



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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

BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2023-I-390

IN THE MATTER OF:

STEVEN W. POWELL, M.D.
(*Credential No. MD.322381*),
Respondent

STIPULATION AND
AGREEMENT FOR VOLUNTARY
SURRENDER OF MEDICAL LICENSE

This *Stipulation and Agreement* is made by Steven W. Powell, M.D. (“Dr. Powell”), a physician licensed to practice medicine in the State of Louisiana by the Louisiana State Board of Medical Examiners (the “Board”), as evidenced by Credential No. MD.322381.

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

- (a) An investigation was initiated by the Board upon notification that Dr. Powell had entered a plea of guilty to one count of health care fraud in violation of 18 U.S.C. § 1347, in the United States District Court for the District of New Hampshire, a felony under the laws of the United States.¹
- (b) Dr. Powell acknowledges that the Plea Agreement provides the Investigating Officer for the Board with probable cause to pursue formal administrative proceedings against him, and to impose restrictions on his Louisiana medical license, pursuant to La. R.S. 37:1285(A)(1), (2), and (11).²

¹ See Plea Agreement, *United States v. Powell*, No. 1:23-cr-00036 (D.N.H. Apr. 26, 2023), ECF No. 2; see also 18 U.S.C. § 1347(a) (providing for maximum sentence of fine, or imprisonment of not more than 10 years, or both); 18 U.S.C. § 3559 (“An offense that is not specifically classified by a letter grade in the section defining it, is classified if the maximum term of imprisonment authorized is . . . (3) less than twenty-five years but ten or more years, as a Class C felony[.]”).

² Pursuant to the Act, La. R.S. 37:1285(A), the Board may suspend, revoke, or impose probationary or other restrictions against the license of a physician as the result of: “(1) Conviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of Louisiana or of the United States”; “(2) Conviction of a crime or entry of a plea of guilty or nolo contendere to any criminal charge arising out of or in connection with the practice of medicine”; and “(11) Making or submitting false, deceptive, or unfounded claims, reports, or opinions to any patient, insurance company or indemnity association, company, individual, or governmental authority for the purpose of obtaining anything of economic value.”

- (c) Dr. Powell has not yet been sentenced, however, he has indicated that does not intend to practice medicine in this state and accordingly wishes to surrender his license to practice medicine in this state rather than undertaking further administrative proceedings and a hearing.
- (d) The Director of Investigations concurs that Dr. Powell should be permitted to voluntarily surrender his license to practice medicine in this state pursuant to a public order.
- (e) Pursuant to the Louisiana Medical Practice Act, La. R.S. 37:1261 *et seq.*, the Louisiana Administrative Procedure Act, La. R.S. 49:950 *et seq.*, and the Board's Rules on Adjudication, La. Admin. Code. tit. 46, pt. XLV, § 9901 *et seq.*, Dr. Powell would be entitled, prior to final disciplinary action against his medical license, to an administrative adjudication of such charges, pursuant to La. R.S. 49:975–977. At such hearing, Dr. Powell would be entitled to be represented by legal counsel, to have those charges proved against him by evidence, to appear and confront adverse witnesses, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made, to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:958, and to any other right to which he may be afforded by the Louisiana Administrative Procedure Act, La. R.S. 49:950 *et seq.*, or otherwise.

2. ***Voluntary Surrender of License.*** Notwithstanding his right to an administrative hearing and a decision thereon, as provided by La. R.S. 49:950 *et seq.*, in recognition of the stipulations set forth hereinabove toward final disposition of the pending investigation, Dr. Powell, nonetheless, acknowledges the substantial accuracy of the foregoing information and hereby waives his right to formal adjudication and voluntarily surrenders to the Board for cancellation of his license to practice medicine in the State of Louisiana, as evidenced by Credential No. MD. 322381. By his subscription hereto, Dr. Powell also hereby authorizes the Investigating Officer designated by the Board with respect to this matter to present this Stipulation and Agreement for Voluntary Surrender of Medical License 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. R.S. 49: 977.2.

3. ***Effect of Voluntary Surrender of License.*** Dr. Powell acknowledges, stipulates, and agrees that the voluntary surrender of his Louisiana medical license affected 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. Further, Dr. Powell acknowledges, stipulates, and agrees that he shall not reapply for a license to practice medicine in the State of Louisiana.

4. ***Termination of Proceedings.*** By the voluntary surrender of his medical license, and the attendant dismissal of the proceedings occasioned hereby, Dr. Powell, 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. R.S. 49:950 *et seq.*, or to which otherwise may be afforded to him by any law, to contest his agreement to or the force and effect of this document in

any court or other forum relating to the stipulations, agreements, acknowledgments, and other matters referred to herein.

5. **Advice of Counsel.** Dr. Powell acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Medical License 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. Powell 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.**

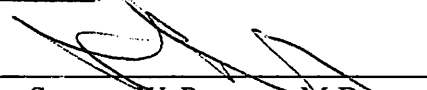
Stipulation and Agreement on Next Page

**STIPULATION
AND AGREEMENT**

STATE OF _____

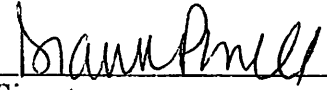
PARISH/COUNTY OF _____

I, STEVEN W. POWELL, M.D., hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Medical License 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 Stipulation and Agreement without duress and of my own free will and accord, this 27th day of July, 2023.



STEVEN W. POWELL, M.D.

WITNESSES:



Signature

Diann Powell

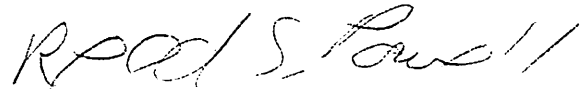
Typed Name

2355 Saddlesprings Drive

Street Address

Milton, GA 30004

City/State/Zip Code



Signature

Reed Powell

Typed Name

2355 Saddlesprings Dr

Street Address

Milton, Ga, 30004

City/State/Zip Code

Sworn to and subscribed before me this 27th day of July, 2023, in the presence of the two stated witnesses.

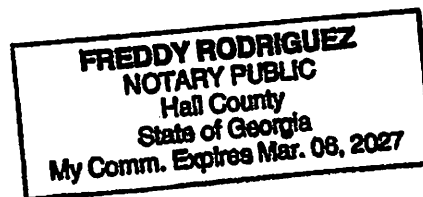


Notary Public (Signature)

Name: Freddy Rodriguez

Notary/Bar No.: _____

Commission expires: 3/6/2027



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, at New Orleans, Louisiana, on this 28th day of August, 2023.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY: _____


TERRIE R. THOMAS, M.D.

President