

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of  
**JOSEPH ALVIN MAYER, M.D.**  
(Certificate No. 008530),

Respondent

\* **STIPULATION AND**  
\* **AGREEMENT FOR VOLUNTARY**  
\* **AND PERMANENT SURRENDER**  
\* **OF MEDICAL LICENSE**  
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**THIS STIPULATION AND AGREEMENT FOR PERMANENT SURRENDER OF MEDICAL LICENSE** is freely and voluntarily made and executed, without duress or coercion and with a full understanding of all of the terms and conditions set forth herein, by Joseph Alvin Mayer, M.D. ("Dr. Mayer"), a physician licensed at all pertinent times to practice medicine in the state of Louisiana, with and in favor of the Louisiana State Board of Medical Examiners (the "Board").

1. **Acknowledgment and Stipulations.** Dr. Mayer hereby acknowledges, stipulates and agrees that:

(a) Dr. Mayer, a seventy-year-old physician with a date of birth of October 20, 1928, has been engaged in the general practice of medicine in Lafayette, Louisiana.<sup>1</sup> Dr. Mayer's practice has been the subject of an investigation conducted by Investigating Officers designated by the Board with respect hereto. During the course of the investigation, information was developed from sources considered reliable by the Board which indicated Dr. Mayer's violation of the Medical Practice Act ("the Act"), La. Rev. Stat. §1261-92, and of numerous sections of the Board's *Rules Governing Physician Prescription, Dispensation and Administration of Medications*, 46 L.A.C. §45.6901, et seq. by: self-prescribing of controlled substances; obtaining controlled substances by fraudulent means; and prescribing controlled substances without appropriate medical justification, medical records and documentation and contrary to the prevailing and usually accepted standards of medical practice in this state under La. Rev. Stat. §37:1225A(6) and (14).

(b) As evidenced by his subscription hereto, Dr. Mayer, while denying the allegations in 1(a) above, nevertheless acknowledges that the information contained in 1(a) above would provide the Investigating Officers designated by the Board with respect to this investigation with probable cause to initiate formal administrative proceedings against his license, pursuant to the Louisiana

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<sup>1</sup> Dr. Mayer has advised the Investigating Officers that he plans to retire from the practice of medicine effective May 1, 1999. Pending such retirement, Dr. Mayer agrees that he will voluntarily refrain from prescribing all medication to himself and controlled substances to any patients or family members.

Medical Practice Act (the "Act"), La. Rev. Stat. §37:1261-92, and provide cause for the revocation, suspension or imposition of such other terms and conditions upon Dr. Mayer's license to practice medicine in the state of Louisiana as the Board may deem appropriate.

(c) Pursuant to the Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Mayer would be entitled, prior to final disciplinary action against his medical license, to have notice of the allegations and charges asserted against him, and to administrative adjudication of such charges, pursuant to La. Rev. Stat. §49:955-958. At such hearing, Dr. Mayer 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 La. Rev. Stat. §49:955-965.

2. **Voluntary Surrender of Medical License.** Notwithstanding his right to notice of formal charges, administrative hearing and a decision thereon, as provided by La. Rev. Stat. §49:955, in recognition of the acknowledgment and stipulations set forth hereinabove and to provide a final disposition of the investigation now pending in this matter and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Mayer, nonetheless, hereby waives his right to notice of charges and formal adjudication and hereby voluntarily surrenders to the Board, for permanent cancellation, effective May 1, 1999, his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 008530. By his subscription hereto, Dr. Mayer acknowledges that he hereby waives any right(s) to which he may be entitled, pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. 49:951, et. seq. or any law, to contest his acknowledgment and stipulations, the factual content of the Board's investigation, the basis for the surrender of his medical license or this document in any court or any other forum. Furthermore, Dr. Mayer also authorizes the Investigating Officers designated by the Board with respect hereto and/or their legal counsel assisting them in that capacity, to present this Stipulation and Agreement for Voluntary and Permanent Surrender of Medical License 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. Dr. Mayer expressly acknowledges that the disclosure of information to the Board by the Investigating Officers or their legal counsel shall be without prejudice to the Investigating Officers' authority to file a formal Administrative Complaint against him or the Board's capacity to adjudicate such Complaint should the Board decline to accept this Voluntary Surrender of Medical License.


3. **Effect of Voluntary Surrender of Medical License.** Dr. Mayer acknowledges, stipulates and agrees that the permanent and voluntary surrender of his medical license effected hereby, in the presence of the administrative investigation, shall have and shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of the formal administrative proceedings. Dr. Mayer further acknowledges, stipulates and agrees that as a result of the permanent surrender of his medical license effected hereby, he shall not have any right or entitlement to reinstatement or renewal of his license to practice medicine in the state of Louisiana nor shall he hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewed license to practice medicine in the state of Louisiana.

4. **Public Record.** Dr. Mayer acknowledges, stipulates and agrees that this Stipulation and Agreement for Permanent and Voluntary Surrender of Medical License shall be and shall be deemed to be a public record.

### STIPULATION, ACKNOWLEDGMENT AND AGREEMENT

I, Joseph Alvin Mayer, M.D., hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above and foregoing Stipulation and Agreement for Permanent and Voluntary Surrender of Medical License this 19th day of March, 1999.

  
JOSEPH ALVIN MAYER, M.D.

  
Signature


Ken Lavergne

Typed Name

186 Leander Lane, Opelousas, LA

Address

WITNESSES:

  
Signature

Jennifer M. Klein

Typed Name

200 West Congress, Suite 1000

Address Lafayette, LA

Sworn to and subscribed before me at  
Lafayette, Louisiana, this 19th  
day of March, 1999, in the  
presence of the two stated witnesses.

  
NOTARY PUBLIC

(wpwin6.1#191303)(3/18/99)

**ACCEPTANCE**

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Permanent Surrender of Medical License is hereby APPROVED AND ACCEPTED by the Louisiana State Board of Medical Examiners, this 24<sup>th</sup> day of March, 1999.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

By: Mary Lou Applewhite, M.D.  
Mary Lou Applewhite, M.D.  
President

(wpwin6.1#191303)(3/18/99)