

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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In The Matter Of	:	No. 89-A-010
VICTOR ALEXANDER, M.D.	:	
(Certificate No. 05931R),	:	
Respondent.	:	DECISION

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An administrative hearing was convened before the Louisiana State Board of Medical Examiners (Board) on July 20, 1989, to adjudicate alleged violations of the Louisiana Medical Practice Act<sup>1</sup> by Victor Alexander, M.D., Respondent herein.<sup>2</sup> A quorum of the Board was present.<sup>3</sup> Respondent was present and was represented by legal counsel.<sup>4</sup>

Upon consideration of the evidence admitted, pursuant to La. Rev. Stat. § 49:958, the Board renders the following findings of fact, conclusions of law and decision.

### Findings of Fact

1. Respondent, Victor Alexander, M.D., is a physician duly licensed by the Board to practice medicine in the state of Louisiana.

2. Pursuant to a jury verdict rendered August 10, 1987, on February 24, 1988, in the United States District Court for the Eastern District of Louisiana, Respondent was found guilty and convicted of having, on May 21, 1985, robbed a Federally-insured New Orleans, Louisiana, savings and loan institution, in violation of 18 U.S.C. § 2113(a). Pursuant to such conviction, Dr. Alexander was sentenced by the court to a term of

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<sup>1</sup>LA. REV. STAT. ANN. §§ 37:1261-1292 (West 1988 & Supp. 1989).

<sup>2</sup>By Administrative Complaint filed April 13, 1989, Respondent was charged with "[c]onviction of a crime . . . constituting a felony under the laws of Louisiana or of the United States. LA. REV. STAT. ANN. § 37:1285(A)(1) (West 1988).

<sup>3</sup>The hearing panel comprised Drs. Muslow, Bordelon, Laborde, Hackett, LaNasa and Kaplan. Dr. Nunnally took no part in the hearing, consideration or decision of this case.

<sup>4</sup>Sheila C. Myers, Esq., New Orleans, Louisiana.

imprisonment of three years.<sup>5</sup> Respondent's conviction was affirmed by the United States Court of Appeals for the Fifth Circuit.<sup>6</sup>

3. Dr. Alexander does not currently suffer from any material or significant physical or psychological impairment which compromises his ability to practice medicine with reasonable skill and safety to patients.

### Conclusions of Law

Based on the foregoing findings of fact, the Board concludes, as a matter of law, that:

1. Violation of 18 U.S.C. § 2113(a) constitutes a felony under the laws of the United States.

2. By virtue of his conviction of a crime constituting a felony under the laws of the United States, lawful cause exists for the suspension or revocation of Respondent's license to practice medicine in the state of Louisiana, pursuant to La. Rev. Stat. § 37:1285(A)(1).

### Decision

Considering the foregoing,

**IT IS ORDERED** that the license of Victor Alexander, M.D., to practice medicine in the state of Louisiana, as evidenced by Certificate No. 05931R, be, and the same is hereby, **SUSPENDED** for a period of three years from the date hereof.

**IT IS FURTHER ORDERED** that the foregoing order of suspension shall itself be **SUSPENDED AND STAYED**, effective as of the date on which Dr. Alexander may be released from Federal imprisonment, provided that, as an express condition of such suspension and stay, Dr. Alexander shall accept, strictly comply with and satisfy the following probationary terms, conditions and restrictions:

A. *Restricted Practice During Continuing Custody.* Following his release from incarceration, during such period as he may remain in Federal custody in a half-way house or similar setting, and thereafter until reinstatement of unrestricted licensure by the Board, Dr. Alexander shall not engage in the practice of medicine in any form in the state of Louisiana other than at a health care institution or program previously approved by the Board in writing. Subject to such approval by the Board, upon satisfactory evidence submitted by Dr. Alexander that he has been released from incarceration and has secured a position at a health care institution or program, the Board shall issue a restricted probational license to Dr. Alexander authorizing such restricted practice.

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<sup>5</sup>Judgment and Probation/Commitment Order, *United States of America v. Victor Alexander*, No. 85-243 (U.S.D. Ct., E.D. La., Feb. 24, 1988).

<sup>6</sup>*United States v. Alexander*, 869 F.2d 808 (5th Cir., Mar. 28, 1989), *reh. denied*, 874 F.2d 812 (5th Cir., Apr. 27, 1989).

B. *Reinstatement of Unrestricted Probational Licensure.* As express, prior conditions to the Board's reinstatement of unrestricted medical licensure to Dr. Alexander shall have: (1) submitted satisfactory evidence of his final discharge from Federal custody; (2) taken and successfully passed the Special Licensing Examination (SPEX) of the Federation of State Medical Boards of the United States, as administered by the Board; and (3) made a personal appearance before the Board. Upon his satisfaction of such conditions, the Board shall issue an license to Dr. Alexander which shall be unrestricted as to his medical practice but shall be probational, and remain on probation, for a period of three years following the date of issuance of such license.

**IT IS FURTHER ORDERED** that Dr. Alexander shall be assessed and pay a fine to the Board in the amount of Five Thousand and No/100 Dollars (\$5,000.00); provided, however, that such fine shall be waived by the Board provided that Dr. Alexander successfully satisfies and complete the terms and period of probation ordered herein.

**IT IS FURTHER ORDERED** that any violation of the probationary terms, conditions and restrictions set forth herein shall be deemed just cause for the suspension or revocation of the medical licensure of Victor Alexander, M.D., or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided for by La. Rev. Stat. § 38:1285.

New Orleans, Louisiana, this 1 day of August, 1989.

LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS

By: Ike Muslow  
IKE MUSLOW, M.D.  
President