

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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## IN THE MATTER OF:

**CECIL WILLIAM LOVELL, JR., M.D.**  
(Certificate No. 007194)  
*Respondent*

**No. 13-I-1096**

## STIPULATION AND AGREEMENT FOR VOLUNTARY SURRENDER OF MEDICAL LICENSE

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This *Stipulation and Agreement* is made by Cecil William Lovell Jr., M.D. ("Dr. Lovell"), 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. MD.007194.

1. *Acknowledgment and Stipulations.* Dr. Lovell 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. Lovell was 1) practicing in a manner not within the standards expected in this state in that the prescribing and implantation of Testosterone pellets, and the representations made regarding the benefits of Testosterone therapy, were not properly documented, and a basis for issuing the prescriptions and performing the implantation of Testosterone pellets could not be discerned from the records; (2) allowing an APRN to practice medicine by performing surgical procedures related to the implantation of Testosterone pellets into patients; and (3) prescribing patient-specific compounded testosterone medications to be delivered to his office, and thereafter removing the patient identifying information from the medication, and administering the drug to patients. While Dr. Lovell has cooperated with the Board regarding its investigation, he categorically denies any improprieties or violation of law or Board Rules.
- (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.

Lovell, charging him with a violation of the Louisiana Medical Practice Act (the "Act"), pursuant to La. Rev. Stat. §37:1285A(6), (7), (10), (13) (18) and (30).<sup>1</sup>

- (c) Although Dr. Lovell denies the allegations, nonetheless he acknowledges that the reported information could provide the Investigating Officer a basis to pursue formal administrative proceedings against him for violation of the Act, La. Rev. Stat. §§37:1285(A)(6), (7), (10), (13) (18) and (30), 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 restrictions on his license to practice medicine in the state of Louisiana as the Board might deem appropriate.
- (d) Dr. Lovell contends the efficacy of the above allegations have not been proven and no administrative hearing before the Board has been held. However, as Dr. Lovell has cooperated with the Board and its investigation throughout this entire process, he has agreed to voluntarily surrender his medical license and retire from the practice of medicine – a decision which comes at a time during which Dr. Lovell was planning on retiring nonetheless.
- (e) 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. Lovell 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. Lovell would be entitled to be represented by legal counsel, to call witnesses and 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. Lovell hereby voluntarily surrenders to the Board for cancellation his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. MD.007194. By his subscription hereto, Dr. Lovell also hereby

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<sup>1</sup>The Board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license or permit issued under this Part for the following causes: (6) [p]rescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefore or in other than legal or legitimate manner; (7) [s]olicitation of patients or self-promotion through advertising or communication, public or private, which is fraudulent, false or misleading;... (10) [e]fforts to deceive or defraud the public;... (13) unprofessional conduct;...(18) [k]nowingly performing any act which, in any way, assists an unlicensed person to practice medicine; or having professional connection with or lending one's name to an illegal practitioner;... and (30) [v]iolation of any rules and regulations of the board, or any provisions of this Part.



authorizes the Investigating Officer designated by the Board with respect hereto to present this Stipulation to the Board for its consideration and to disclose as necessary to 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. Lovell acknowledges, stipulates and agrees to voluntarily surrender any and all licenses issued by the U.S. Drug Enforcement Administration, or any other federal or state agency, for the prescribing of controlled dangerous substances. Further, Dr. Lovell acknowledges, stipulates and agrees that as a result of the voluntary surrender of Dr. Lovell's medical license effected hereby that reinstatement of his license to practice medicine in the state of Louisiana shall be at the sole discretion of the Board and upon whatever probationary terms, conditions and restrictions that it may then determine to be appropriate. In addition, Dr. Lovell acknowledges, stipulates and agrees that no request for reinstatement shall be considered by the Board until and unless the passage of five (5) years from the effective date of this Order and Dr. Lovell has: (1) demonstrated clinical competency through assessment at a program or facility approved by the Board and successfully completed any recommended remediation or training; (2) demonstrated that he is mentally and physically capable of practicing medicine with reasonable skill or safety to patients through successful completion of such examinations, evaluations and testing as is required by the Board; and (3) scheduled and met with the Investigating Officer to discuss his then-current status and plans.

4. *Termination of Proceedings.* By the voluntary surrender of his medical license Dr. Lovell, 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. Lovell 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.

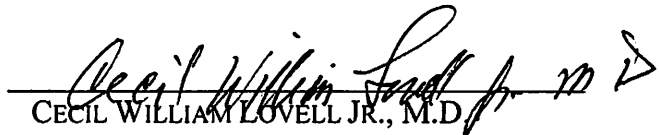
6. *Public Record.* Dr. Lovell acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Medical License shall be and shall be deemed to be a Public Record.


***Stipulation and Agreement  
Follow on Next Page***




**STIPULATION  
AND AGREEMENT**

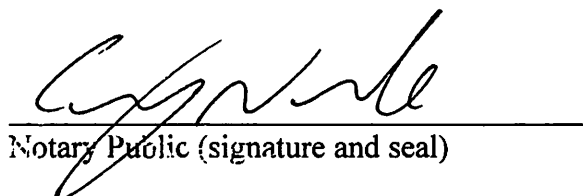
I, CECIL WILLIAM LOVELL JR., M.D., hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above and foregoing this 25<sup>th</sup> day of August, 2014.

  
CECIL WILLIAM LOVELL JR., M.D.

  
Signature  
James R. Clary, Jr.  
Typed Name  
406 N. 4<sup>th</sup> St.  
Address  
Baton Rouge, LA 70802  
City/State/Zip Code

WITNESSES:  
  
Signature  
Kelly Rasmussen  
Typed Name  
406 N. 4<sup>th</sup> Street  
Address  
Baton Rouge, LA 70802  
City/State/Zip Code

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 25<sup>th</sup> day of August, 2014, in the presence of the two stated witnesses.

  
Notary Public (signature and seal)

Casey D. Neale #136472  
Printed Name/Notary #

**ACCEPTANCE**

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**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 15 day of September, 2014, effective immediately.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

BY:

Mark Henry Dawson

MARK HENRY DAWSON, M.D.

*President*