

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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13-I-962

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**IN THE MATTER OF:**

**DON FRANCIS PETERSON, M.D.**  
*(Certificate No. 019602),*  
*Respondent*

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

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This *Stipulation and Agreement* is made by Don Francis Peterson, M.D. ("Dr. Peterson"), a physician who at all times material to the facts and matters alleged herein is 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.019602 MD.

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

- (a) The above-entitled proceeding was docketed for investigation by the Board following the receipt of information suggesting that Dr. Peterson may have prescribed controlled medication without appropriate medical justification and without maintaining requisite records. The Board is aware that Dr. Peterson has surrendered his DEA registration.
- (b) Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter determined that reasonable cause existed such that a formal Administrative Complaint could have been filed against Dr. Peterson, charging him with a violation of the Louisiana Medical Practice Act (the "Act"), pursuant to La. Rev. Stat. §37:1285A(6).<sup>1</sup>
- (c) Although Dr. Peterson makes no admission of any violation of the Medical Practice Act, he nonetheless acknowledges that the reported information could provide the

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<sup>1</sup> Pursuant to La. Rev. Stat. §§37:1285A (25), the Board may take action against the license of a physician as the result of (6) "[p]rescribing, dispensing, or administering legally controlled medication without legitimate medical justification therefore or in other than a legal or legitimate manner;"

Investigating Officer a basis to pursue formal administrative proceedings against him for violation of the Act, La. Rev. Stat. §§37:1285 A(6), and further, that proof of such information upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation or imposition of such other terms, conditions or restriction on his license to practice medicine in the state of Louisiana as the Board might deem appropriate. However, due to underlying health problems that prevent him from returning to the practice of medicine, Dr. Peterson wishes to retire from practice and surrender his license to practice medicine in the state of Louisiana.

- (d) By law, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1261, *et seq.*, and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, Dr. Peterson 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. Rev. Stat. §§49:951, *et seq.* At such hearing Dr. Peterson would be entitled to be represented by legal counsel, to call witnesses, to present evidence on his 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. Rev. Stat. §§49:951, *et seq.*

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, Dr. Peterson hereby voluntarily surrenders to the Board for cancellation of his license to practice medicine in the state of Louisiana, as evidenced by Certificate No.019602. By his subscription hereto, Dr. Peterson 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 as necessary 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. Peterson 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. Peterson 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, Dr. Peterson, 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. Peterson 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. Peterson 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, DON FRANCIS PETERSON., M.D., hereby acknowledge, approve, accept, stipulate, agree  
and consent to entry of the above and foregoing this 8<sup>th</sup> day of November,  
2013.

Don Francis Peterson, M.D.  
DON FRANCIS PETERSON, M.D.

WITNESSES:

Lucy S. Richard  
Signature

LUCY S. RICHARD  
Typed Name

172 Lee Dr., Suite 3  
Address

Baton Rouge, LA 70808  
City/State/Zip Code

Lauren M Barletta  
Signature

Lauren M Barletta  
Typed Name

172 Lee Dr., Suite 4A  
Address

Baton Rouge, LA 70808  
City/State/Zip Code

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 8<sup>th</sup> day  
of November, 2013, in the presence of the two stated witnesses.

David Andress  
Notary Public (Signature and Seal)


David Andress  
Bar Roll No. 27944  
State of Louisiana  
Printed Name/Notary # Commission Expires at Death

**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 9<sup>th</sup> day of December, 2013, effective immediately.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

BY:

  
MELVIN G. BOURGEOIS, M.D.  
PRESIDENT