*(Certificate No. 05843R),
Respondent*

STIPULATION AND AGREEMENT FOR VOLUNTARY SURRENDER OF MEDICAL LICENSE

This *Stipulation and Agreement* is made by Feaster Fay Fitzpatrick, Jr., M.D. ("Dr. Fitzpatrick"), a physician who at all times material to the facts and matters alleged herein was licensed by the Louisiana State Board of Medical Examiners (the "Board") to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 05843R.

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

- (a) An investigation was initiated in April, 2011, when the Board received a report from the National Practitioner Databank indicating that Dr. Fitzpatrick had resigned his staff privileges at the hospital where he was employed while under investigation for reasons related to professional competence and conduct.
- (b) In the course of the investigation, Dr. Fitzpatrick underwent an evaluation and was diagnosed with a medical condition that renders him incapable of practicing medicine with skill and safety to patients.¹
- (c) Based upon his desire to retire from the practice of medicine, Dr. Fitzpatrick has agreed to the voluntary surrender of his license effected herein.

¹ Pursuant to La. R.S. §37:1285A(25), the Board may suspend, revoke, or impose probation or other restrictions on the license of an individual licensed to practice medicine in the State of Louisiana as a result of "[I]nability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency: physical illness, including but not limited to deterioration through the aging process or loss of motor skills;...."

2. Voluntary Surrender of License. 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 and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Fitzpatrick, nonetheless, hereby waives his right to notice of charges and formal adjudication and voluntarily surrenders to the Board for cancellation of his license to practice medicine in this state, as evidenced by Certificate No. 05843R. By his subscription hereto, Dr. Fitzpatrick also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Stipulation 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. Dr. Fitzpatrick 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. Fitzpatrick 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 renewed license to practice medicine in this state.

4. Termination of Proceedings. By the voluntary surrender of his medical license, and the attendant dismissal of the investigation occasioned hereby, Dr. Fitzpatrick, 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.*, or 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 or other forum relating to the matters referred to herein.

5. Advice of Counsel. Dr. Fitzpatrick 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. Dr. Fitzpatrick 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
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**STIPULATION
AND AGREEMENT**

I, FEASTER FAY FITZPATRICK, JR., M.D., hereby acknowledge, approve, accept, stipulate,
agree and consent to entry of the above and foregoing this 18 day of April, 2012.

Feaster Fay Fitzpatrick Jr.

FEASTER FAY FITZPATRICK, JR., M.D.

WITNESSES:

Janet B. Webre
Signature

Janet B. Webre

Typed Name

131 Tyler Christian
Address

Houma, LA 70360
City/State/Zip Code

Laura H. Dupont
Signature

Laura H. Dupont

Typed Name

600 Cheyenne Dr
Address

Houma, LA 70360
City/State/Zip Code

Sworn to and subscribed before me at Houma, Louisiana, this 18 day
of April, 2012, in the presence of the two stated witnesses.

Daniel J. Walker
Notary Public
(Signature and Seal)

DANIEL J. WALKER
Printed Name/Notary # 8583

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 21 day of May, 2012, effective immediately.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY:



MELVIN G. BOURGEOIS, M.D.
PRESIDENT