

**BEFORE THE  
LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

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| <p>-----</p> <p>In The Matter of:</p> <p>DONALD R. MARTIN, M.D.<br/>(Certificate No. 006270)</p> <p style="text-align:right">Respondent</p> <p>-----</p> | <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> | <p>INVESTIGATIVE FILE<br/>NO. 93-I-040-X</p> <p><b>STIPULATION AND AGREEMENT<br/>FOR VOLUNTARY SURRENDER<br/>OF MEDICAL LICENSURE</b></p> |
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**THIS STIPULATION AND AGREEMENT** is made and executed by Donald R. Martin, M.D. ("Dr. Martin"), a physician licensed as of the date hereof to practice medicine in the state of Louisiana, with and in favor of the Louisiana State Board of Medical Examiners ("Board").

1.     ***Acknowledgments and Stipulations:*** Dr. Martin hereby acknowledges, stipulates and agrees that:

- a)     An investigation was conducted on behalf of the Louisiana State Board of Medical Examiners, through its Investigating Officer, John B. Bobear, M.D., indicating to the satisfaction of Dr. Bobear that sufficient cause exists for further inquiry and investigation into the prescribing practices of Dr. Martin, particularly with respect to controlled dangerous substances, conceivably resulting in charges against the licensure of Dr. Martin under the Louisiana Medical Practice Act, potentially including: "[p]rescribing, dispensing, or administering habit-forming or other legally controlled substances in other than a legal or legitimate manner," LSA-R.S. 37:1285A(6); "[c]ontinuing and recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state," LSA-R.S. 37:1285A(14); and/or "[p]rofessional and medical incompetency," LSA-R.S. 37:1285A(12).
- b)     As evidenced by his subscription hereto, Dr. Martin, and without admitting any unlawful or unwarranted prescribing activity or

any violation of the Louisiana Medical Practice Act, hereby acknowledges, stipulates, and agrees that such information, if accurate and established at a formal administrative hearing, would lawful cause under the Louisiana Medical Practice Act for the Board to revoke Dr. Martin's license to practice medicine in the state of Louisiana, or for such other action as the Board may deem appropriate, pursuant to LSA-R.S. 37:1285.

- c) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Martin would be entitled, prior to final disciplinary action against his medical licensure, to an evidentiary hearing on specified allegations set forth in a formal administrative complaint. At such hearing, Dr. Martin would be entitled to be represented by legal counsel, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to the applicable provisions of the Louisiana Administrative Procedure Act, LSA-R.S. 49:950-65.
2. *Surrender of Controlled Substances Privileges:* Within thirty (30) days of the execution of this stipulation, Dr. Martin shall surrender for cancellation to the issuing authorities, any and all state and federal registration authorizing Dr. Martin to prescribe, dispense, or administer any controlled substance as defined under state or federal law, LSA-R.S. 40:964; 21 CFR §1308. The foregoing stipulation and surrender of controlled substance privileges shall not, however, effect Dr. Martin's right to order controlled substances for any hospital in-patient utilizing the hospital's controlled substance permits and registration, until the date of Dr. Martin's retirement and surrender of medical licensure as provided hereunder.
3. *Voluntary Surrender of Medical Licensure:* In recognition of the stipulation set forth hereinabove, toward final disposition of the investigation now pending in this matter and in lieu of possible prosecution of formal administrative proceedings, Dr. Martin hereby waives his right to formal evidentiary hearing and hereby agrees to voluntarily surrender to the Board, for cancellation, his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 006270, such surrender to become effective January 1, 1994.
4. *Affect of Surrender of License:* Dr. Martin acknowledges, stipulates and agrees that the surrender of his medical licensure effected hereby shall have, and be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings. Dr. Martin further acknowledges,

stipulates and agrees that notice of Dr. Martin's surrender of his medical license pursuant hereto, together with a certified copy of this Stipulation and Agreement, may be provided by the Board to the medical licensing agency of any state that may request information concerning the status of Dr. Martin's Louisiana medical licensure, to the Federation of State Medical Boards of the United States, Inc. and the National Healthcare Practitioner Data Bank, and to other persons, firms, associations, corporations and entities who state reasonable and legitimate need for such information as determined in the sole discretion of the Board.

IN WITNESS WHEREOF, Donald R. Martin, M.D., has subscribed this Stipulation and Agreement, in duplicate original, this 23 day of June 1993.

DR. Martin M.D.  
DONALD R. MARTIN, M.D.

Mary D. Martin  
WITNESS

ACCEPTANCE

ACCEPTED AND APPROVED by the Louisiana State Board of Medical Examiners, this 29<sup>th</sup> day of July, 1993.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

BY Bernard Kaplan  
BERNARD KAPLAN, M.D.  
PRESIDENT