

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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| In The Matter of | : | No. 17-I-995 |
| LUKE POYEE LEE, M.D. | : | CONSENT ORDER |
| (Certificate No. MD.10230R), | : | FOR REPRIMAND |
| Respondent | : | _____ |

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") regarding Luke Poyee Lee, M.D. ("Dr. Lee"), a physician that is, and was, at all times material to the facts and matters alleged herein, licensed by the Board as a physician and engaged in the practice of medicine in the state of Louisiana pursuant to the Louisiana Medical Practice Act, (the "Act"), La. Rev. Stat. §§37:1261-92. The investigation was initiated following the receipt of apparently reliable information that Dr. Lee allowed unlicensed staff to perform radiological examinations in violation of the Act and the Board's Rules.

While not admitting to any violation of the Act, Dr. Lee, nonetheless cooperated with the Board, met with the Director of Investigations, and acknowledged that the foregoing information could provide the Investigating Officer for the Board with probable cause to pursue formal administrative proceedings against him for violations of the Act, La. R.S. §§37:1285(A)(13), (18), and (30)¹ and La. R.S. §37:1292², or the Board's rules, constituting sufficient cause for the revocation, suspension or such other action against his license to practice medicine in the state of Louisiana as the Board may determine appropriate.

¹ Pursuant to La. R.S. §37:1285A "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: (13) Unprofessional conduct...improperly delegating, enabling the unauthorized practice of medicine"; (18) "knowingly performing any act which, in any way, assists an unlicensed person to practice medicine..." and (30) "Violation of any rules and regulations of the board, or any provisions of this part."

² The Act and the Board Rules concerning Private Radiological Technologists prohibit a person from performing diagnostic radiological examinations in the private office of a physician or in a clinic in which the physician practices unless the individual has in his or her individual possession either a private radiologic technologist certificate issued by the Board, a license issued by the Radiologic Technology Board of Examiners, is trained or undergoing training in radiologic procedures in a course approved by the Board. La. R.S. §§37:1292C, LAC 46XLV.2905.

Recognizing his right to notice and administrative adjudication of any charges that may be asserted against him in these proceedings, at which time Dr. Lee 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. §49:955-965, Dr. Lee, 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. Dr. Lee acknowledges 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 may be afforded to him by any other law to contest or appeal his agreement to or the force and effect of the Board's investigation or this Order in any court or other forum. By his subscription hereto, Dr. Lee also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this 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. Lee expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the adjudication of an administrative complaint against him or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285, La. Rev. Stat. §49:955(D), and the Consent Order for Reprimand heretofore entered herein;

IT IS ORDERED that Luke Poyee Lee, M.D. is hereby **OFFICIALLY REPRIMANDED** for his conduct.


IT IS FURTHER ORDERED that Dr. Lee shall, within one hundred and twenty (120) days of the date of this Order, pay to the Board a fine in the amount of Three Thousand and No/100 (\$3,000.00) Dollars.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Lee shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Lee's license to practice medicine in the state of Louisiana as the Board may deem appropriate, as if such violations 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 in New Orleans, Louisiana, and effective on this 15th day of October, 2018.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: 

Christy L. Valentine, M.D.
President

Acknowledgment and Consent on Following Page.

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Louisiana
PARISH OF East Baton Rouge

I, LUKE POYEE LEE, M.D., hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 27 day of Sept, 2018.

[Signature]
LUKE POYEE LEE, M.D.

WITNESSES:

[Signature]
Signature

[Signature]
Signature

Siane Broussard
Typed Name

Sherry Dargle
Typed Name

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City/State/Zip Code

Baton Rouge, LA 70802
City/State/Zip Code

Sworn to and subscribed before me this 27th day of September, 2018 in the presence of the two stated witnesses.

[Signature]
Notary Public (Signature)



Deborah Johnson Juneau
Notary Public
State Of Louisiana
LA Bar Roll No. 26354
My Commission is for Life

Deborah J. Juneau LA Bar 26354
Printed Name & Notary or Bar Number