

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations  
Telephone: (504) 568-6820  
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No. 14-I-853

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## IN THE MATTER OF:

**YI YING, CLP-SPE**  
*Applicant*

## CONSENT ORDER FOR ISSUANCE OF LICENSE WITH REPRIMAND

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This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Yi Ying ("Ms. Ying") for a license to practice as a Clinical Laboratory Scientist-Specialist ("CLP-SPE") in this state. While a review of the materials submitted in support of her application indicate that she satisfies the educational and other requirements necessary for certificate consideration, Ms. Ying reports that she worked as a Lab Tech at a laboratory in Louisiana without licensure.

On her own behalf, Ms. Ying advised the Board that she was under the belief that her education and prior experience as a chemist was sufficient for employment at the laboratory. She also stated that her employer had not notified her of the need for state licensure. Ms. Ying now takes full responsibility for the unintentional error and accepts her responsibility to understand and comply with all rules and regulations regarding licensure in this state.

As evidenced by her subscription to this Order, Ms. Ying acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing could establish sufficient cause for the rejection or denial of her application for licensure in this state or such other action as the Board may deem appropriate, pursuant to the Law and/or the Board's rules respecting clinical laboratory personnel.<sup>1</sup>

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. Ying is a conscientious and well-trained clinical laboratory scientist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Ying with one or more violations of the Louisiana Clinical Laboratory Personnel Law (the "Law"), La. Rev. Stat. §37:1318, 1326 and/or the Board's rules respecting clinical laboratory personnel, La. Adm. C. 46XLV.3505.

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<sup>1</sup>La. Rev. Stat. §37:1318, 1326; La. Adm. C. §§46XLV:3505.

Recognizing her right to have administrative adjudication of the above 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. Ying, nonetheless, hereby waives her right to notice of charges, formal adjudication and written decision and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Moreover, by her subscription hereto, Ms. Ying also waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act<sup>2</sup> 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 before any judicial or administrative agency or body, relating to the matters referred to herein. By her subscription hereto, Ms. Ying also hereby authorizes the Investigating Officer 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. Furthermore, Ms. Ying expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue any Administrative Complaint filed against her or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent Order. Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1326 and La. Rev. Stat. §49:955D;

**IT IS ORDERED** that Yi Ying is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

**IT IS FURTHER ORDERED** that a license to practice as a clinical laboratory scientist-specialist in the state of Louisiana shall be issued to Yi Ying .

**IT IS FURTHER ORDERED** that within six (6) months of the date of this Order, Ms. Ying shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the licensure fee for one year, plus a penalty of an equal amount.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Ms. Ying 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. §37:1326.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a public record.

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<sup>2</sup> La. Rev. Stat. §49:951, *et seq.*

Signed at New Orleans, Louisiana, and effective this 8<sup>th</sup> day of December,  
2014.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

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

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STATE OF LOUISIANA  
PARISH OF ORLEANS

**ACKNOWLEDGMENT  
AND CONSENT**

I, YI YING, CLP-SPE APPLICANT, hereby acknowledge, approve, accept and consent to  
entry of the above and foregoing Order, this 1<sup>ST</sup> day of December 2014.

[Signature]  
YI YING, CLP-SPE, APPLICANT

WITNESSES:

[Signature]  
Signature  
Tanya L. Ellis  
Printed Name  
LSBME  
Address

City, State, Zip Code

[Signature]  
Signature  
Darren Singleton  
Printed Name  
LSBME  
Address

City, State, Zip Code

Sworn to and subscribed before me this 1<sup>ST</sup> day of December, 2014, in  
the presence of the two stated witnesses.

[Signature]  
Notary Public (Signature and Seal)  
THANIA S. ELLIOTT Notary # 52333  
Printed Name/Notary or Bar Number