

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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IN THE MATTER OF:

CYNTHIA JO MCCARRON, POLY
Applicant

No. 13-I-671
CONSENT ORDER FOR
ISSUANCE OF POLYSOMNOGRAPHIC
TECHNOLOGIST LICENSE WITH
OFFICIAL REPRIMAND

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Cynthia Jo McCarron, ("Ms. McCarron") for issuance of a polysomnographic technologist license. While it appears from information available as supplied by Ms. McCarron'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 has worked as a polysomnographic technologist in this state without a permit or license.

On her own behalf, Ms. McCarron advised the Board that she thought that while working on her application for licensure, she was able to practice in Louisiana. She successfully passed the certification examination by the Board of Registered Polysomnographic Technologist ("BRPT") in September 2006, and has been working at Northshore EEG Services, Inc and/or Southern SLEEP Institute in Covington, LA for many years. When notified that licensure by the Board is required to practice as a polysomnographic tech, Ms. McCarron immediately stopped practicing in Louisiana. She has now acknowledged that her understanding was in error and has accepted her responsibility to understand and comply with all laws and regulations regarding licensure in this state.

As evidenced by her subscription to this Order Ms. McCarron 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 polysomnographic technologists.¹

¹La. Rev. Stat. §37:2867, 2870.

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. McCarron is a conscientious and well-trained polysomnographic technologist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. McCarron with one or more violations of the Polysomnographic Practice Act ("the Law"), La. R.S. §§37:2870 and 37:2867A. (1).

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. McCarron, 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. McCarron 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. McCarron 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. McCarron 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. §37:2863, 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. §37:2867 and La. Rev. Stat. §49:955(D);

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

IT IS FURTHER ORDERED that licensure to practice as a polysomnographic technologist in the state of Louisiana shall be issued to Cynthia Jo McCarron.

IT IS FURTHER ORDERED that within twelve (12) months of the date of this Order Ms. McCarron shall pay the Board a fine in the amount of Six Hundred (\$600.00) Dollars, which represents the renewal fees during the past four (4) years, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Ms. McCarron 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. §37:2867.

violations were enumerated among the causes provided in La. Rev. Stat. §37:2867.

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 19th day of August 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 ORLEANS**ACKNOWLEDGMENT
AND CONSENT**

I, CYNTHIA JO MCCARRON, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 25th day of July, 2013.

Cynthia Jo McCarron
CYNTHIA JO MCCARRON

WITNESSES:

Lesley R. Rye, MSN
Signature

Lesley R. Rye
Printed Name

630 Camp St. N.O. LA. 70130
Address

Vanissa Prout
Signature

Vanissa Prout
Printed Name

LS BME
Address

Sworn to and subscribed before me at NEW ORLEANS, Louisiana this 25th day of July, 2013, in the presence of the two stated witnesses.

Thania S. Elliott
Notary Public (Signature) and Seal

THANIA S. ELLIOTT LA Bar # 20799
Notary (Printed Name) & Bar/Notary No.