

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**In The Matter of:** :

**FRANK L. TURNER, D. P. M.** :  
**(Certificate No. PD132R)** :

**No. 04-I-12371**

**CONSENT ORDER**  
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Frank L. Turner, D.P.M. ("Respondent"), is licensed by the Board to practice podiatry in the state of Louisiana. At all times pertinent he was also licensed and engaged in the practice of podiatry in the state of West Virginia.

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners ("Board") following receipt of information that in March 2004 the West Virginia Board of Medicine (the "West Virginia Board") revoked Respondent's license to practice podiatry in West Virginia.<sup>1</sup> The action was predicated upon the West Virginia Board's determination that Respondent was unqualified to practice podiatry in the state of West Virginia and that revocation was proper, necessary and in the public interest, health, welfare and safety by virtue of his having engaged in deceptive, untrue and fraudulent billing charges, and unprofessional, unethical and dishonorable conduct in connection with his treatment and billing practices with respect to ten (10) patients that he saw over a two year period.<sup>2</sup>

Investigation of the captioned matter has been assigned to John B. Bobear, M.D., the Medical Consultant/Director of Investigations for the Board. Dr. Bobear's review and analysis of the matter confirms to his satisfaction that the decision of the West Virginia Board provides just cause for recommending that a formal Administrative Complaint be filed against Respondent, charging him with violation of the Louisiana Podiatry Practice Act (the "Act") pursuant to La.

<sup>1</sup>Order, West Virginia Board of Medicine vs. Frank Lenous Turner, D.P.M. (Mar. 8, 2004).

<sup>2</sup>See: Order-Conclusions of Law, ¶¶3, 4, 11, 12, pp. 5-8, West Virginia Board of Medicine vs. Frank Lenous Turner, D.P.M. (Mar. 8, 2004). The action followed a hearing conducted in December 2003 and the issuance of written Recommended Findings of Fact, Conclusions of Law and Recommended Decision of the Hearing Examiner, which the West Virginia Board accepted with noted modifications. See: *Recommended Decision of the Hearing Examiner*, West Virginia Board of Medicine vs. Frank Lenous Turner, D.P.M. (Feb. 19, 2004).

Rev. Stat. §37:624(9).<sup>3</sup> As evidenced by his subscription hereto Respondent acknowledges the substantial accuracy of the foregoing information relative to the action taken by the West Virginia Board and, further, that proof of such information in and of itself upon administrative evidentiary hearing would establish grounds under the Act for the suspension, revocation, or such other action as the Board might deem appropriate against his license to practice podiatric medicine in the state of Louisiana, pursuant to La. Rev. Stat. §37:624(9).

Recognizing his right to have notice of any allegation or charge asserted against him, to administrative adjudication of such allegation or charge, pursuant to La. Rev. Stat. §§49:951, *et. seq.*, and to a subsequent final decision rendered upon written findings of fact and conclusions of law, Dr. Turner, D.P.M., nonetheless, hereby waives his right to formal charges and adjudication and, pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. By his subscription hereto Respondent acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Practice Act or to which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of the Board's investigation or this document in any court. Respondent, furthermore, 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. Respondent 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 file a formal Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order. Based upon the information provided, accordingly, and on the recommendation of the Investigating Officer 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. §37:611 *et seq.*, 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. §37:624 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that the license of Frank L. Turner, D.P.M., to engage in the practice of podiatric medicine in the state of Louisiana, as evidenced by Certificate No. PD132R be and the same is hereby, as of the date of this Order, conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

- 1. Practice in Louisiana.** Dr. Turner, D.P.M. shall not, until further written order of the Board, engage in the practice of podiatry in the state of Louisiana. Prerequisite to the

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<sup>3</sup>Pursuant to the La. Podiatry Practice Act, La. Rev. Stat. §37:624(9), the Board may refuse to issue, suspend, or institute proceedings . . . to revoke any certificate as the result of "Efforts to deceive or defraud the public."

issuance of such an order Respondent shall have obtained an unrestricted license to practice podiatric medicine in the state of West Virginia.

**2. Notice of Relocation to Louisiana and Personal Appearance Before Board.**

Following satisfaction of the terms set forth in paragraph 1 above, in the event that Respondent should ever decide to relocate to Louisiana for the purpose of practicing podiatric medicine he shall contact the Board at least sixty (60) days in advance of his return to Louisiana to arrange an appearance before the Board at its next regularly scheduled meeting. At such meeting Respondent shall demonstrate his compliance with the terms imposed upon him by this Order and discuss with the Board his intended plans for the practice of podiatry in this state.

**3. Additional Probationary Terms.** In addition to such other terms and conditions as are placed upon his license to practice podiatric medicine in Louisiana by this Order, Respondent hereby consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length and nature thereof, that in the sole discretion of the Board it may then deem necessary or appropriate to impose upon his Louisiana license should he at any time in the future decide to relocate to this state for the purpose of practicing podiatry.

**4. Verification of Compliance Officer.** Respondent shall immediately notify the Board's Compliance Officer of any change in the status of his West Virginia license, as well as his current home and professional addresses and telephone numbers, and he shall cooperate with the Compliance Officer on all matters or inquiries pertaining to the conditions of this Order.

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

New Orleans, Louisiana, this 16<sup>th</sup> day of August, 2005.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

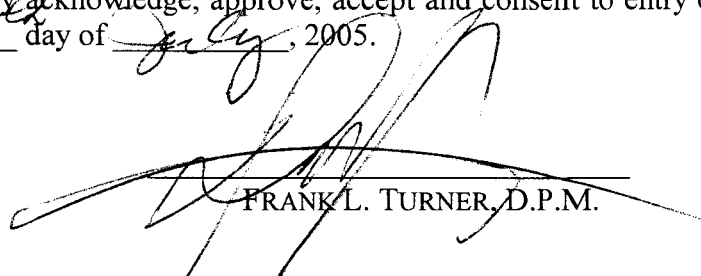
BY: K E LeBlanc MD  
KIM EDWARD LEBLANC, M.D., PH.D.  
*President*

**ACKNOWLEDGMENT AND CONSENT  
ON FOLLOWING PAGE**

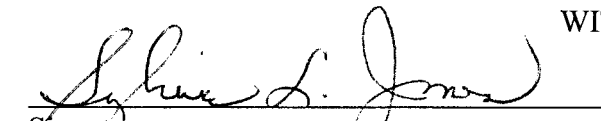
STATE OF VIRGINIA  
COUNTY OF Augusta

**ACKNOWLEDGMENT  
AND CONSENT**

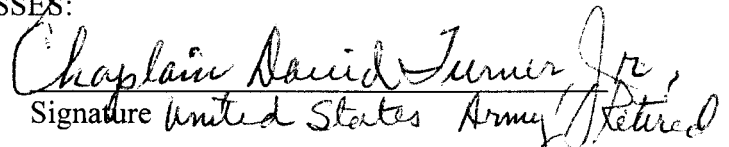
I, FRANK L. TURNER, D.P.M., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 18<sup>th</sup> day of July, 2005.

  
FRANK L. TURNER, D.P.M.

WITNESSES:

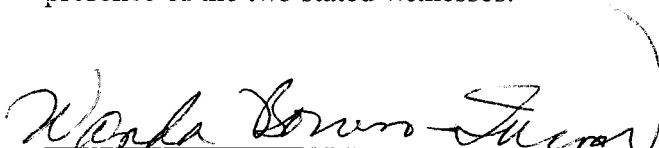
  
Signature  
Sylvia L. JONES  
Printed Name

2435 18<sup>th</sup> St. NE  
Address Wash., DC 20018

  
Signature United States Army Retired  
Chaplain David Turner, Jr.  
Printed Name

4889 Queens Chapel Terrace, N.E.  
Address Washington, D.C. 20017

Sworn to and subscribed before me at on this 18<sup>th</sup> day of July, 2005, in the presence of the two stated witnesses.

  
Notary Public