

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:	: Inv. No.
	: 04-I-4062
KEVIN RYAN, M.D.	: STIPULATION AND
(Certificate No. 016527),	: AGREEMENT FOR
<i>Respondent.</i>	: VOLUNTARY SURRENDER
	: OF MEDICAL LICENSE
	:
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This *Stipulation and Agreement* is made by Kevin Ryan, M.D. ("Dr. Ryan"), a physician licensed to practice medicine in the state of Louisiana, with and in favor of the Louisiana State Board of Medical Examiners (the "Board").¹

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

(a) The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners ("Board") following receipt of apparently reliable information, which raised questions and concerns regarding Dr. Ryan's physical and/or mental condition and his fitness and ability to practice medicine with reasonable skill and safety.

(b) Investigation of the captioned matter was assigned to the Director of Investigations for the Board, whose review and analysis has confirmed to her satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed charging Dr. Ryan with violations of the Louisiana Medical Practice Act, La. Rev. Stat.

¹Dr. Ryan renewed his Louisiana medical license in 2004 and, as a result, his license was current through September 30, 2005. But Dr. Ryan has not renewed his Louisiana license since; accordingly, his license expired on September 30, 2005. And although Dr. Ryan has not renewed his Louisiana license, the fact that he is entitled to do so for a period of four (4) years from the date of last renewal provides the Board with continuing jurisdiction in this matter. La. Adm. C. 46:XLV § 419.

§§ 37:1285A(3), (5), (12), (13), (25), (30) and (31).

(c) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Ryan 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. §§ 49:955-958. At such hearing, Dr. Ryan 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. Rev. Stat. §§ 49:955-965 and to have any further hearing, as well as his rights to appeal the action of the Board or any other right to which he may be afforded by the Louisiana Administrative Procedure Act, La. Rev. Stat. § 49:951, *et seq.*, or otherwise.

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. § 49:955, in recognition of the stipulations set forth herein-above toward final disposition of the investigation now pending in this matter and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Ryan, without the admission of any wrong doing, or violation of the Louisiana Medical Practice Act, and for the sole reason that no longer desires to practice medicine, or hold a license to practice medicine, in Louisiana, he hereby waives his right to notice of charges and formal adjudication and voluntarily surrenders to the Board, for cancellation, his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 016527. By his subscription hereto, Dr. Ryan also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or her legal counsel assisting her in that capacity, 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. Rev. Stat. § 49:960.

3. ***Effect of Voluntary Surrender of License.*** Dr. Ryan acknowledges, stipulates and agrees that as a result of the voluntary surrender of his medical license

effected hereby, he shall not have any right or entitlement to reinstatement or renewal of his license to practice medicine in the state of Louisiana nor shall he hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewal license to practice medicine in the state of Louisiana. Dr. Ryan further waives any right to which he may be entitled by law or otherwise 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.

4. ***Surrender of Controlled Substances Privileges.*** As of the effective date of this Stipulation, Dr. Ryan shall not prescribe, dispense or administer in the state of Louisiana any controlled substance as defined, enumerated or included in federal or state statutes or regulations, 21 C.F.R. §1308, La. Rev. Stat. §40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statutes. Within thirty (30) days of the execution of this stipulation, Dr. Ryan shall, if he has not already done so, surrender for cancellation to the issuing authorities, any and all state registrations authorizing Dr. Ryan to prescribe, dispense, or administer any controlled substance.

5. ***Termination of Proceedings.*** By the voluntary surrender of his medical license, and the attendant dismissal of the investigation occasioned hereby, Dr. Ryan, moreover, acknowledges, stipulates and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or to 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.

6. ***Advice of Counsel.*** Dr. Ryan acknowledges that he has sought and obtained the advice and guidance of legal counsel with respect to this Stipulation and that his counsel has explained to his satisfaction all of the terms, conditions, restrictions and limitations contained herein or that he has waived his right to legal counsel.

7. ***Public Record.*** Dr. Ryan further 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.

8. **Effective Date.** This Stipulation and Agreement for Surrender Retirement of Medical License shall take effect on the date that it is dated and signed by the Board President.

ACCEPTANCE

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Medical License is hereby **APPROVED, ACCEPTED AND EFFECTIVE** by the Louisiana State Board of Medical Examiners, this 20th day of February, 2006.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

By:

Kweli J. Amusa, MD

KWELI J. AMUSA, M.D.

VICE PRESIDENT

STATE OF California

~~PARISH~~/COUNTY OF SOLANO

**STIPULATION, ACKNOWLEDGMENT
AND AGREEMENT**

Having been duly advised by my legal counsel as to the meaning, scope and effect of the foregoing Stipulation and Agreement for Voluntary Surrender of Medical License or having waived such advices,

I, Kevin Ryan, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Stipulation and Agreement for Voluntary Surrender of Medical License by the Louisiana State Board Of Medical Examiners, this 26 day of January, 2006.

Kevin Ryan, M.D.

WITNESSES:

Laurence R. Johns
Signature
LAURENCE R. JOHNS
Typed Name

340 TRAVIS BLVD
Address
FARFORD CA 94533

Michael Johns
Signature
Michael Johns
Typed Name

1730 SYCAMORE DR
Address
FAIRFIELD CA 94533

Sworn to and subscribed before me at _____,

this _____ day of _____, 2006 in the presence of the two stated witnesses.

State of California }
County of Solano } ss.

Subscribed and sworn to (or affirmed) before me on the 26 day of JAN, 2006,
by KEVIN P. RYAN, personally known to me or proved to me on the basis
of satisfactory evidence to be the person(s) who appeared before me.

Laurence R. Johns
NOTARY PUBLIC SIGNATURE

