

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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|                             |                      |
|-----------------------------|----------------------|
| In The Matter Of            | :                    |
| MARK MINER BROOK, M.D. :    | :                    |
| (Certificate No. 10646R), : | :                    |
| :                           | STIPULATION AND      |
| :                           | AGREEMENT FOR        |
| :                           | VOLUNTARY SURRENDER  |
| :                           | OF MEDICAL LICENSURE |
| ----- X                     | _____                |

This *Stipulation and Agreement* is made by Mark Miner Brook, M.D. ("Dr. Brook), 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 (the "Board").

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

- (a) He is aware that following receipt of notice of revocation action taken against his medical license by the State of Connecticut Medical Examining Board (the Connecticut Board) an investigation was conducted on behalf of the Board, through its Investigating Officer, John B. Bobear, M.D.
- (b) He is aware that the Board has knowledge that the New York State Board for Professional Medical Conduct (the New York Board) found that the disciplinary actions of the Connecticut Board warranted revocation of his New York license, and that in consideration thereof, the New York Board obtained the surrender of his license in that state
- (c) The above-referenced facts, if proven, constitute a violation of La. Rev. Stat. 37:1285A(29) and would provide lawful cause for action against Dr. Brook's license.
- (d) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Brook would be entitled, prior to final

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. Brook 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 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 stipulations set forth hereinabove toward final disposition of the investigation now pending in this matter and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Brook nonetheless hereby waives his right to notice of charges and formal adjudication and hereby agrees to surrender his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 10646R. By his subscription hereto, Dr. Brook also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or his legal counsel assisting him in that capacity, to present this Stipulation and Agreement for Voluntary 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.

3. *Effect of Voluntary Surrender of License.* Dr. Brook acknowledges, stipulates and agrees that the voluntary surrender of his medical license effected hereby 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 administrative proceedings. Dr. Brook further acknowledges, stipulates and agrees that as a result of the voluntary 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 renewal license to practice medicine in the state of Louisiana.

4. *Surrender of Controlled Substances Privileges.* As of the effective date of the Board's acceptance hereof, Dr. Brook shall not prescribe, dispense or administer any controlled substance as defined, enumerated or included in federal or state statutes or regulations, 21 C.F.R. §1308, La. Rev. Stat. §40:964, or any substance which may hereafter be designated a controlled substance by amendment or supplementation of such regulations and statutes.

5. *Termination of Proceedings.* By the voluntary surrender of his medical license, Dr. Brook acknowledges, stipulates and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or to which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of, this document in any court relating to the matters referred to herein.

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

STIPULATION, ACKNOWLEDGMENT AND AGREEMENT

I, MARK MINER BROOK, M.D., hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above and foregoing this 18 day of June, 2003.

Mark Miner Brook MD  
MARK MINER BROOK, M.D.

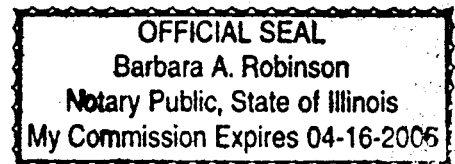
WITNESS:

Barbara A. Robinson

Lawrence S. Miner Brook

Barbara A. Robinson  
Notary

Roll L. Ren



**ACCEPTANCE**

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Medical License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, this 22 day of July, 2003, **effective** immediately.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By: \_\_\_\_\_

  
**ELMO J. LABORDE, M.D.**  
*President*