

**TRUE AND EXACT
BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

COPY OF ORIGINAL

In the Matter of
the Medical License of
Beverly R. Lewis, M.D.
Date of Birth: 03/23/55
License Number 40,744

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Beverly R. Lewis, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which she holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Beth E. Bertelson Law Offices, P.A., 101 Union Plaza, 333 Washington Avenue North, Minneapolis, MN 55401. The Committee was represented by Steven M. Gunn, Assistant Attorney General, 1400 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 296-7575.

FACTS

3. For the purpose of this stipulation, the Board may consider the following facts as true: Respondent has been licensed to practice medicine by the State of Minnesota since July 11, 1998.

4. Respondent has a history of depression. On November 28, 2001, the Board of Medical Practice ("Board") referred Respondent to the Health Professional Services Program (HPSP) to monitor her recovery from depression.

5. Respondent did not report her history of depression and treatment on her February 27, 1998 application for licensure, or her March, 1999, March, 2000 or March, 2001, license renewal applications.

STATUTES

6. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subdivision (1) (2000), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

7. The remedy agreed to in this Stipulation focuses on concerns regarding Respondent's illness and should not be viewed as punitive in nature.

Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order conditioning and restricting Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent, within thirty (30) days of the effective date of this Stipulation and Order, shall enroll in Health Professionals Services Program (HPSP) and enter into a Participation Agreement and Monitoring Plan.

b. Respondent shall comply fully with all terms and conditions of her Participation Agreement and Monitoring Plan with HPSP, the terms of which are hereby incorporated by reference.

8. Within ten (10) days of the date of this Stipulation and Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and

all work sites. Within seven (7) days of any change, Respondent shall provide the Board with new address and telephone number information. The information shall be sent to Robert A. Leach, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 400, Minneapolis, Minnesota 55414-3246.

9. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of her residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota license to practice medicine.

10. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

11. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

12. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

13. Respondent hereby acknowledges that she has read and understands this Stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

Dated: May 3, 2002

Dated: 5/4, 2002

Beverly Renee Lewis M.D.
Beverly R. Lewis, M.D.
Respondent

[Signature]
For the Committee

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein, IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 4th day of May, 2002.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: [Signature]

AFFIDAVIT OF SERVICE BY U.S. MAIL

Re: In the Matter of the Medical License of Beverly R. Lewis, M.D.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jane Regan, being duly sworn, says that at the City of St. Paul, County and State
aforementioned, on May 6, 2002, she served the **Stipulation and Order** by depositing a true and
correct copy in the United States mail at said City of St. Paul, properly enveloped, with postage
prepaid, and addressed to:

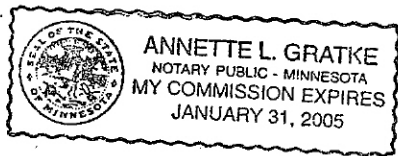
Beth E. Bertelson
Bertelson Law Offices, P.A.
101 Union Plaza
333 Washington Avenue North
Minneapolis, MN 55401

Jane Regan

Subscribed and sworn to before
me on May 14, 2002.

Annette L. Gratke
Notary Public

AG: 386679, v. 01



**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
Beverly R. Lewis, M.D.
Date of Birth: 3/23/55
License Number: 40,744

**ORDER OF
UNCONDITIONAL LICENSE**

The Minnesota Board of Medical Practice ("Board") having convened on March 12, 2005, to review the petition of Beverly R. Lewis, M.D. ("Respondent"), for reinstatement of an unconditional license to practice medicine and surgery makes the following:

FINDINGS OF FACT

1. Respondent's license has been restricted pursuant to a Stipulation and Order dated May 4, 2002, based upon Respondent's history of depression. In accordance with the Stipulation and Order, Respondent was required to participate in the Health Professionals Services Program ("HPSP") by entering into and fully complying with a Participation Agreement and Monitoring Plan.
2. On January 17, 2005, Respondent successfully completed her HPSP Participation Agreement and Monitoring Plan and was discharged from the program.
3. On March 8, 2005, the Complaint Review Committee ("Committee") met to discuss Respondent's petition for an unconditional license. The Committee concluded that Respondent has complied with and fulfilled the conditions and restrictions on her license and recommended that the Board issue an unconditional license to Respondent to practice medicine and surgery in the State of Minnesota.

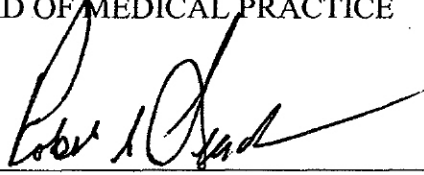
Based on the foregoing, the Board concludes that Respondent has complied with and fulfilled the Order issued by the Board on May 4, 2002, and hereby issues the following:

ORDER

IT IS HEREBY ORDERED that an unconditional license to practice medicine and surgery in the State of Minnesota be conferred upon Respondent, such license to carry all duties, benefits, responsibilities, and privileges inherent therein through Minnesota statute and rule.

Dated: March 12, 2005

STATE OF MINNESOTA
BOARD OF MEDICAL PRACTICE



AG: #1382701-v1

AFFIDAVIT OF SERVICE BY MAIL

**Re: In the Matter of the Medical License of Beverly R. Lewis, M.D.
License No. 40,744**

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

SANDRA A. BUSH, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on March 14, 2005, she served the attached ORDER OF UNCONDITIONAL LICENSE by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

Kent G. Harbison
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425

Sandra A. Bush
SANDRA A. BUSH

Subscribed and sworn to before me on
March 14, 2005.

Deborah A. Bastyr
Notary Public

