

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**IN THE MATTER OF:**

**No. 13-I-1102**

**EMILY CHRISTINE GARCIA, ATH**  
*Applicant*

**CONSENT ORDER FOR  
ISSUANCE OF CERTIFICATION**

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The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Emily Christine Garcia'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. Garcia'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 July 2013 without Board certification.

Ms. Garcia has been certified by the National Association of Athletic Trainers since 2012, she was licensed as an athletic trainer in Kansas in 2013, and she applied for certification in Louisiana in June 2013. On her own behalf, Ms. Garcia advised the Board that due to family and financial issues, she did not complete the application process before starting to work in Louisiana. She has now stopping practicing as an athletic trainer and has completed her application for certification. In addition, Ms. Garcia has acknowledged her error, expressed her remorse and apologies, and accepted 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. Garcia 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.<sup>1</sup>

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<sup>1</sup>La. Rev. Stat. §37:3305, 3308; La. Adm. C. 46XLV.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. Garcia 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. Garcia 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. Garcia, 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. Garcia 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. Garcia 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. Garcia 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 Emily Christine Garcia 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 Emily Christine Garcia.

**IT IS FURTHER ORDERED** that within six (6) months of the date of this Order Ms. Garcia shall pay the Board a fine in the amount of One Hundred (\$100.00) Dollars.

**IT IS FURTHER ORDERED** that within one (1) year of issuance of this order, Ms. Garcia shall provide written confirmation that she has attended and successfully completed one or more courses of study, for a minimum of five (5) credit hours, acceptable to and pre-approved in writing by the Board, in the area of appropriate professionalism and ethics.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Ms. Garcia 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 9<sup>th</sup> day of December  
2013.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

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

*Acknowledgement and Consent  
on Following Page*

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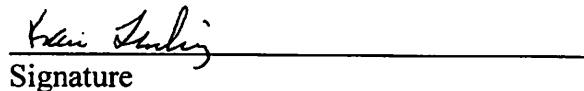
STATE OF LOUISIANA  
PARISH OF LAFAYETTE

**ACKNOWLEDGMENT  
AND CONSENT**

I, EMILY CHRISTINE GARCIA, ATH APPLICANT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 31 day of October, 2013.

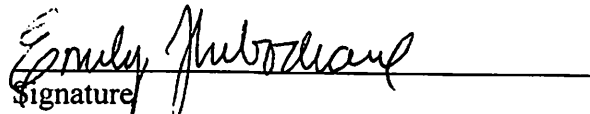
  
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EMILY CHRISTINE GARCIA, ATH

WITNESSES:

  
\_\_\_\_\_  
Signature

Kaci Ludwig  
\_\_\_\_\_  
Printed Name

103 Badger Trail Apt 4  
\_\_\_\_\_  
Address Lafayette, LA 70508


  
\_\_\_\_\_  
Signature

Emily Thibodeaux  
\_\_\_\_\_  
Printed Name

139 B James Comeaux Rd  
\_\_\_\_\_  
Address Lafayette, LA 70508

Sworn to and subscribed before me at Lafayette, Louisiana this  
31 day of October, 2013, in the presence of the two stated witnesses.

William Bertrand  
\_\_\_\_\_  
Notary Public (Printed Name) and Seal

  
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Notary (Signature) & Bar/Notary No. 78339  
William Bertrand  
Notary Public ID#78339  
Parish of Lafayette  
My Commission is for life