

# Louisiana State Board of Medical Examiners

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IN THE MATTER OF

No. 11-I-467

**DUANE DALANTE BROOKS, ATH**

*Applicant*

**CONSENT ORDER FOR  
ISSUANCE OF CERTIFICATION**

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Duane Dalante Brooks' application for certification by the Board to practice as an athletic trainer ("ATH") in this state. While it appears from information available as supplied by Mr. Brooks' application and otherwise that he is generally qualified for issuance of such certification, as acknowledged by him in his application, he reported that he has been working as an athletic trainer in Louisiana since 2002 without Board certification. Although Mr. Brooks advised the Board that he erroneously thought he could work in his current position without state certification, he now acknowledges that his understanding was in error and accepts his responsibility to understand and comply with all rules and regulations regarding certification as an athletic trainer in this state.

As evidenced by his subscription to this Order Mr. Brooks acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Board with sufficient cause to deny his application pursuant to the Law and/or the Board's rules respecting athletic trainers.<sup>1</sup>

Investigation of the captioned matter was assigned to the Director of Investigations ("I/O") for the Board. While it appears to the I/O that Mr. Brooks is a conscientious and well-trained athletic trainer, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Mr. Brooks with one or more violations of the Louisiana

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<sup>1</sup>La. Rev. Stat. §37:3305, 3308; La. Adm. C. 46XLV.5709.

Athletic Trainers Law (the "Law"), La. Rev. Stat. §37:3305, 3308 and/or the Board's rules respecting athletic trainers, La. Adm. C. 46XLV.5709.

Recognizing his right to have notice of such allegations and charges asserted against him, to administrative adjudication of such charges, at which time he 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.*, Mr. Brooks, nonetheless, hereby waives his right to notice of charges and formal adjudication and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. Mr. Brooks further acknowledges and 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. By his subscription hereto Mr. Brooks also hereby authorizes the I/O designated by the Board with respect hereto to present this Consent Order 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. Mr. Brooks expressly acknowledges that the disclosure of information to the Board by the I/O shall be without prejudice to the I/O's authority to file a formal Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

Based upon the foregoing information, as well as the recommendation of the I/O, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:3303, will be effectively served by entry of the order set forth hereinafter by consent. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:3303 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that Duane Dalante Brooks is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

**IT IS FURTHER ORDERED** that certification to practice as an athletic trainer in the state of Louisiana shall be issued to Duane Dalante Brooks.

**IT IS FURTHER ORDERED** that within twelve (12) months of the date of this Order Mr. Brooks shall pay the Board a fine in the amount of One Thousand and Eight Hundred (\$1,800.00) Dollars, which represents the certification fees for the past nine years, plus a penalty of an equal amount.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Mr. Brooks shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3308.

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

Signed in New Orleans, Louisiana, and effective this 5<sup>th</sup> day of December  
2011.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

BY:


Mark H. Dawson MD  
MARK H. DAWSON, M.D.  
*President*

*Acknowledgement and Consent  
on Following Page*


STATE OF LOUISIANA  
PARISH OF Metairie


ACKNOWLEDGMENT  
AND CONSENT

I, DUANE DALANTE BROOKS, ATH, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 12 day of October, 2011.

  
DUANE DALANTE BROOKS, ATH

WITNESSES:

  
Signature  
T.J. Henry Jr.  
Printed Name  
2852 State St, New Orleans, LA  
Address 70118

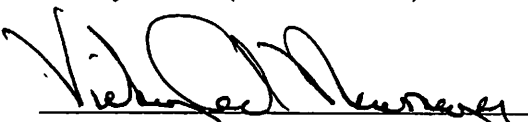
  
Signature  
Matt Ryan  
Printed Name  
5428 Erlanger Rd  
Address Kenner, LA 70065

Sworn to and subscribed before me at Metairie, Louisiana this  
12 day of October, 2011, in the presence of the two stated witnesses.

  
Notary Public (Printed Name) and Seal



OFFICIAL SEAL  
VICKY GERL NEUMEYER  
NOTARY PUBLIC - LOUISIANA  
NOTARY #19454  
PARISH OF JEFFERSON  
My Commission Is For Life

  
Notary (Signature) & Bar/Notary No. 19454