

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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No. 14-I-1020

IN THE MATTER OF:

LULU MAO, CLP-SPE
Applicant

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

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Lulu Mao ("Ms. Mao") for a permit to practice as a Clinical Laboratory Personnel-Specialist ("CLP-SPE") trainee in this state. While a review of the materials submitted in support of her application indicates that she satisfies the educational and other requirements necessary for permit/licensure consideration, Ms. Mao reports that she has working in a laboratory in Louisiana without a permit or license.

In connection with this matter, Ms. Mao admits that she started her training as a clinical post-doc fellow in a Molecular Genetics Laboratory in Louisiana in July 2014, prior to obtaining a permit from the Board. She explained that neither she nor her employer were aware of the need for state permit/license; however, when she learned that a permit/license was required to practice, she immediately submitted an application for licensure to the Board. She further acknowledged that her prior understanding was in error and she now 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. Mao 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 permit/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.¹

Investigation of the captioned matter was assigned to the Investigating Officer ("I/O") for the Board. While it appears to the I/O that Ms. Mao 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 sufficient cause exists to charge Ms. Mao 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.

¹La. 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. Mao, 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. Mao also waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act² 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. Mao 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. Mao 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 Lulu Mao is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that after completion of application requirements, a permit to practice as a clinical laboratory scientist-specialist trainee in the state of Louisiana shall be issued to Lulu Mao.

IT IS FURTHER ORDERED that within three (3) months of the date of this Order, Ms. Mao shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the permit/licensure fees for one (1) 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. Mao 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.

² La. Rev. Stat. §49:951, *et seq.*

Signed at New Orleans, Louisiana, and effective this 16th day of March, 2015.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

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


STATE OF Louisiana
PARISH OF Orleans


**ACKNOWLEDGMENT
AND CONSENT**

I, LULU MAO, CLP-SPE APPLICANT, hereby acknowledge, approve, accept
and consent to entry of the above and foregoing Order, this 12th day of February,
2015.

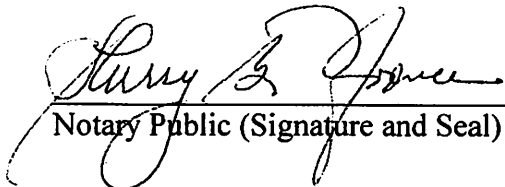

LULU MAO, CLP-SPE, APPLICANT

WITNESSES:


Signature
Sufen Zheng
Printed Name
4720 Gary Mike Ave
Address
Metairie LA 70002
City, State, Zip Code


Signature
Mary C Phelan
Printed Name
1629 S Carrollton Ave
Address
New Orleans LA 70118
City, State, Zip Code

Sworn to and subscribed before me this 12th day of February, 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