

BEFORE THE LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

| | | |
|--------------------------|--------|----------------------------------|
| | -----X | |
| | : | |
| In The Matter of: | : | |
| | : | No. 93-I-039 |
| J. JEROME RINALDI, M.D. | : | |
| (Certificate No. 007201) | : | |
| | : | STIPULATION AND AGREEMENT |
| | : | FOR VOLUNTARY SURRENDER |
| | : | OF MEDICAL LICENSE |
| | -----X | |

THIS STIPULATION AND AGREEMENT is made and executed by J. Jerome Rinaldi, M.D. ("Dr. Rinaldi"), 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. Rinaldi hereby acknowledges, stipulates and agrees that:

(a) Dr. Rinaldi is a physician trained in the practice of medicine who, at all pertinent times, was principally engaged in the practice of medicine in the state of Arkansas. Apparently reliable information has, however, been received by the Investigating Officer designated by the Board with respect hereto, which indicates that on December 11, 1991, J. Jerome Rinaldi, M.D. appeared before the Arkansas State Medical Board (the "Arkansas Board") on behalf of his reciprocity application and was granted a license to practice medicine in the state of Arkansas. On March 13, 1992, the Arkansas Board asked Dr. Rinaldi to appear at its June meeting to discuss information received by the Board after he was licensed. Dr. Rinaldi appeared at the invitation of the Arkansas Board on June 11, 1992, to explain information received by the Board regarding his license application. At that time, the Arkansas Board found that the public health, safety and welfare required emergency action and suspended Dr. Rinaldi's license to practice medicine in the state of Arkansas, pending a disciplinary hearing. A disciplinary hearing was subsequently scheduled before the Arkansas Board On September 17, 1992. On September 14, 1992 however, Dr. Rinaldi advised the Arkansas Board of his desire to voluntarily surrender his medical license in Arkansas, at which time the Board voted to accept the same. In applying for renewal of his Louisiana medical licensure for 1993, Dr. Rinaldi neglected to advise the Board on his renewal application of the actions which had transpired in Arkansas as recited above.

(b) Upon Administrative Complaint such facts would establish probable cause to initiate formal administrative proceedings against Dr. Rinaldi, charging him with violations of the Louisiana Medical Practice Act. La. Rev. Stat. §37:1285A(3), A(4) and La. Rev. Stat. §37:1285A(30).

(c) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Rinaldi would be entitled, prior to 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 time, Dr. Rinaldi 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. *Waiver of Rights and Voluntary Surrender of Licensure.* 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. Rinaldi, nonetheless, hereby waives his right to notice of charges and formal adjudication and hereby voluntarily surrenders to the Board, for cancellation, his license to practice medicine in the state of Louisiana, as evidenced by certificate No. 007201. By his subscription hereto, Dr. Rinaldi 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 Licensure 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. Rinaldi expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his legal counsel shall be without prejudice to the Investigating Officer's authority to file a formal Administrative Complaint against Dr. Rinaldi, or the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Stipulation and Agreement for Voluntary Surrender of Medical Licensure.

3. *Effect of Voluntary Surrender of License.* Dr. Rinaldi acknowledges, stipulates and agrees that the voluntary surrender of his medical licensure effected hereby in the presence of an 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 formal administrative proceedings. Dr. Rinaldi further acknowledges, stipulates and agrees that as a result of the voluntary surrender of his medical licensure affected 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 apply for or otherwise attempt to obtain any original, reinstated or renewal license to practice medicine in the state of Louisiana.

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

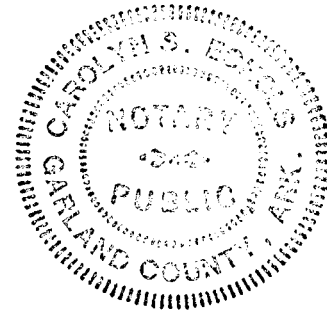
STIPULATION, ACKNOWLEDGEMENT
AND AGREEMENT

I, J. JEROME RINALDI, M.D., hereby acknowledge, approve, accept, stipulate, agree and consent to entry of the above and foregoing this 1st day of July, 1993.

J. Jerome Rinaldi, M.D.
J. JEROME RINALDI, M.D.

WITNESS:

Carolyn S. Edick
NOTARY FOR GARLAND CO., ARKANSAS
My Comm. Ex. 4-1-01



ACCEPTANCE

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Medical Licensure is hereby *APPROVED AND ACCEPTED* by the Louisiana State Board of Medical Examiners, this 29th day of July, 1993.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By:

Bernard L. Kaplan, M.D.

BERNARD L. KAPLAN, M.D. -

President

1 July 1993

Please be advised that due to a cardiac problem I am unable to practice Medicine and I have retired from practice since September 1992.

Thank you, Dr. R
J. J. Rinaldi, M. D.