

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:

ERICA HERNANDEZ YOUNG, POLY-TCH
Applicant

No. 14-I-1041
CONSENT ORDER FOR
ISSUANCE OF
POLYSOMNOGRAPHIC
TECHNICIAN PERMIT WITH
OFFICIAL REPRIMAND

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Erica Hernandez Young, ("Ms. Young") for issuance of a polysomnographic technician permit. While it appears from information available as supplied by Ms. Young's application and otherwise that she is generally qualified for issuance of such a permit, as acknowledged by her in her application, she reported that she has worked as a polysomnographic technician in this state without a license or permit.

On her own behalf, Ms. Young advised the Board that in 2012, while working in this state, she was unaware that Louisiana required a permit or license to work in polysomnography. She thought she could obtain her training and education by working in an established sleep lab. On July 2, 2014, she passed the Certified Polysomnographic Technician exam. 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. Young 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 technicians.¹

Investigation of the captioned matter was assigned to the Investigation Officer ("I/O") herein for the Board. While it appears to the I/O that Ms. Young is a conscientious and well-trained polysomnographic technician, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Young with one or more violations of the Polysomnographic Practice Act ("the Law"), La. R.S. §§37: 37:2867 and 2870.

¹La. Rev. Stat. §37:2867, 2870.

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. Young, 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. Young 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. Young 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. Young 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 Erica Hernandez Young is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that a permit to practice as a polysomnographic technician in the state of Louisiana shall be issued to Erica Hernandez Young.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order Ms. Young shall pay the Board a fine in the amount of One Hundred (\$100.00) Dollars, which represents the permit fee 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. Young 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 16th day of March 2015.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

BY: 
MARK HENRY DAWSON, M.D.
President

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

STATE OF LOUISIANA
PARISH OF Ouachita

**ACKNOWLEDGMENT
AND CONSENT**

I, ERICA HERNANDEZ YOUNG, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 5th day of February, 2015.

Erica Hernandez Young
ERICA HERNANDEZ YOUNG

WITNESSES:

[Signature]
Signature

Cara Flett
Printed Name

1810 Roselawn Ave.
Address

Monroe, LA 71201
City/State/Zip Code

[Signature]
Signature

Heather Quick
Printed Name

1810 Roselawn Ave.
Address

Monroe, LA 71201
City/State/Zip Code

Sworn to and subscribed before me at Monroe, Ouachita Parish, Louisiana this 5th day of February, 2015, in the presence of the two stated witnesses.

Ashley Walker
Notary Public (Printed Name Signature)

Ashley Walker # 130056
Notary (Printed Name) & Bar/Notary No.

