

**State of New Hampshire
Board of Medicine
Concord, New Hampshire**

In the Matter of:

Dan William Joachim, M.D.

License No.14530

(Adjudicatory Proceedings)

Docket No. _____

PRELIMINARY AGREEMENT FOR PRACTICE RESTRICTIONS

The New Hampshire Board of Medicine ("NH Board") granted Dan William Joachim, M.D., a State of New Hampshire license to practice medicine on July 1, 2009. Dr. Joachim holds license number 14530. Dr. Joachim is also licensed in the State of Louisiana.

Dr. Joachim enters into a Preliminary Agreement with the NH Board as follows:

1. Recognizing that professional misconduct allegations are now pending against me before the NH Board and the Louisiana State Board of Medical Examiners ("Louisiana Board"), I, Dan William Joachim, M.D., hereby voluntarily agree to abide by certain practice restrictions during my practice of medicine in the State of New Hampshire.

2. I recognize that I have entered an agreement with the Louisiana Board whereby I voluntarily agree not to practice medicine in Louisiana. The Louisiana Board's Interim Consent Order is attached hereto and its terms and conditions are incorporated into this *Preliminary Agreement* by reference. (See **Attachment 1.**)

3. I agree to adopt these practice restrictions in New Hampshire and agree that this restriction shall remain in place until such time as the Louisiana Board and the NH Board issue administratively final orders resolving the allegations of professional misconduct currently pending before the Boards. See RSA 329:17-c.

4. I admit to no violations of RSA 329:17, VI or any other laws, statutes or regulations.

5. I understand that the NH Board may choose to await an administratively final order from the Louisiana Board before acting on the pending allegation of misconduct. I hereby specifically waive any statute of limitations or laches defense, which might then be available as to these misconduct allegations.

6. I further understand that this document shall become a permanent part of my file, and will be maintained by the NH Board as a public document.

7. I voluntarily enter into this agreement with the NH Board and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.

FOR RESPONDENT

Date: 5-31-2011

Dan William Joachim
Dan William Joachim,
M.D. Respondent

Date: 5/31/11

K. Polite
Kenneth Polite, Esq.
Counsel for Respondent

*In the Matter of Dan William Joachim, M.D.
NH Board of Medicine
Preliminary Agreement for Practice Restrictions*

FOR THE BOARD/*

This Preliminary Agreement is hereby accepted in accordance with the binding terms and conditions set forth above.

Date: June 3, 2011

Penny Taylor
(Signature)

PENNY TAYLOR

Name
Authorized Representative of the
New Hampshire Board of Medicine

* Board Members Recused:
Robert P. Cerventa, MD

Louisiana State Board of Medical Examiners
Mailing Address: P.O. Box 30250, New Orleans, LA 70190-0250
Physical Address: 1515 Poydras Street, Suite 2700, New Orleans, LA 70112
Phone: (504) 568-6820
Fax: (504) 568-5754
Web site: <http://www.lsbme.louisiana.gov>



-----	x	
	:	No. 10-I-696
In The Matter of	:	
	:	INTERIM
DAN WILLIAM JOACHIM, M.D.	:	CONSENT ORDER
(Certificate No. 019070)	:	
	:	
-----	x	

An on-going investigation is being conducted by the Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board") of Dan William Joachim, M.D. ("Dr. Joachim") a physician licensed to practice medicine in this state who at all times pertinent has been engaged in practice in Covington, Louisiana.

On or about August 12, 2010, Respondent was indicted by a federal grand jury sitting in the United States District Court for the Eastern District of Louisiana, with one felony count each of receiving and possessing sexually explicit visual depictions of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2) and 2252(a)(4)(B) (the "criminal charges").¹

Pursuant to La. Rev. Stat. §§37:1285(A)(1)-(31), the Board has the authority to suspend, revoke or take other action against the license of a physician upon a finding of any infraction of the Louisiana Medical Practice Act (the "Act"), La. Rev. Stat. §§37:1261-1292. Investigation of the physician's conduct is on-going and continuing.

Respondent understands that by entering into this Interim Consent Order, he is not admitting or acknowledging any impropriety, wrong-doing or violation of federal or state law or the Board's rules, and he specifically reserves the right to contest any and all allegations against him in criminal, civil or administrative proceedings. In addition, as evidenced by his subscription hereto Dr. Joachim acknowledges the right to have written notification of any charges that may be asserted against him, as well as the right to have adjudication of such charges during an administrative hearing at which time he will be entitled to be represented by legal counsel, to call witnesses and to present evidence 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.*

¹United States of America v. Dan W. Joachim, M.D., Crim. No. 10-223, Sect. F, Mag. 1, U.S. Dist. Ct., ED LA (Aug. 12, 2010).

Irrespective of such rights, Dr. Joachim agrees that he shall not engage in the practice of medicine in this state until resolution of the criminal charges and a hearing and decision or another resolution of this matter is reached by the Board. Accordingly, he consents to the indefinite suspension of his license to practice medicine in this state, with reinstatement thereof subject to the terms and conditions of this Order. In addition, Dr. Joachim authorizes the Investigating Officer to present this Interim Consent Order to the Board for its consideration and to fully discuss with and disclose to the Board the nature and extent of such charges and he waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Joachim expressly acknowledges that disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to prosecute any administrative charges that may be filed in this matter following completion of the current investigation or to the Board's capacity to adjudicate such charges. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Dan William Joachim, M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 019070, be and the same is hereby, effective as of the date hereof, *suspended indefinitely*.

IT IS FURTHER ORDERED that Dr. Joachim shall not practice medicine in any form in the state of Louisiana until and unless the Board issues and serves upon him a written decision reinstating his license to practice following: (1) resolution of the criminal charges pending against him; (2) a meeting with the Investigating Officer for the Board; and (3) the conclusion of the pending investigation by administrative hearing and final decision of the Board on any charges that may be filed against him in this proceeding; alternatively, (4) by the Board's acceptance of another disposition of the investigation.

IT IS FURTHER ORDERED that any violation or failure to comply with the terms of this Order by Dr. Joachim shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation, cancellation or such action against Dr. Joachim's license to practice medicine in this state as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:1285.

IT IS FURTHER ORDERED that this Interim Consent Order shall be, and shall be deemed to be, a public record.

Signed at New Orleans, Louisiana on and effective this 4th day of Dec, 2010.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY:

Mark H. Dawson

MARK H. DAWSON, M.D.

President

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF St. Bernard

I, DAN WILLIAM JOACHIM, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 23 day of NOVEMBER, 2010.

Dan William Joachim M.D.
DAN WILLIAM JOACHIM, M.D.

WITNESSES:

Patricia S. Clidress
Signature

Joseph C. Bonnet Sr.
Signature

PATRICIA CLIDRESS
Typed Name

JOSEPH C BONNET SR
Typed Name

1900 Paris Rd.
Address

630 Camp.
Address

CHALMETTE, LA - 70043
City/State/Zip Code

N.O, LA - 70131
City/State/Zip Code

Sworn to and subscribed before me this _____ day of _____, 2010, in the presence of the two stated witnesses.

Notary Public (Signature and Seal)

Printed Name/Notary or Bar Number