

In The Matter of:
LARRY E. DUMONT, M.D.
(Certificate No. 015947)

CONSENT ORDER

Although Dr. Dumont currently resides and practices medicine exclusively in the state of New Jersey, he remains licensed to practice medicine in the state of Louisiana. The captioned

³See N.J. Consent Order, *Id.*

matter was, accordingly, assigned to the Investigating Officer of the Board for investigation. Following review and analysis of the New Jersey Order, the Investigating Officer has confirmed to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed against the licensure of Dr. Dumont pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §37:1261, *et seq.*, charging Dr. Dumont with " . . . suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state, . . ." in violation of La. Rev. Stat. §37:1285A(30).

The Board is persuaded, however, that Dr. Dumont's continued maintenance of his capacity to engage in the practice of medicine in the state of Louisiana is warranted provided, however, that Dr. Dumont strictly observes and complies with appropriate restrictions on and conditions to maintenance of his medical licensure in this state. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to the ensure the health, safety, and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, *et seq.*, will be effectively served by entry of the Order set forth hereinafter, by consent.

As evidenced by his subscription hereto, Dr. Dumont acknowledges the substantial accuracy of the foregoing information, and that such information would constitute probable cause for institution of administrative proceedings against his medical licensure, pursuant to administrative complaint and that proof of such information upon administrative evidentiary hearing would establish grounds under the Louisiana Medical Practice Act for the suspension or revocation of his license to practice medicine in the state of Louisiana, or for such other action as the Board might deem appropriate, pursuant to La. Rev. Stat. §37:1285A(30).

Dr. Dumont, recognizing his right to have notice of the allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-58, and to a final decision rendered upon written findings of fact and conclusions of law,

nonetheless, hereby waives his right to notice of charges and formal adjudication and, pursuant to La. Rev. Stat. §49:955D, consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Dumont also hereby authorizes the Investigating Officer designated by the Board with respect hereto, and/or his legal counsel, 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.

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. §49:955D;

IT IS ORDERED that the license of Edward E. Dumont, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 015947, be, and the same is hereby, effective as of the date hereof, placed ON PROBATION, for a period of three (3) years from the date hereof and, Dr. Dumont's continuing exercise of the rights and privileges thereunder, shall be subject to his acceptance of and strict compliance with the following terms, conditions, and restrictions:

- a) ***Compliance with New Jersey Order.*** Dr. Dumont shall fully comply with the Order imposed by the New Jersey Board dated October 16, 1992, a copy of which is annexed hereto and incorporated herein by reference;
- b) ***Satisfaction of New Jersey Order.*** As a prerequisite to relocating to the state of Louisiana for the purpose of engaging in the practice of medicine, Dr. Dumont shall have fully satisfied and completed each of the terms, including the probationary period, imposed upon his New Jersey medical licensure by the October 16, 1992 Order of the New Jersey Board;
- c) ***Notice of Current Address.*** Dr. Dumont shall advise the Board of any change of address, mailing or office, within thirty (30) days of such occurrence;
- d) ***Notice of Relocation to Louisiana/Probationary Terms and Conditions.*** In the event that Dr. Dumont decides to relocate to Louisiana for the purpose of practicing medicine in this state subsequent to his compliance with paragraphs (a) and (b) above, he shall provide the Board with at least sixty (60) days advance written notice of such intention, and shall contact the Board office for the purpose of scheduling an informal appearance before the Board, or its designee, to discuss his then-current plans and intentions for the practice of medicine. In addition to those terms, conditions and restrictions enumerated hereinabove, in the event that Dr. Dumont should locate to Louisiana for the purpose of engaging in the practice of

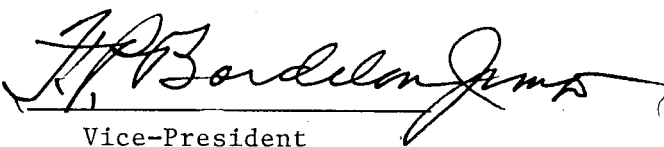
medicine, then, in that instance, he hereby consents, agrees and stipulates to the imposition of any additional terms, conditions and/or restrictions upon his Louisiana medical license which the Board may, in its discretion, deem appropriate to safeguard the health, safety and welfare of the citizens of Louisiana.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by the New Jersey Consent Order, or by this Order by Dr. Dumont shall, upon proof of such violation or failure, be deemed adequate or sufficient cause for the suspension and/or revocation of Dr. Dumont's license to practice medicine in Louisiana, or for such other disciplinary action as the Board may deem appropriate, as if such violations were 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 26 day of May, 1993.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS


BY: 
Vice-President

ACKNOWLEDGMENT AND CONSENT

I, LARRY DUMONT, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 11TH day of MAY, 1993.


LARRY E. DUMONT, M.D.

WITNESS:


STEPHEN N. DRATCH
attorney at law of
the STATE of N.J.

ROBERT J. DEL TUFO
ATTORNEY GENERAL OF NEW JERSEY

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FILED

October 16, 1992

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
: LARRY E. DUMONT, M.D.
: LICENSE NO. 47944 :
: TO PRACTICE MEDICINE AND SURGERY :
: IN THE STATE OF NEW JERSEY :
:

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of an Adverse Action Report indicating that Dr. Larry Dumont had resigned his clinical privileges at Fair Oaks Hospital on November 22, 1991. Dr. Dumont appeared pro se before the Medical Practitioner Review Panel on March 6, 1992 and testified regarding this matter.

The Panel's inquiry revealed that Dr. Dumont had been employed as a staff psychiatrist at Fair Oaks Hospital since 1980 and had resigned from the medical staff while an investigation regarding his treatment of a nine year old male patient, J.G., was pending. J.G. was a patient who frequently exhibited violent behavior. During a two

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day period in or about November 1991, Dr. Dumont was observed by members of the staff, on three separate occasions, to have pinned J.G. down and applied pressure to what was described by witnesses as J.G.'s genital area. He continued to apply pressure intermittently until J.G. cried out in pain and burst into tears. At the time that Dr. Dumont was applying this pressure, J.G. was being restrained on the floor by members of the staff and Dr. Dumont was kneeling on the floor beside J.G.

Dr. Dumont testified that he never touched or applied pressure to the child's genital area, but, instead, had placed pressure on J.G.'s inguinal area. However, he admitted that there could have been referred pain to the genital area due to the youth of the patient. Dr. Dumont stated that he tried to create an aversion stimulus, by using aversion treatment technique, to see if it would help to improve the child's oftentimes violent behavior. While Dr. Dumont admitted that he had attempted to cause a certain level of discomfort, he stated that he had not intended to cause harm. Dr. Dumont testified that there was a therapeutic basis for his action. Also, Dr. Dumont denied that there were any sexual overtones to his conduct but did admit that he used extremely poor judgment in utilizing this technique. Further, Dr. Dumont testified that he has never used this technique before and would never use it again and does not advocate its use.

The Board finds the techniques engaged herein were inappropriate. The Board notes these techniques are specifically prohibited by Fair Oaks Hospital medical staff by-laws. While the Board recognizes Dr. Dumont's explanations as mitigating circumstances, it cannot condone the behavior that was displayed.

The parties having conferred and being desirous of terminating this matter consistent herewith and said resolution appearing in the public interest;

IT IS, on this 16th day of October 1992,

ORDERED:

1. Respondent's license to practice medicine shall be suspended for a period of three years, with the entire period to be stayed and deemed to be a period of probation. If respondent is found to be in non-compliance with this Order during the period of probation, and in the event respondent fails to comply with all statutes and regulations dealing with the practice of medicine as well as the general laws of the State of New Jersey, said probation will become an active suspension. Notice of such active suspension will be given to respondent within two days of the Board's action. Respondent may move for dissolution of any such order on two days' notice to the Board and to the Attorney General.

2. Respondent shall pay the costs of the investigatory inquiry in this matter and shall submit a certified check or money order in the amount of \$2400.67 made payable to the New Jersey Board of Medical Examiners and submitted within ten days of the filing of this Order.

3. Respondent shall cease and desist from the use of aversive treatment technique on any and all of his patients.

NEW JERSEY BOARD OF MEDICAL EXAMINERS

By: *Sanford Lewis, M.D.*

SANFORD LEWIS, M.D.
PRESIDENT

I have read and understood the terms and conditions of the within Order and I agree to be bound by them. I hereby give my consent to this Order.

Larry E. Dumont, M.D.
Larry E. Dumont, M.D.