

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations  
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**No. 13-I-042**

**IN THE MATTER OF:**

**TONYA JO HOWARD, PEF**  
*Applicant*

**CONSENT ORDER FOR  
ISSUANCE OF  
PERFUSIONIST LICENSE**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Tonya Jo Howard's application for licensure by the Board to practice as a perfusionist ("PEF") in this state. While it appears from information available as supplied by Ms. Howard' application and otherwise that she is generally qualified for issuance of such license, as acknowledged by her in her application, she reported that she has been working as perfusionist in Louisiana since 1987. Although the Louisiana Perfusion Licensure Act became effective in July 2003, and required all persons who practice perfusion to be licensed, Ms. Howard continued to work as a perfusionist in Louisiana without Board licensure.

On her own behalf, Ms. Howard advised the Board that she was never advised that licensure was required for practice in Louisiana, and that she was never notified by employers or co-workers of this requirement. Nevertheless, in late 2012 when she discovered on her own that licensure by the Board is required to practice, she voluntarily submitted an application and fulfilled all requirements to become licensed in Louisiana. She has now acknowledged that his understanding was in error and has accepted his responsibility to understand and comply with all laws and regulations regarding licensure in this state.

As evidenced by his subscription to this Order Ms. Howard 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 respecting the practice of perfusion.<sup>1</sup>

<sup>1</sup>La. Rev. Stat. §37:1331, 1334, 1338, 1341.

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. Howard is a conscientious and well-trained perfusionist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Howard with one or more violations of the Louisiana Perfusion Licensure Act (the "Law"), La. Rev. Stat. §37:1331, 1334 or 1341.

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. Howard, 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. Howard 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. Howard 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. Howard 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. §37:1331, 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. §37:1338 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that Tonya Jo Howard is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

**IT IS FURTHER ORDERED** that licensure for the practice of perfusion in the state of Louisiana shall be issued to Tonya Jo Howard.

**IT IS FURTHER ORDERED** that within six (6) months of the date of this Order Ms. Howard shall pay the Board an administrative fine in the amount of One Thousand (\$1,000.00) Dollars.


**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Ms. Howard 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. §37:1331 *et seq.*

**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 18<sup>th</sup> day of February  
2013.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

BY:

  
\_\_\_\_\_  
MELVIN G. BOURGEOIS, M.D.  
President

***Acknowledgement and Consent  
on Following Page***

STATE OF LOUISIANA  
PARISH OF Caddo

**ACKNOWLEDGMENT  
AND CONSENT**

I, TONYA JO HOWARD, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 24 day of January, 2013.

Tonya Jo Howard

TONYA JO HOWARD, PEF APPLICANT

WITNESSES:

Tracy Clark

Signature

Tracy Clark

Printed Name

1501 Kings Hwy Shreveport  
Address LA 71103

Angela Jeter

Signature

Angela Jeter

Printed Name

1501 Kings Hwy Shreveport, LA  
Address 71103

Sworn to and subscribed before me at Shreveport, Louisiana this 24 day of January, 2013, in the presence of the two stated witnesses.

Doris A Earls

Notary Public (Printed Name) and Seal

Doris A Earls 65388

Notary (Signature) & Bar/Notary No.