

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF:

DAVID RIAN MOCKLIN, ATH
Applicant

No. 15-I-329

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

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of David Rian Mocklin's application for licensure by the Board to practice as an athletic trainer ("ATH") in this state. While it appears from information available as supplied by Mr. Mocklin's application and otherwise that he is generally qualified for issuance of such licensure, as acknowledged by him in his application, he reported that he has been working as an athletic trainer in Louisiana since August 2014 without Board licensure.

In connection with this matter, Mr. Mocklin submitted a written statement to the Investigating Officer of the Board (the "I/O"), explaining that he had been working in an outreach program for a private religious high school in Louisiana and he thought that he did not need a state license to practice in a private school. He has maintained national certification by the Board of Certification, Inc. ("BOC"), and memberships in the National Athletic Trainers' Association (NATA) and Louisiana Athletic Trainers' Association (LATA). In December 2014, when he was informed of the revised Louisiana Athletic Trainers Law (the "Law"), he immediately began the licensure application process. Mr. Mocklin has now stopped practicing as an athletic trainer, has acknowledged that his understanding was in error, and has accepted his responsibility to understand and comply with all laws and regulations regarding licensure in this state.

As evidenced by his subscription to this Order Mr. Mocklin acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Board with sufficient cause to deny his application pursuant to the Law and/or the Board's rules respecting athletic trainers.

Investigation of the captioned matter was assigned to the I/O for the Board. While it appears to the I/O that Mr. Mocklin is a conscientious and well-trained athletic trainer, the I/O's review and analysis of the matter confirms to her satisfaction that the actions identified hereinabove may implicate one or more violations of the Law, and/or the Board's rules respecting athletic trainers.¹

Recognizing his right to have notice of such allegations and charges asserted against him, to administrative adjudication of such 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.*, Mr. Mocklin, nonetheless, hereby waives his 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. Mr. Mocklin further acknowledges and waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et. seq.*, 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 other forum relating to the matters referred to herein. By his subscription hereto Mr. Mocklin 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 he waives any objection to such disclosures under La. Rev. Stat. §49:960. Mr. Mocklin 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 him 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. §37:3303, 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. §37:3303 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that David Rian Mocklin is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that licensure to practice as an athletic trainer in the state of Louisiana shall be issued to David Rian Mocklin.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order Mr. Mocklin shall pay the Board a fine in the amount of Two Hundred (\$200.00) Dollars, which represents the licensure fee for the past year, plus a penalty of an equal amount.

¹ La. Rev. Stat. §37:3305.1, 3308.1; La. Adm. C. 46XLV.5709.

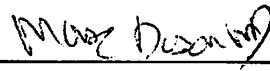
IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Mr. Mocklin shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3308.1

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 20th day of July 2015.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

BY:



MARK HENRY DAWSON, M.D.
President

*Acknowledgement and Consent
on Following Page*

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STATE OF LOUISIANA

PARISH OF Orleans

**ACKNOWLEDGMENT
AND CONSENT**

I, DAVID RIAN MOCKLIN, ATH APPLICANT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 22nd day of MAY, 2015.

David Rian Mocklin
DAVID RIAN MOCKLIN, ATH APPLICANT

WITNESSES:

John Paul
Signature

JOSHUA PAHL
Printed Name

6090 Wilton Dr
Address

New Orleans LA 70122
City/State/Zip Code

Jasen R. Auccin
Signature

Jasen R. Auccin
Printed Name

1750 Logan Lane
Address

Mandeville, LA. 70449
City/State/Zip Code

Sworn to and subscribed before me at New Orleans, Louisiana this 22 day of May, 2015, in the presence of the two stated witnesses.

Craig V. Sweeney
Notary Public (Signature) and Seal
CRAIG V. SWEENEY
EAF No. 23954

Notary (Printed Name) & Bar/Notary No.