

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF

No. 15 – I – 775

**NEIL ANTHONY-SMITH NIXDORFF, M.D.**  
(Certificate No. 207223)  
*Respondent*

**CONSENT ORDER  
REPRIMAND**

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of information indicating that Neil Anthony-Smith Nixdorff, M.D. ("Dr. Nixdorff"), through his practice at a clinic in Metairie, Louisiana (the "Clinic"), which solely engaged in the treatment of male erectile dysfunction under protocols developed by the Medical Director, may be enabling the unauthorized practice of medicine and practicing in a substandard manner. The investigation further revealed that Dr. Nixdorff allowed staff to dispense both controlled (pseudoephedrine) and non-controlled medications to patients when he was not in the clinic and without possessing a dispensing permit issued by the Board. During the investigation the Investigating Officer met with Dr. Nixdorff. At that time he advised the Investigating Officer that he is no longer associated with the Clinic; however, he acknowledged that during his tenure at the Clinic he did not understand that by carrying out the procedures and protocols dictated by the Medical Director of the Clinic (who was not licensed in Louisiana) he was enabling the unauthorized practice of medicine and potentially violating other provisions of the practice act.

Dr. Nixdorff has agreed to this Consent Order in order to avoid the time and expense of further administrative investigation and/or a hearing. Thus, without admitting any violation of the Louisiana Medical Practice Act, La. Rev. Stat. §§ 37:1261-1292 ("the Act"), Dr. Nixdorff nonetheless acknowledges that the reported information, if true, could establish grounds under the Act for such action against his license to practice medicine in this state as the Board may determine to be appropriate, pursuant to La. Rev. Stat. §§ 37:1285A(13), (18), (14), (6), and (30).<sup>1</sup> In consideration of the foregoing, and on the

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<sup>1</sup>La. Rev. Stat. §37:1285A(13), (18), (14), (6) and (30), provide that the Board may revoke, suspend, or impose probationary or other restrictions on the license of a physician as a result of '(13) [U]professional conduct,' including 'failing to practice within the scope of education, training, and experience,' and 'enabling the unauthorized practice of medicine; '(18) [K]knowingly 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; '(14) [M]edical incompetency, including but not limited to, incompetency manifested by continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state;' '(6) [P]rescribing, dispensing, or administering legally controlled

recommendation of the Investigating Officer respecting the pending investigation, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time he 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.*, Dr. Nixdorff nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Nixdorff also acknowledges that he 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. By his subscription hereto, Dr. Nixdorff also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Consent Order 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. Dr. Nixdorff expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that Neil Anthony-Smith Nixdorff, M.D. is hereby *Officially Reprimanded* for the conduct set forth above;

**IT IS FURTHER ORDERED** that Dr. Nixdorff shall pay the Board a fine in the amount of Five Thousand Dollars (\$5,000.00) within ninety (90) days of the effective date of this Order;

**IT IS FURTHER ORDERED** that Dr. Nixdorff shall undertake one or more courses of study in the area of medical ethics and professionalism. All courses required by

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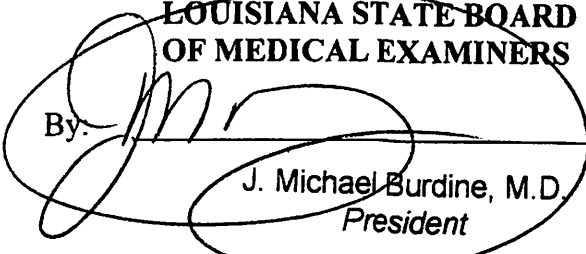
substances . . . without legitimate medical justification therefor or in other than a legal or legitimate manner;' and '(30) [V]iolation of any rules and regulations of the board, or any provisions of this Part.'

this provision shall be comprehensive in nature, and pre-approved by the Board or its designee.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Nixdorff shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Nixdorff's license to practice medicine in this state as the Board may deem appropriate, as if such violation were enumerated among the causes provided in La. Rev. Stat. §37:1285.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a public record.


Signed at New Orleans, Louisiana, and effective on this 10<sup>th</sup> day of Oct, 2016.

By:   
LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS  
J. Michael Burdine, M.D.  
President

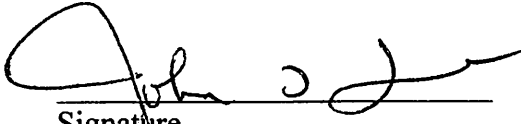
STATE OF LOUISIANA  
PARISH OF Orleans

**ACKNOWLEDGMENT  
AND CONSENT**


I, NEIL ANTHONY-SMITH NIXDORFF, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 21 day of September 2016.

  
NEIL ANTHONY-SMITH NIXDORFF, M.D.

WITNESSES:

  
Signature  
John D. Thomas  
Typed Name

115 S. Broad St. NO. LA 70119  
Address

  
Signature  
Earl J. Schmitt, Jr.  
Typed Name

147 Pelican Ave  
Address NO. LA 70114

Sworn to and subscribed before me at New Orleans, Louisiana, this 21<sup>st</sup> day of September, 2016, in the presence of the two stated witnesses.

  
Notary Public (Signature/Seal)

William R.H. Goforth Bar #33153  
Notary Public (Printed Name)/Bar-Notary #