

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250
www.lsbme.la.gov



Department of Investigations
Telephone: (504) 568-6820
FAX: (504) 568-5754

-----X

	:	No. 12-I-888
In The Matter Of	:	
	:	
LAUREN MARIE JAMES-PENN, ATH	:	CONSENT ORDER FOR
<i>Applicant</i>	:	ISSUANCE OF CERTIFICATION
	:	_____
	:	

-----X

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Lauren Marie James-Penn's 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 Ms. James-Penn's application and otherwise that she is generally qualified for issuance of such certification, as acknowledged by her in her application, she reported that she has been working as an athletic trainer in Louisiana since June 2011 without Board certification.

On her own behalf, Ms. James-Penn advised the Board that she was under the understanding that certification by the National Association of Athletic Trainers was sufficient to practice as an athletic trainer in this state. In 2012, when she discovered that certification by the Board is required to practice, she submitted an application and subsequently a written explanation to the Board, wherein she acknowledged that her understanding was in error and accepting her responsibility to understand and comply with all rules and regulations regarding certification in this state.

As evidenced by her subscription to this Order Ms. James-Penn 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 athletic trainers.¹

¹La. Rev. Stat. §37:3305, 3308; La. Adm. C. 46X1.V.5709.

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. James-Penn 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 Ms. James-Penn with one or more violations of the Louisiana 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 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. James-Penn, 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. James-Penn 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. James-Penn 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. James-Penn 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. §37:3303, 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 Lauren Marie James-Penn 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 Lauren Marie James-Penn.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order Ms. James-Penn shall pay the Board a fine in the amount of Three Hundred (\$300.00) Dollars, which represents the certification fees for the past year and one/half, plus a penalty of an equal amount.


IT IS FURTHER ORDERED that any violation or failure of strict compliance with this

Order by Ms. James-Penn 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 3rd day of December 2012.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

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

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

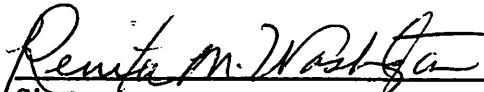
STATE OF LOUISIANA
PARISH OF Louisiana

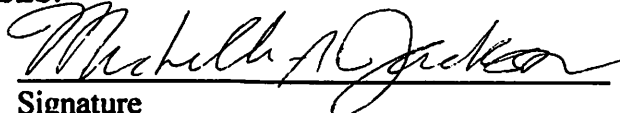
**ACKNOWLEDGMENT
AND CONSENT**

I, LAUREN MARIE JAMES-PENN, ATH, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 16th day of October, 2012.


LAUREN MARIE JAMES-PENN, ATH

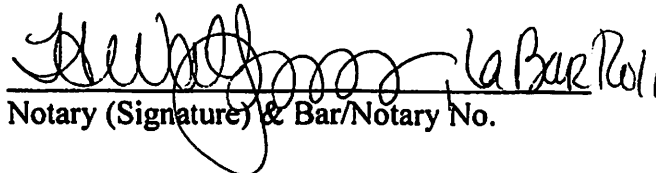
WITNESSES:


Signature
Renita Washington
Printed Name
2 Roosevelt Steptoe Drive
Baton Rouge, LA 70813
Address


Signature
Michelle A. Jackson
Printed Name
2 Roosevelt Steptoe Drive
Baton Rouge, LA 70813
Address

Sworn to and subscribed before me at Baton Rouge, Louisiana this
16th day of October, 2012, in the presence of the two stated witnesses.

TAVARES A WALKER
Notary Public (Printed Name) and Seal


Notary (Signature) & Bar/Notary No.

Tavares A. Walker
Attorney At Law & Notary Public
Bar Roll # 32002 / Notary # 87600
5124 Berryville Court, Baton Rouge, LA 70817
225-610-3782 / Fax: 225-444-5132