

**CONSENT AGREEMENT
BETWEEN
DAVID LOPEZ, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO
CASE NO. 22-CRF-0166**

This Consent Agreement is entered into by and between David Lopez, M.D. [Dr. Lopez], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Lopez enters into this Consent Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4731.22(B), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for violation of Section 4731.22(B)(22), Ohio Revised Code, for "[a]ny of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand."
- B. The Board enters into this Consent Agreement in lieu of further formal proceedings based upon the remaining allegations set forth in the Notice of Opportunity for Hearing issued on September 14, 2022, attached hereto as Exhibit A, and incorporated herein by reference. The Board expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731., Ohio Revised Code, whether occurring before or after the effective date of this Consent Agreement.
- C. Dr. Lopez is licensed to practice medicine and surgery in the State of Ohio, license number 35.132444.
- D. Dr. Lopez states that he is also licensed to practice medicine in the following states: Florida, Minnesota, North Dakota, Illinois, and Virginia.
- E. Dr. Lopez admits to the factual and legal allegations set forth in the aforementioned Notice of Opportunity for Hearing dated September 14, 2022.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Lopez knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

REPRIMAND

1. Dr. Lopez is hereby REPRIMANDED.

PROBATIONARY TERMS:

2. Dr. Lopez shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.
3. Dr. Lopez shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this Consent Agreement. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which this Consent Agreement becomes effective, or as otherwise requested by the Board. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
4. Dr. Lopez shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
5. Within one year of the effective date of this Consent Agreement, or as otherwise approved by the Board, Dr. Lopez shall provide acceptable documentation of successful completion of a course or courses dealing with professional ethics/boundaries. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed. In addition, at the time Dr. Lopez submits the documentation of successful completion of the course(s) dealing with professional ethics/boundaries, he shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice in the future.

REQUIRED REPORTING BY LICENSEE

6. Within thirty days of the effective date of this Consent Agreement, Dr. Lopez shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services (including but not limited to third party

payors) or is receiving training, and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Lopez shall promptly provide a copy of this Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments. In the event that Dr. Lopez provides any health care services or health care direction or medical oversight to any emergency medical services organization or emergency medical services provider, within thirty days of the effective date of this Consent Agreement Dr. Lopez shall provide a copy of this Consent Agreement to the Ohio Department of Public Safety, Division of Emergency Medical Services. Further, within thirty days of the date of each such notification, Dr. Lopez shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.

7. Within thirty days of the effective date of this Consent Agreement, Dr. Lopez shall provide a copy of this Consent Agreement by certified mail to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which he currently holds any license or certificate. Dr. Lopez further agrees to provide a copy of this Consent Agreement by certified mail at time of application to the proper licensing authority of any state in which he applies for any professional license or for reinstatement of any professional license. Additionally, within thirty days of the effective date of this Consent Agreement, Dr. Lopez shall provide a copy of this Consent Agreement to any specialty or subspecialty board of the American Board of Medical Specialties or the American Osteopathic Association Bureau of Osteopathic Specialists under which he currently holds or has previously held certification. Further, within thirty days of the date of each such notification, Dr. Lopez shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.
8. Dr. Lopez shall notify the Board in writing of any change of principal practice address or residence address within thirty days of such change.

MONETARY FINE:

9. Within thirty days of the effective date of this Consent Agreement, Dr. Lopez shall remit payment in full of a monetary fine of three thousand five hundred dollars (\$3,500.00). Such payment shall be made in full via credit card in the manner specified by the Board through its online portal, or by other manner as specified by the Board. Further, Dr. Lopez acknowledges and agrees that his failure to timely remit full payment shall constitute a violation of this agreement and agrees to pay all reasonable costs associated with the collection of any payment.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Lopez appears to have violated or breached any term or condition of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

If the Secretary and Supervising Member of the Board determine that there is clear and convincing evidence that Dr. Lopez has violated any term, condition or limitation of this Consent Agreement, Dr. Lopez agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm to the public for purposes of initiating a summary suspension pursuant to Section 4731.22(G), Ohio Revised Code.

DURATION/MODIFICATION OF TERMS

The reprimand of Dr. Lopez shall not terminate. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

In the event that the Board initiates future formal proceedings against Dr. Lopez, including but not limited to issuance of a Notice of Opportunity for Hearing, this Consent Agreement shall continue in full force and effect until such time that it is superseded by ratification by the Board of a subsequent Consent Agreement or upon this Consent Agreement being superseded by a subsequent final Board Order taking effect.

In the event that any term, limitation, or condition contained in this Consent Agreement is determined to be invalid by a court of competent jurisdiction, Dr. Lopez and the Board agree that all other terms, limitations, and conditions contained in this Consent Agreement shall be unaffected.

ACKNOWLEDGMENTS/LIABILITY RELEASE

By executing his signature on this Consent Agreement, Dr. Lopez agrees that in the event the Board, in its discretion, does not ratify this Consent Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Dr. Lopez and the Board further agree that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding and shall not prejudice the ability of the Board to adjudicate this matter.

This Consent Agreement represents the sole and entire agreement of the parties hereto and supersedes all prior written or oral negotiations, agreements, or understandings between the parties. No party to this agreement has been induced to enter into the Consent Agreement by any representations or inducements except those expressly set forth in this written agreement. Further, all parties agree that to the extent any language in the agreement will be interpreted in a subsequent dispute, no ambiguous language shall be construed against the party drafting this Consent Agreement.

Dr. Lopez acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.


Dr. Lopez hereby releases the Board, its members, employees, agents, officers and

representatives jointly and severally from any and all liability arising from the within matter.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Lopez acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below. Further, Dr. Lopez specifically acknowledges that the electronic transmission of a scanned or photostatic copy of any executed signature to this Consent Agreement, upon being received by the Board, shall be deemed to have the full legal force and effect as the original.



DAVID LOPEZ, M.D.




KIM G. ROTHERMEL, M.D.
Secretary

06/28/23

DATE

7-12-23

DATE



JOHN R. IRWIN, M.D., J.D.
Attorney for Dr. Lopez



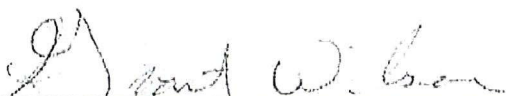
ROBERT P. GIACALONE, R.Ph., J.D.
Supervising Member

6/28/23

DATE

7/14/23

DATE



GRANT WILSON
Assistant Attorney General

7/5/2023

DATE



State Medical Board of

Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

September 14, 2022

Case number: 22-CRF- 0166

David Lopez, M.D.
5158 Broadway Ave
Cleveland, OH 44127

Dear Doctor Lopez:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about March 12, 2022, the Minnesota Board of Medical Practice [Minnesota Board] issued a Stipulation and Order against your license [Minnesota Order]. You stipulated, and the Minnesota Board found, that in June 2019, you provided a civil commitment evaluation to a family member. Further, the Minnesota Board found that you did not disclose your relationship to the person you evaluated in your written report and did not so disclose until testifying under oath at hearing. The Minnesota Board reprimanded you for engaging "in conduct that departs from or fails to conform to minimal standards of acceptable and prevailing medical practice." You were ordered to complete courses in both professional boundaries and professional ethics within six months of the Minnesota Order and write a paper to the Minnesota Board about what you learned from the additional coursework. A copy of the Minnesota Order is attached hereto and is incorporated herein.

The Minnesota Order as alleged in paragraph (1) above constitutes "[a]ny of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

Mailed 9-15-2022

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

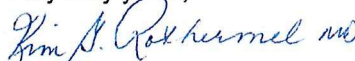
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Kim G. Rothermel, M.D.
Secretary

KGR/TCN/lv
Enclosures

CERTIFIED MAIL # 9414 8149 0315 2968 0092 81
RETURN RECEIPT REQUESTED



State Medical Board of

Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

CERTIFICATION

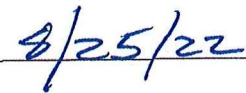
I hereby certify that the attached document in the matter of David Javier Lopez, M.D. is a true and complete copy of the following document as it appears in the Enforcement records of the State Medical Board of Ohio:

- A five-page Stipulation and Order, in the matter of the medical license of David J. Lopez, issued on March 12-2022, by the Minnesota Board of Medical Practice, downloaded from the website for the Board of Medical Practice on July 22, 2022.

This certification is made by authority of the State Medical Board and on its behalf.



Thomas S. Lininger
Chief Enforcement Attorney



Date

BOARD SEAL

**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
David J. Lopez, M.D.
Year of Birth: 1964
License Number: 40309

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between David Javier Lopez, 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 he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent was represented by Marlene S. Garvis, 4597 Woodridge Road, Minnetonka, Minnesota 55345, (612) 462-9119. The Committee was represented by Rebecca Huting, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-7763.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on November 15, 1997.

b. In June 2019, the Board received a report stating that Respondent provided a civil commitment evaluation of a family member.

c. Based on the report, the Board initiated an investigation into Respondent's conduct, which revealed that Respondent did not disclose his relationship in a written report he issued, but he did disclose his relationship to the court while on the witness stand.

STATUTES

4. The Committee views Respondent's conduct as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(k) (engaged in conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) (2021), and the parties agree that the conduct cited above justifies the disciplinary action under this statute.

REMEDY

5. 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 the Board may make and enter an Order disciplining Respondent and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

- a. Respondent is REPRIMANDED.
- b. Within six months of the date of this Order, Respondent shall complete the following coursework, approved by the Board:
 - i. Professional boundaries; and
 - ii. Professional ethics.
- c. Following completion of the coursework, and within six months of this Order, Respondent shall write for Committee approval, a paper on what he has learned from the coursework, reflecting on how he would have handled the matter differently.
- d. Respondent may petition for an unconditional license upon successful completion of the terms of this Order.

6. Within ten days of signing the Stipulation and Order, Respondent shall provide the Board with 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. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, 335 Randolph Avenue, Suite 140, Saint Paul, Minnesota 55102.

7. If Respondent shall fail, neglect, or refuse to fully comply with these terms 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.

8. 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.

9. 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.

10. Respondent hereby acknowledges that he 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: 3/11/2022

DocuSigned by:

DAVID J. LOPEZ, MD

2027DCEA04A548E

DAVID J. LOPEZ, M.D.
Respondent

Dated: 3/11/2022

DocuSigned by:

STUART WILLIAMS

C8A3023C73C3480


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 12th day of March, 2022.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 



September 14, 2022

Case number: 22-CRF- 0166

David Lopez, M.D.
5158 Broadway Ave
Cleveland, OH 44127

Dear Doctor Lopez:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about March 12, 2022, the Minnesota Board of Medical Practice [Minnesota Board] issued a Stipulation and Order against your license [Minnesota Order]. You stipulated, and the Minnesota Board found, that in June 2019, you provided a civil commitment evaluation to a family member. Further, the Minnesota Board found that you did not disclose your relationship to the person you evaluated in your written report and did not so disclose until testifying under oath at hearing. The Minnesota Board reprimanded you for engaging "in conduct that departs from or fails to conform to minimal standards of acceptable and prevailing medical practice." You were ordered to complete courses in both professional boundaries and professional ethics within six months of the Minnesota Order and write a paper to the Minnesota Board about what you learned from the additional coursework. A copy of the Minnesota Order is attached hereto and is incorporated herein.

The Minnesota Order as alleged in paragraph (1) above constitutes "[a]ny of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

Mailed 9-15-2022

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Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

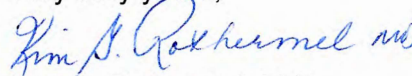
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation.

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Copies of the applicable sections are enclosed for your information.

Very truly yours,



Kim G. Rothermel, M.D.
Secretary

KGR/TCN/lv
Enclosures

CERTIFIED MAIL # 9414 8149 0315 2968 0092 81
RETURN RECEIPT REQUESTED

**TRUE AND EXACT
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of the
Medical License of
David J. Lopez, M.D.
Year of Birth: 1964
License Number: 40309

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between David Javier Lopez, 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 he holds a license to practice medicine and surgery in the State of Minnesota.
2. Respondent was represented by Marlene S. Garvis, 4597 Woodridge Road, Minnetonka, Minnesota 55345, (612) 462-9119. The Committee was represented by Rebecca Huting, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-7763.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:
 - a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on November 15, 1997.
 - b. In June 2019, the Board received a report stating that Respondent provided a civil commitment evaluation of a family member.

c. Based on the report, the Board initiated an investigation into Respondent's conduct, which revealed that Respondent did not disclose his relationship in a written report he issued, but he did disclose his relationship to the court while on the witness stand.

STATUTES

4. The Committee views Respondent's conduct as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(k) (engaged in conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) (2021), and the parties agree that the conduct cited above justifies the disciplinary action under this statute.

REMEDY

5. 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 the Board may make and enter an Order disciplining Respondent and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

- a. Respondent is REPRIMANDED.
- b. Within six months of the date of this Order, Respondent shall complete the following coursework, approved by the Board:
 - i. Professional boundaries; and
 - ii. Professional ethics.
- c. Following completion of the coursework, and within six months of this Order, Respondent shall write for Committee approval, a paper on what he has learned from the coursework, reflecting on how he would have handled the matter differently.
- d. Respondent may petition for an unconditional license upon successful completion of the terms of this Order.

6. Within ten days of signing the Stipulation and Order, Respondent shall provide the Board with 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. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, 335 Randolph Avenue, Suite 140, Saint Paul, Minnesota 55102.

7. If Respondent shall fail, neglect, or refuse to fully comply with these terms 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.

8. 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.

9. 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.

10. Respondent hereby acknowledges that he 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: 3/11/2022

DocuSigned by:

DAVID J. LOPEZ, MD

2027DCEAD46548E

DAVID J. LOPEZ, M.D.

Respondent

Dated: 3/11/2022

DocuSigned by:

STUART WILLIAMS

C8A3022C73C3480

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 12th day of March, 2022.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 