

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
Telephone: (504) 568-6820
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In The Matter Of

No. 14-I-982

Tho Thi Pham, CLS-SPE
(Certificate No. CLP.204254-SPE)

**CONSENT ORDER FOR
OFFICIAL REPRIMAND**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of apparently reliable information that Tho Thi Pham, CLS-SPE ("Ms. Pham") practiced clinical laboratory science in Louisiana prior to obtaining licensure.

In connection with this matter, Ms. Pham admits that she did work at the Renaissance RX clinical laboratory prior to obtaining a license from the Board. She explained that she was unaware that such a license was required for the type of work that she was performing; however, when she learned that licensure by the Board was required to practice, she submitted an application and is now licensed as a Clinical Laboratory Scientist-Specialist, Certificate No. CLP.204254-SPE. She further acknowledges that her prior understanding was in error and now accepts her responsibility to understand and comply with all rules and regulations regarding licensure in this state.

Investigation of the captioned matter was assigned to the Investigating Officer of the Board (the "I/O"). While it appears to the I/O that Ms. Pham is a conscientious and well-trained clinical laboratory scientist-specialist, the I/O's review and analysis of the matter confirms to her satisfaction that that sufficient cause exists to charge Ms. Pham with one or more violations of the Louisiana Clinical Laboratory Personnel Law (the "Law"), and/or the Board's rules respecting clinical laboratory personnel.¹

As evidenced by her subscription hereto, Ms. Pham acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and the reported information would provide the Investigating Officer herein with probable cause to pursue formal administrative proceedings against her for the suspension, revocation or imposition of such other terms, conditions or restrictions on her license to practice clinical laboratory science in the State of Louisiana as the Board may determine to be appropriate.

Recognizing her right to have notice of administrative charges, and 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

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

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. Pham nonetheless hereby waives her right to formal charges and adjudication and, pursuant to La. Rev. Stat. §49:955(D), hereby consents to entry of the Order set forth hereinafter. By her subscription hereto, Ms. Pham also acknowledges that she 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 the Board's investigation or this document in any court or other forum relating to the matters referred to herein.

By her subscription hereto, Ms. Pham 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 to the Board under La. Rev. Stat. §49:960. Ms. Pham 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 proceed with the filing and adjudication of an administrative complaint against her, or to the Board's capacity to adjudicate such complaint, should the Board decline to accept 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. § 49:955(D);

IT IS ORDERED that the license of Tho Thi Pham, CLP, to practice as a clinical laboratory scientist in the state of Louisiana, as evidenced by Certificate No. CLP.204254-SPE shall receive an **OFFICIAL REPRIMAND** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that within three (3) months of the date of this Order Ms. Pham shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the licensure fee for one (1) year, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with this Order by Ms. Pham shall, upon proof of such violation or failure, be deemed adequate and sufficient cause for such further action as the Board may deem 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.

New Orleans, Louisiana, this 9th day of February, 2015.

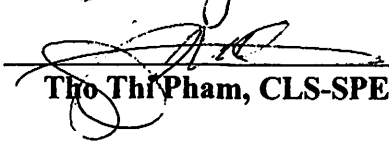
**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: Mark H. Dawson
Mark Henry Dawson, M.D.
President

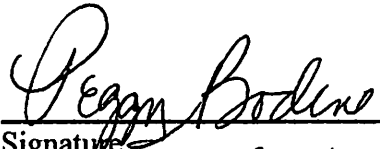
STATE OF LOUISIANA
PARISH OF _____

**ACKNOWLEDGMENT
AND CONSENT**

I, THO THI PHAM, CLS-SPE, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 13 day of January, 2015.


Tho Thi Pham, CLS-SPE

WITNESSES:

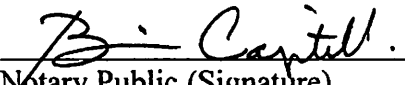

Signature
Peggy Bodine
Printed Name


Signature
Donald L. Hight, Jr.
Printed Name

1100 Poydras St., Ste. 2950
Address New Orleans, LA 70163

1100 Poydras St., Ste. 2960
Address New Orleans, LA 70163

Sworn to and subscribed before me at New Orleans, Louisiana, this 13th day of January, 2015, in the presence of the two stated witnesses


Notary Public (Signature)

Brian Capitelli
Printed Name/Notary/Bar #

BRIAN CAPITELLI
NOTARY PUBLIC #27391
State of Louisiana
My Commission is issued for 10