

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250
www.lsbme.la.gov



Telephone: (504) 568-6820
FAX: (504) 568-8893
Writer's Direct Dial:

(504) _____

No. 15-I-647

In the Matter of:

RACHAEL DAVIS SINGLEY, OTA
(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 Rachael Davis Singley ("Ms. Singley") for a license to practice as a Occupation Therapy Assistant ("OTA") 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. Singley reports that she has worked as an OTA at High Hopes Pediatric Therapy in Monroe, Louisiana without licensure.

In connection with this matter, Ms. Singley explained that she began employment at the therapy clinic as an unlicensed technician before graduating with her Occupational Therapy Assistant degree. After submitting her licensure application and receiving a Temporary Permit from the Board, she began working as an OTA. In January 2015, she passed the examination by the National Board for Certification in Occupational Therapy, Inc ("NBCOT") and she assumed she would then be automatically licensed. She continued to practice as an OTA, although her Permit expired on March 15, 2015. On July 14, 2015, when she learned that she was not yet licensed, she immediately stopped practicing as an OTA and returned to work as an unlicensed technician. She then submitted further documents to complete her application for licensure with the Board. Ms. Singley has now acknowledged that her prior understanding was in error and she now accepts her responsibility to comply with all rules and regulations regarding licensure in this state.

Investigation of the captioned matter was assigned to the Investigating Officer ("I/O") of the Board. While it appears to the I/O that Ms. Singley is a conscientious and well-trained occupational therapy assistant, 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 Louisiana Occupational Therapy Practice Act and the Board's rules pertaining to Occupational Therapists.¹

¹Pursuant to the Louisiana Occupational Therapy Practice Act, La. Rev. Stat. §37.3004 "No person shall practice occupational therapy or hold himself out as an . . . occupational therapy assistant . . . or to render occupational therapy services in the state unless he is licensed in accordance with the provisions of this Chapter;" and pursuant to La. Rev. Stat. §37.3011.A. the board may take disciplinary action if the licensee is found guilty of unprofessional conduct. The Board's rules also prescribe such conduct and define professional conduct to include La Adm. C. §46XIV.4921.B. "18. [V]iolation of any rules and regulations of the board, or any provisions of the Act . . ."

Recognizing her right to have notice of such allegations and charges asserted against her, to administrative adjudication of such charges, at which time Ms. Singley 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. §§ 49:95 *et seq.*, Ms. Singley, 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. Singley further acknowledges that she hereby waives any right that 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 the Board's investigation or this document in any court or other forum relating to the matters referred to herein. By her subscription hereto, Ms. Singley 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. Singley expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the IO's authority to proceed with the filing and adjudication of an 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 information provided, and upon the recommendation of the I/O assigned to this matter, 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. §37:3011, 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. §37:3011 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that Rachael Davis Singley, O.T.A Applicant is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that after completion of application requirements, a license to practice as an occupational therapy assistant in the state of Louisiana shall be issued to Rachael Davis Singley.

IT IS FURTHER ORDERED that Ms. Singley shall pay a fine of \$150 to the Board, which payment shall be made within six (6) months of the acceptance of this Order by the Board.

IT IS FURTHER ORDERED that any violation of this Order by Ms. Singley shall, upon proof of such violation, be deemed adequate and sufficient cause for such further action against her license to practice as an occupational therapy assistant in this state as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3011.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

Signed at New Orleans, Louisiana, and effective this 1th day of August, 2015.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: Mark H. Dawson MD
Mark H. Dawson, M.D.
President

*Acknowledgement and Consent
On Following Page*

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STATE OF Louisiana

PARISH/COUNTY OF Ouachita

**ACKNOWLEDGMENT
AND CONSENT**

I, **RACHAEL DAVIS SINGLEY, O.T.A.**, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 3rd day of August, 2015.

Rachael Davis Singley, O.T.A. Applicant
RACHAEL DAVIS SINGLEY, O.T.A. Applicant
LAID: 006009479 EXP: 12/12/16

WITNESSES:

Adawn Stokes
Signature

Olivia Ebarb
Signature

Addie Stokes
Printed Name

Olivia Ebarb
Printed Name

2400 Forsythe Ave
Address

2400 Forsythe Ave
Address

Monroe, LA 71201
City, State, Zip Code

Monroe, LA 71201
City, State, Zip Code

Sworn to and subscribed before me at Monroe, Louisiana, this 3rd day of

August, 2015, in the presence of the two stated witnesses.

[Signature]
Notary Public

Print name Jon Wages

Bar/Notary No.: 133881

I WAS NOT INVOLVED IN THE PREPARATION OF THIS DOCUMENT, NOR AM I RESPONSIBLE IN THE FILING OF ANY DOCUMENTS PERTAINING TO THIS INSTRUMENT. I AM ONLY NOTARIZING THE SIGNATURE OF Rachael Davis Singley