

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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No. 15-I-413

IN THE MATTER OF:
DEZARAY DENYSE PONDS, 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 Dezaray Denyse Ponds ("Ms. Ponds") 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 her application indicate that she satisfies the educational and other requirements necessary for licensure consideration, Ms. Ponds reports that she has been working as a Laboratory Manager at the Feldman Institute in Louisiana without licensure.

In connection with this matter, Ms. Ponds explained that she was initially hired as the Director of Laboratory but later changed to Laboratory Manager, and then ultimately to Office Manager. She previously worked for two (2) years in a supervisory role for a laboratory in North Carolina, and was unaware of the licensure requirements in Louisiana. When she learned that licensure by the Board was required to practice, she 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. Ponds 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 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. Ponds is a conscientious and well-trained clinical laboratory scientist-specialist, the I/O's review and analysis of the matter confirms to her

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

satisfaction that sufficient cause exists to charge Ms. Ponds 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 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. Ponds, 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. Ponds 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. Ponds 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. Ponds 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 Dezaray Denyse Ponds 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 Dezaray Denyse Ponds.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order, Ms. Ponds shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the licensure fees for one 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. Ponds 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 17th day of August, 2015.

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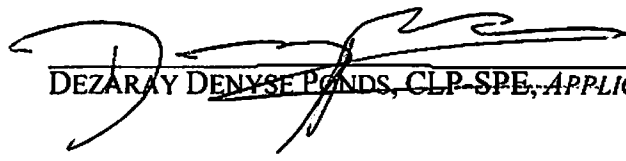
BY: Mark H Dawson
MARK H. DAWSON, M.D.
President

STATE OF LA

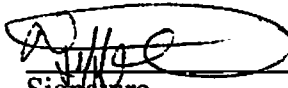
PARISH OF E. Baton Rouge

**ACKNOWLEDGMENT
AND CONSENT**

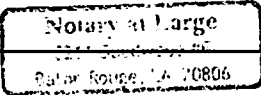
I, DEZARAY DENYSE PONDS, CLP-SPE, APPLICANT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 10th day of August, 2015.


DEZARAY DENYSE PONDS, CLP-SPE, APPLICANT

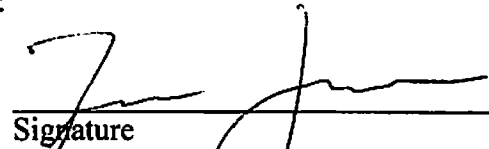
WITNESSES:


Signature

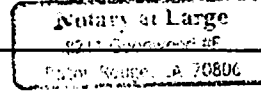
Tilly Ortiz
Printed Name

Address 

City, State, Zip Code


Signature

Zora Berles
Printed Name

Address 

City, State, Zip Code

Sworn to and subscribed before me this _____ day of AUG 6 2015, 2015, in the presence of the two stated witnesses.


Notary Public (Signature and Seal)

Nadine P. Harrell
LA Notary ID: 50910
East Baton Rouge Parish
Printed Name/Notary Commission Expires For Life