

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations  
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No. 14-I-988

IN THE MATTER OF:

**TIANJIAN CHEN, CLP-SPE**  
*Applicant*

**CONSENT ORDER  
FOR ISSUANCE OF LICENSE WITH  
REPRIMAND**

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Tianjian Chen ("Dr. Chen") for a license to practice as a Clinical Laboratory Personnel-Specialist ("CLP-SPE") in this state. While a review of the materials submitted in support of his application indicates that he satisfies the educational and other requirements necessary for licensure consideration, Dr. Chen reports that he has been working as a laboratory director in Louisiana without licensure.

In connection with this matter, Dr. Chen admits that he has worked at a Molecular Genetics Laboratory in Louisiana since 2011, prior to obtaining a license from the Board. He explained that he thought his prior work experience and education qualified him for his job, that he was unable to find a licensure category for his work position, and that neither he nor his employer were aware of the need for state licensure; however, when he learned that licensure by the Board was required to practice, he immediately submitted an application for licensure to the Board. He further acknowledged that his prior understanding was in error and he now accepts his responsibility to understand and comply with all rules and regulations regarding licensure in this state.

As evidenced by his subscription to this Order, Dr. Chen 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 his 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 Investigating Officer ("I/O") for the Board. While it appears to the I/O that Dr. Chen is a conscientious and well-trained clinical

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

laboratory scientist-specialist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Dr. Chen 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.

Recognizing his right to have administrative adjudication of the above 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.*, Dr. Chen, nonetheless, hereby waives his 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 his subscription hereto, Dr. Chen also waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act<sup>2</sup> 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 before any judicial or administrative agency or body, relating to the matters referred to herein. By his subscription hereto, Dr. Chen 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 he waives any objection to such disclosures under La. Rev. Stat. §49:960. Furthermore, Dr. Chen 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 him 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 Tianjian Chen is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

**IT IS FURTHER ORDERED** that after completion of application requirements, a license to practice as a clinical laboratory scientist-specialist in the state of Louisiana shall be issued to Tianjian Chen.

**IT IS FURTHER ORDERED** that within six (6) months of the date of this Order, Dr. Chen shall pay the Board a fine in the amount of Five Hundred (\$500.00) Dollars, which represents the licensure fees for four (4) years, plus a penalty of an equal amount.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with this Order by Dr. Chen 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 9<sup>th</sup> day of February, 2015.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

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

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STATE OF Louisiana  
PARISH OF Orleans


**ACKNOWLEDGMENT  
AND CONSENT**

I, TIANJIAN CHEN, CLP-SPE, APPLICANT, hereby acknowledge, approve, accept  
and consent to entry of the above and foregoing Order, this 29<sup>th</sup> day of January,  
2015.

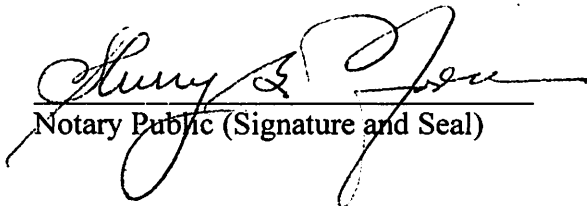
  
TIANJIAN CHEN, CLP-SPE, APPLICANT

**WITNESSES:**

  
Signature  
Jennifer Smith  
Printed Name  
2052 Royal Street  
Address  
New Orleans, LA 70116  
City, State, Zip Code

  
Signature  
Marcel Charbonnet  
Printed Name  
1213 Curtis Street  
Address  
Harvey, LA 70058  
City, State, Zip Code

Sworn to and subscribed before me this 29<sup>th</sup> day of January, 2015, in  
the presence of the two stated witnesses.

  
Notary Public (Signature and Seal)

Printed Name/Notary or Bar Number

**SHERRY B. NOONAN**  
**NOTARY PUBLIC NO. 135449**  
**Parish of Jefferson, State of Louisiana**  
**My Commission is Issued for Life**