

**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*

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DAVID J. LOPEZ, M.D.  
Respondent

Dated: 3/11/2022

DocuSigned by:

*STUART WILLIAMS*

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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: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Paul Martin", is written over a horizontal line.