

LOUISIANA STATE

BOARD OF MEDICAL EXAMINERS

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In the Matter of: *

JOHN STANFORD NOELL, M.D. *

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FINAL DECISION

A formal hearing was convened before the Louisiana State Board of Medical Examiners (Board) on May 11, 1978, and reconvened on June 15, 1978, to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by John S. Noell, M.D., (Dr. Noell), to-wit: "performing or assisting in the performance of, or procuring or abetting in the procuring of an abortion or termination of pregnancy after the first trimester . . . when the operating physician lacks the training and experience to perform the procedure", LSA-R.S. 37:1285(8.1); and "professional or medical incompetency," LSA-R.S. 37:1285(12). The entire Board was present. Dr. Noell was represented by legal counsel, Mr. Juan A. Velasco.

After receiving and considering the evidence, pursuant to LSA-R.S. 49:958, the Board renders the following findings of fact, conclusions of law, and decision.

FINDINGS OF FACT

1.

On January 9, 1978, Dr. John S. Noell induced an abortion of a 24 to 26 week old fetus by the insertion of a catheter into the uterus.

2.

On January 20, 1978, Dr. Noell induced the abortion of a 22 week old fetus by the insertion of a catheter into the uterus.

3.

Dr. Noell, in the course of his practice, normally performs abortion in which the fetus is in excess of 20 weeks utilizing the same method that he employed in the abortions of January 9 and January 20, 1978.

4.

Dr. Noell does not know nor does he perform the minimal physical examinations required prior to an abortion.

5.

Dr. Noell does not know nor does he perform the minimal essential laboratory procedures prior to an abortion.

6.

The method of inducing an abortion utilized by Dr. Noell, i.e., the insertion of a catheter into the uterus, is not a valid medical procedure.

7.

Dr. Noell lacks any knowledge of the pathologic and physiologic process of abortion.

8.

The only sterile technique utilized by Dr. Noell, i.e., the use of zephiran, is outmoded and has been proven not to be either bacteriotactic or bactericidal.

9.

Dr. Noell does not know how to properly use antibiotics. In particular, his knowledge of treatment with regard to anaerobe and aerobe organisms is limited.

10.

Dr. Noell is unknowledgeable with respect to Rh isoimmunization.

11.

Dr. Noell does not know how to handle the potential hazards of abortion. In particular, he demonstrated a lack of knowledge on the management of infection, hemorrhage, and possible rupture of the uterus after an abortion.

12.

Dr. Noell does not know the proper method of treatment of the second trimester abortion and its possible complications.

13.

Dr. Noell has demonstrated a lack of knowledge in certain basic aspects of medical practice, including but not limited to, sterilization techniques, proper method of performing a physical examination, necessary laboratory procedures, proper use of antibiotics, proper modalities of treatment, and proper awareness of possible complications of treatment.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes, as a matter of law, that:

1.

On January 9, 1978, Dr. John S. Noell performed an abortion after the first trimester without adequate training and experience to perform the procedure, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(8.1).

2.

On January 20, 1978, Dr. John S. Noell performed an abortion after the first trimester without adequate training and experience to perform the procedure, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(8.1).

3.

On other occasions, Dr. John S. Noell has performed an abortion after the first trimester without adequate training and experience to perform the procedure, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(8.1).

4.

Dr. John S. Noell is professionally incompetent, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(12).

DECISION

Considering the foregoing,

IT IS ORDERED that the license of John S. Noell, M.D., to practice medicine in the State of Louisiana, as evidenced by Certificate No. 8156, be, and the same is hereby REVOKED.

New Orleans, Louisiana, this 15th day of July, 1978.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

BY: Charles B. Odom M.D.
CHARLES B. ODOM, M.D.
President