

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of

LEMUEL NEWTON, M.D.  
(Certificate No. 025288)

No. 08-I-415

CONSENT ORDER  
FOR OFFICIAL REPRIMAND  
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The Louisiana State Board of Medical Examiners (the "Board") conducted an investigation of Lemuel Newton, M.D. ("Dr. Newton"), a physician licensed to practice medicine in this state, and at all pertinent times engaged in the practice of anesthesiology in and around Alexandria, Louisiana, after notification that he was arrested in April 2008 in connection with alleged criminal conduct involving a nurse at an Alexandria area hospital where he provided services. On January 15, 2009, all charges were dismissed. In the course of the investigation the Board ordered Dr. Newton to submit to an in-patient evaluation to determine his fitness and ability to practice medicine with reasonable skill and safety. In furtherance of such Order Dr. Newton reported to a facility acceptable to the Board (the "Evaluating Facility") where he underwent a comprehensive battery of psychiatric and psychological testing. At the conclusion of the evaluation it was determined that Dr. Newton was fit to practice medicine with reasonable skill and safety to patients and he was discharged with recommendations to complete at least four weeks of intensive treatment relating to sexual harassment and how to avoid it and monitoring techniques to be implemented in his practice. Dr. Newton has successfully completed such treatment and has been provided recommendations for on-going maintenance treatment and monitoring. He has also entered into a Monitoring Agreement with the Physicians' Health Foundation of Louisiana, Inc.'s Physicians' Health Program (the "PHP") incorporating recommendations of the Evaluating Facility appropriate to his practice, as well as those of the PHP.

Investigation of the captioned matter was assigned to the Investigating Officer (the "I/O") for the Board. The I/O's review and analysis of the matter confirms to her satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against Dr. Newton, charging him with an enumerated violation of the Louisiana Medical Practice Act (the "Act").<sup>1</sup>

<sup>1</sup>La. Rev. Stat. §37:1285A(13), provides that the Board may take action against a physician's license for, among other causes: (13) "[U]nprofessional conduct."

Without admitting to any violation of the Act Dr. Newton, nevertheless, acknowledges the substantial accuracy of the foregoing information and that proof of such information upon an administrative evidentiary hearing could constitute sufficient cause under the Act for the imposition of such terms, conditions or restrictions on his license to practice medicine in the state of Louisiana as the Board may deem appropriate.

Recognizing his right to have administrative adjudication of the matters mentioned above, 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. Newton nonetheless, hereby waives his right to 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. Newton 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. Newton also hereby authorizes the I/O 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. Newton expressly acknowledges that the disclosure of information to the Board by the I/O shall be without prejudice to the I/O'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.

Based upon the information provided, accordingly, and upon the recommendation of the I/O assigned to this matter, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent. 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 Lemuel Newton, M.D., is hereby *officially reprimanded*.

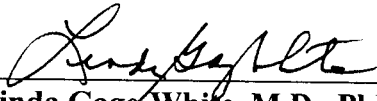
**IT IS FURTHER ORDERED** that Dr. Newton shall adhere to the terms and conditions of his PHP Monitoring Agreement.

**IT IS FURTHER ORDERED** that the failure of Lemuel Newton, M.D. to comply with the foregoing Order may give rise to such action against his license to practice medicine in the state of Louisiana as the Board may deem appropriate, as if such violation was 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.

New Orleans, Louisiana, this 21<sup>st</sup> day of September, 2009.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:   
Linda Gage-White, M.D., PhD.  
President

*Acknowledgment and Consent  
follows this page*

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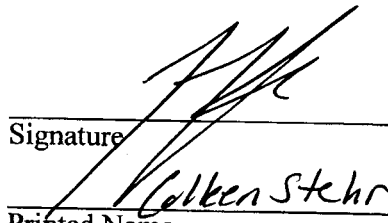
ACKNOWLEDGMENT  
AND CONSENT

STATE OF LOUISIANA  
PARISH OF RAPIDES

I, LEMUEL NEWTON, M.D., hereby acknowledge, approve, accept and consent to entry of  
the above and foregoing Order, this 14<sup>th</sup> day of August, 2009.

  
LEMUEL NEWTON, M.D.

WITNESSES:

  
Signature

Volken Stehr  
Printed Name

PO Box 1128  
Address

Alexandria, LA 71309  
City, State, Zip Code

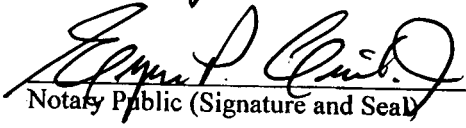
Grace A. Lee  
Signature

Grace A. Lee  
Printed Name

P.O. Box 1128  
Address

Alexandria, LA 71309  
City, State, Zip Code

Sworn to and subscribed before me at Alexandria, Louisiana, this 14<sup>th</sup>  
day of August, 2009, in the presence of the two stated witnesses.

  
Notary Public (Signature and Seal)

\_\_\_\_\_  
Printed Name/Notary (or Bar Number)

**Eugene P. Cicardo, Jr.**  
Notary Public  
Rapides Parish, Louisiana  
Bar Roll No. 1297