

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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No. 14-I-645

IN THE MATTER OF:

GUSTAVE WALTER YOUNGER, III, ATH
(Certificate No. J00122)
Respondent

CONSENT ORDER FOR OFFICIAL REPRIMAND

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following apparently reliable information that Gustave Walter Younger, III, A.T.H. ("Mr. Younger"), continued to hold himself out as an Athletic Trainer in this state despite the fact that his certification had lapsed and expired.

In connection with this matter, Mr. Younger submitted a written statement to the Investigating Officer of the Board (the "I/O"), explaining that he had neglected to renew his certification timely in 1997. He subsequently moved and worked in Texas as an athletic trainer for about ten (10) years; however, when returning to Louisiana in 2013, he began employment and holding himself out as an athletic trainer before applying for reinstatement of his Louisiana certification. He denied any intent to practice illegally, but he has now acknowledged that his conduct was in violation of the Louisiana Athletic Trainers Law (the "Law"), La. Rev. Stat. §§37:3301 *et. seq.* and has requested to make restitution for this prior error on his part. Mr. Younger has cooperated with this investigation, and has accepted his responsibility to understand and comply with all laws and regulations regarding licensure in this state.

Investigation of the captioned matter was assigned to the I/O for the Board. While it appears to the I/O that Mr. Younger is a conscientious and well-trained athletic trainer, the I/O's review and analysis of the matter confirms to her satisfaction that the actions identified hereinabove may implicate one or more violations of the Louisiana Athletic Trainers Law (the "Law"), and/or the Board's rules respecting athletic trainers.¹

¹ La. Rev. Stat. §37:3305.1, 3308.1; La. Adm. C. 46XLV.5709.

Recognizing his right to have notice of such allegations and charges asserted against him, to administrative adjudication of such charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his 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.*, Mr. Younger, nonetheless, hereby waives his 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. Mr. Younger further acknowledges that he waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et. seq.*, or which otherwise may be afforded to him by law to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto Mr. Younger also hereby authorizes the I/O designated by the Board with respect to this investigation 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 he waives any objection to such disclosures under La. Rev. Stat. §49:960. Mr. Younger 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 him 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 Gustave Walter Younger, III, is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order Mr. Younger shall pay the Board a fine in the amount of Four Hundred (\$400.00) Dollars which represents the certification fees for two (2) years, plus a penalty of an equal amount

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Mr. Younger 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. §37:3308.1.

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 15 day of September 2014.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

BY: Mark H Dawson
MARK H. DAWSON, M.D.
President

*Acknowledgement and Consent
on Following Page*

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

STATE OF LOUISIANA
PARISH OF Calcasieu


**ACKNOWLEDGMENT
AND CONSENT**

I, GUSTAVE WALTER YOUNGER, III, A.T.H., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 3rd day of September, 2014.



GUSTAVE WALTER YOUNGER, III, A.T.H.

WITNESSES:



Signature

Caroline F. Myers

Printed Name

5125 Pete Seay Rd, Sulphur, LA 70665

Address



Signature

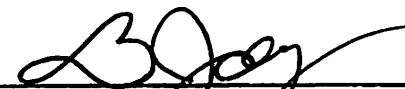
Allen Joyner

Printed Name

5125 Pete Seay Rd, Sulphur, LA 70665

Address

Sworn to and subscribed before me at Sulphur, Louisiana this
3rd day of September, 2014, in the presence of the two stated witnesses.



Notary Public (Signature) and Seal

Brenda Joyner #131341

Notary (Printed Name) & Bar/Notary No.

