

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:

LATOSHA SHERBRETT BLACK-JOHNSON, POLY
Applicant

No. 14-I-847
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 Latosha Sherbrett Black-Johnson, ("Ms. Black-Johnson") for issuance of a polysomnographic technologist license. While it appears from information available as supplied by Ms. Black-Johnson'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 technician in this state without a permit or license.

On her own behalf, Ms. Black-Johnson advised the Board that in 2005, when she began working in the field of polysomnography, she believed, and was told by others, that Louisiana did not require a license to work in polysomnography. When notified by the investigator that licensure by the Board is required to practice polysomnography, she stopped practicing until her application was completed and approved. She now acknowledges that her understanding was in error, and she has accepted 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. Black-Johnson 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

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. Black-Johnson 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. Black-Johnson with one or more

¹La. Rev. Stat. §37:2867, 2870.

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. Black-Johnson, 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. Black-Johnson 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. Black-Johnson 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. Black-Johnson 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 Latosha Sherbrett Black-Johnson 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 Latosha Sherbrett Black-Johnson.

IT IS FURTHER ORDERED that within twelve (12) months of the date of this Order Ms. Black-Johnson shall pay the Board a fine in the amount of Nine Hundred (\$900.00) Dollars, which represents the licensure fees for six (6) 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. Black-Johnson 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 8th day of December 2014.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

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

*Acknowledgement and Consent
on Following Page*

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STATE OF LOUISIANA
PARISH OF Caddo

**ACKNOWLEDGMENT
AND CONSENT**

I, LATOSHA SHERBRETT BLACK-JOHNSON, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 13 day of November, 2014.

Latosha Sherbrett Black-Johnson
LATOSHA SHERBRETT BLACK-JOHNSON

WITNESSES:

John Hollins
Signature

John Hollins
Printed Name

2608 Leaf Lane
Address
Shreveport, La 71109

Melissa Pearson
Signature

Melissa Pearson
Printed Name

121 Mill Creek Lane Houghton, LA 7103
Address

Sworn to and subscribed before me at Shreveport, Louisiana this 13th day of November, 2014, in the presence of the two stated witnesses.

Jacqueline Hollins
Notary Public (Signature) and Seal

Jacqueline Hollins
Notary (Printed Name) & Bar/Notary No.

JACQUELINE HOLLINS, NOTARY PUBLIC
CADDOPARISH, LOUISIANA
MY COMMISSION IS FOR LIFE
NOTARY ID NO. 064506