

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations  
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**IN THE MATTER OF:**  
  
**SHERYL RUTH COGDELL, POLY**  
*Applicant*

**No. 13-I-687**  
**CONSENT ORDER FOR**  
**ISSUANCE OF POLYSOMNOGRAPHIC**  
**TECHNOLOGIST LICENSE WITH**  
**OFFICIAL REPRIMAND**

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This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Sheryl Ruth Cogdell, ("Ms. Cogdell") for issuance of a polysomnographic technologist license. While it appears from information available as supplied by Ms. Cogdell'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. Cogdell advised the Board that she was unaware of the need for Nationally Registered Polysomnographic Technologists working in Louisiana to be licensed by the Board. She has had certification by the Board of Registered Polysomnographic Technologist ("BRPT") since December 2000, and had worked in Texas from 2001 to 2003, which did not require state licensure as a polysomnographic tech. When she began working in Louisiana, she was not notified of the licensure requirements and thought that her national certification was sufficient to practice. When notified that licensure by the Board is required to practice as a polysomnographic tech, she immediately began the application process in Louisiana. She has now stopped practicing, has 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. In addition, Ms. Cogdell failed to disclose prior arrests on her application related to alcohol, as she thought the dismissed incidents did not have to be reported. She has now been referred to and is cooperating with the Allied Health Monitoring program.

As evidenced by her subscription to this Order Ms. Cogdell 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

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. Cogdell 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. Cogdell 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. Cogdell, 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. Cogdell 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. Cogdell 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. Cogdell 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 Sheryl Ruth Cogdell 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 Sheryl Ruth Cogdell.

**IT IS FURTHER ORDERED** that within twelve (12) months of the date of this Order Ms. Cogdell shall pay the Board a fine in the amount of Six Hundred (\$600.00) Dollars, which represents the licensure 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. Cogdell 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.

**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 19<sup>th</sup> day of August  
2013.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

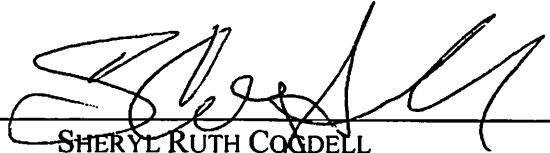
BY:   
MELVIN G. BOURGEOIS, M.D.  
*President*

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

STATE OF LOUISIANA  
PARISH OF ORLEANS

**ACKNOWLEDGMENT  
AND CONSENT**

I, SHERYL RUTH COGDELL, hereby acknowledge, approve, accept and consent to entry of the  
above and foregoing Order, this 5<sup>th</sup> day of August, 2013.

  
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SHERYL RUTH COGDELL

WITNESSES:

Lesley R. Rye, RN, MSN  
\_\_\_\_\_  
Signature

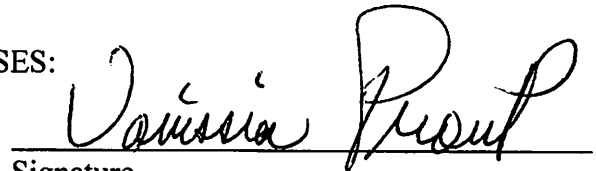
Lesley R. Rye  
\_\_\_\_\_  
Printed Name

LSBME  
\_\_\_\_\_  
Address

Signature

Printed Name

Address

  
\_\_\_\_\_  
Vanissia Prout  
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Printed Name  
LSBME  
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Address

Sworn to and subscribed before me at New Orleans, Louisiana this  
5<sup>th</sup> day of August, 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.