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In the Matter Of	:
	:
KEVIN MEERS KENNEDY, M.D.	:
(CERTIFICATE NO. 018953)	:
	:
Respondent.	:
	:
	No. 1994-I-039-X
	CONSENT ORDER

As evidenced by his subscription hereto, Dr. Kennedy acknowledges that such information, if accurate, would provide the Investigating Officer designated by the Board with respect to this investigation with probable cause to initiate formal administrative proceedings against his license pursuant to the Louisiana Medical Malpractice Act, La. Rev. Stat. §§37:1261-92,<sup>1</sup> constituting cause for the revocation, suspension or imposition of such other terms and conditions upon Dr. Kennedy's license to practice medicine in the State of Louisiana as the Board may deem appropriate.

1

On the basis of the information provided to and received by the Board and with Dr. Kennedy's knowledge and consent, however, the Board is persuaded that he may maintain his license to practice medicine in the State of Louisiana, *provided, however*, that he strictly observes and complies with appropriate restrictions on and conditions to maintenance of such licensure. In consideration of this finding, accordingly, and on the recommendation of the Board's Investigating Officer respecting the pending investigation, the Board has concluded that its responsibility to 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, will be effectively served by entry of the Order set forth hereinafter, by consent.

Recognizing his right to have notice of allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Kennedy nonetheless hereby waives his right to notice of allegations and charges and 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. Kennedy also hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as his legal counsel assisting him in connection herewith, 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 waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Kennedy expressly acknowledges that the disclosure of the information to the Board by the Investigating Officer or his counsel 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.

Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that Dr. Kennedy's medical licensure, Certificate Number 018953, and his continuing exercise of the rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following terms, conditions and restrictions:

(a) *Continuing Medical Education.* Dr. Kennedy shall obtain not less than fifty (50) credit hours per year, for each of the three (3) consecutive years following the effective date hereof, of continuing education credits ("CME") through attendance at and participation in CME programs accredited by and qualifying for the Physicians Recognition Award of the American Medical Association, and he shall obtain such award within three (3) years

from the effective date hereof. Dr. Kennedy shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months.

(b) *Special Purpose Examination ("SPEX")*. Dr. Kennedy shall take and successfully pass the Special Purpose Examination ("SPEX") which is offered by the Federation of State Boards of Medical Examiners within one (1) year of the effective date hereof. Should Dr. Kennedy fail to successfully complete and pass the SPEX examination in satisfaction of the terms and conditions set forth herein then, in that event, his license to practice medicine in the State of Louisiana shall be suspended indefinitely. During such suspension, Dr. Kennedy shall not practice medicine in any form in the State of Louisiana and he shall refrain from doing so until and unless he receives a written order from the Board permitting him to do so. Reinstatement of Dr. Kennedy's license thereafter shall be conditioned upon his acceptance of and strict compliance with such terms, conditions and restrictions which the Board, in its sole discretion, may determine to be appropriate.

(c) *Restriction*. Dr. Kennedy shall not, for three years from the effective date hereof, engage in the practice of medicine at any medical clinic operating as a one-stop, emergent medical service, i.e. redi-med, "doc-in-a-box", in any form, in the State of Louisiana.

(d) *Report of Any Pending or Additional Malpractice Claims or Suits*. Dr. Kennedy shall immediately report any pending or additional malpractice claims or suits in which he is named, which have occurred or may occur during the three (3) year period identified hereinabove. Moreover, Dr. Kennedy shall provide the Board with a detailed explanation of his involvement in and/or treatment of any patient made the basis of such malpractice claim or suit.

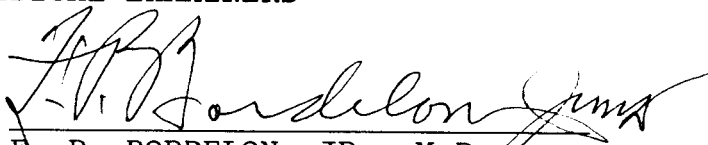
**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with any of the terms, conditions and restrictions of this Order as set forth hereinabove, shall be deemed adequate and/or sufficient cause, upon proof of such violation or failure, for the suspension and/or revocation of the medical licensure of Kevin Meers Kennedy, M.D., or for such other disciplinary action as the Board deems 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.

Signed in New Orleans, Louisiana, and effective on this 2nd day of March, 1995.

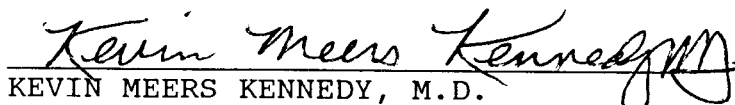
LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

BY:

  
F. P. BORDELON, JR., M.D.  
President

ACKNOWLEDGMENT AND CONSENT

I, Kevin Meers Kennedy, M.D., HEREBY ACKNOWLEDGE, APPROVE, ACCEPT AND CONSENT to entry of the above and foregoing Order, this 15 day of February, 1995.

  
KEVIN MEERS KENNEDY, M.D.

  
WITNESS