

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of

VINCENT TOMASINO, M.D.
(Certificate No. 011516),

No. 10 – I – 1068

**STIPULATION AND
AGREEMENT FOR
VOLUNTARY SURRENDER
OF MEDICAL LICENSE**

THIS STIPULATION AND AGREEMENT is made by Vincent Tomasino, M.D. ("Dr. Tomasino"), a physician who at all times material to the facts and matters alleged herein was licensed and engaged in the practice of medicine in other states, but who was also licensed by the Louisiana State Board of Medical Examiners (the "Board") to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 011516.

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

- (a) An investigation conducted on behalf of the Board, through its Investigating Officer, indicates that Dr. Tomasino voluntarily surrendered his clinical privileges at the Veterans Administration ("VA") Medical Center in Washington, DC, in November 2010 while under investigation for unprofessional conduct.
- (b) Based on the information gathered, the Investigating Officer believes that cause may exist to charge Dr. Tomasino under the Louisiana Medical Practice Act.¹
- (c) By law, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1261,

¹ Pursuant to La. Rev. Stat. §§37:1285A(13) the Board may take action against the license of a physician as the result of (13) "[u]nprofessional conduct."

et seq., and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, Dr. Tomasino would be entitled, prior to final action against his medical license, to have notice of any allegations and charges asserted against him and to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:951, *et seq.* At such hearing Dr. Tomasino would be entitled to be represented by legal counsel, to call witnesses and to 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. §§49:951, *et seq.*

- (d) On his own behalf, Dr. Tomasino advises that he has not practiced medicine in Louisiana since completion of his training many years ago, that since that time he has practiced medicine exclusively in other states, and that he has no plans to resume practice in this state.

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. §§49:951 *et seq.*, 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. Tomasino, nonetheless, hereby waives his right to notice of charges and formal adjudication and voluntarily surrenders to the Board for cancellation of his license to practice medicine in this state, as evidenced by Certificate No. 011516. By his subscription hereto, Dr. Tomasino also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Stipulation 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. Tomasino acknowledges, stipulates and agrees that the voluntary surrender of his medical license 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. Tomasino 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 renewed license to practice medicine in this state.

4. **Termination of Proceedings.** By the voluntary surrender of his medical license, and the attendant dismissal of the investigation occasioned hereby, Dr. Tomasino, moreover, acknowledges, stipulates and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or 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 or other forum relating to the matters referred to herein.

5. **Advice of Counsel.** Dr. Tomasino acknowledges that he has had the opportunity

to seek the advice and guidance of legal counsel with respect to this Stipulation and that all of the terms, conditions, restrictions and limitations contained herein have been explained to him and/or that he fully understands them.

6. **Public Record.** Dr. Tomasino 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 and Consent
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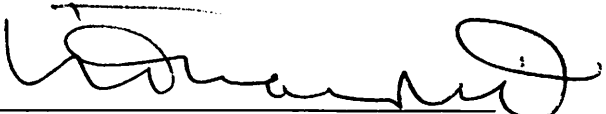
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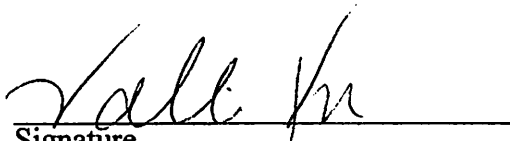
*Stipulation and Consent
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STIPULATION
AND AGREEMENT

I, VINCENT TOMASINO, M.D., hereby acknowledge, approve, accept, stipulate, agree
and consent to entry of the above and foregoing this 16 day of June,
2011.


VINCENT TOMASINO, M.D.

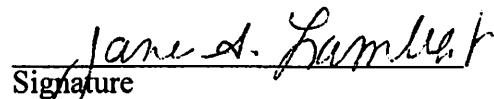
WITNESSES:


Signature

VALLY X. KIRIAKOS
Typed Name

536 LONGHORN CURVE
Address

ROCKVILLE MD 20850
City/State/Zip Code

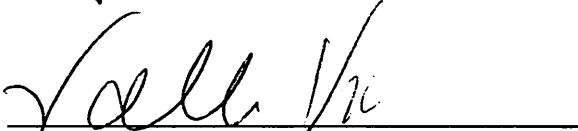

Signature

Jane A. Lambert
Typed Name

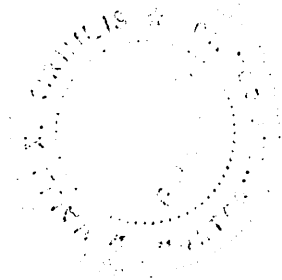
10411 Motor City Dr.
Address

Bethesda MD 20817
City/State/Zip Code

Sworn to and subscribed before me at BETHESDA, MD, Louisiana, this 15th day
of JUNE, 2011, in the presence of the two stated witnesses.


Notary Public (Signature and Seal)

VALLY X. KIRIAKOS
Printed Name/Notary #



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 18 day of July, 2011, effective immediately.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY:

Mark H. Dawson
MARK HENRY DAWSON, M.D.
PRESIDENT