

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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No. 12-I-832

IN THE MATTER OF:

DENISE IRENE EUBANKS, CLP-GEN
Applicant

CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Denise Irene Eubanks's application for licensure by the Board to practice as a clinical laboratory scientist-generalist ("CLP-GEN") in this state. While it appears from information available as supplied by Ms. Eubanks's application and otherwise that she is generally qualified for issuance of such license, as acknowledged by her in her application, she reported that she worked as the Laboratory Manager at a hospital in Louisiana in 2007 without Board certification.

On her own behalf, Ms. Eubanks advised the Board that she was under the belief that national laboratory certification and eligibility for state licensure was sufficient for employment in this management position while she pursued state licensure. Due to delays in obtaining official birth certifications and other documents, she left employment after one year and discontinued the licensure process. In July 2012, she submitted a new application and has now acknowledged that her previous understanding was in error. She takes full responsibility for the unintentional errors and accepts her responsibility to understand and comply with all rules and regulations regarding licensure in this state.

As evidenced by her subscription to this Order Ms. Eubanks acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Board with sufficient cause to deny her application pursuant to the Law and/or the Board's rules respecting clinical laboratory personnel.¹

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 Ms. Eubanks is a conscientious and well-trained clinical laboratory scientist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Eubanks with one or more violations of the

¹La. Rev. Stat. §37:1318, 1326; La. Adm. C. §§46XLV:3505.

Louisiana Clinical Laboratory Personnel Law (the "Law"), La. Rev. Stat. §37:1318, 1326 and/or the Board's rules respecting clinical laboratory personnel, La. Adm. C. 46XLV.3505.

Recognizing her right to have notice of such allegations and charges asserted against her, to administrative adjudication of such charges, at which time she would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her 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.*, Ms. Eubanks, nonetheless, hereby waives her 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. Ms. Eubanks further acknowledges and waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et. seq.*, or which otherwise may be afforded to her by law to contest her agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By her subscription hereto Ms. Eubanks 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 she waives any objection to such disclosures under La. Rev. Stat. §49:960. Ms. Eubanks 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 her 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. §37:1326, 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. §37:1326 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that Denise Irene Eubanks is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that a license to practice as a clinical laboratory scientist-generalist in the state of Louisiana shall be issued to Denise Irene Eubanks.


IT IS FURTHER ORDERED that within two (2) months of the date of this Order Ms. Eubanks shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the licensure fee for one year, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Ms. Eubanks 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. §37:1326.

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 3rd day of December 2012.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: 
MELVIN G. BOURGEOIS, M.D.
President

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STATE OF LOUISIANA
PARISH OF RAPIDES

**ACKNOWLEDGMENT
AND CONSENT**

I, DENISE IRENE EUBANKS, CLP, Applicant, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 23 day of OCTOBER, 2012.

Denise Irene Eubanks
DENISE IRENE EUBANKS, CLP

WITNESSES:

Tia M. Loudin
Signature
Tia M. Loudin
Printed Name
1235 Hwy. 454, Pineville, LA
Address 71360

Joseph P. Beck, II
Signature
Joseph P. Beck, II
Printed Name
5529 Monroe Hwy, Ball, LA
Address 71465

Sworn to and subscribed before me at BALL, Louisiana, this 23 day of OCTOBER, 2012, in the presence of the two stated witnesses

Larry J. Hair
Notary Public (Signature)

LARRY J. HAIR, 57774
Printed Name, Notary or Bar #