

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) _____

In the Matter of

No. 15-I-706

**THE APPLICATION OF
TRICIA ANN FRYE, 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 Tricia Ann Frye ("Ms. Frye") 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. Frye reports that she has worked as a Laboratory Assistant at Baton Rouge General Hospital and at Acadian Diagnostic in Louisiana without licensure.

In connection with this matter, Ms. Frye explained that when she was initially hired as a lab assistant, her employer trained her for her job duties and told her that she did not need a state license. The laboratory was inspected several times by accrediting agencies and she was never informed that her job duties required licensure. When she later 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. Frye 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. Frye 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. Frye with one or more violations of the

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

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. Frye, 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. Frye 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. Frye 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. Frye 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 Tricia Ann Frye 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 Tricia Ann Frye.

IT IS FURTHER ORDERED that within nine (9) months of the date of this Order, Ms. Frye shall pay the Board a fine in the amount of Four Hundred Eighty (\$480.00) Dollars, which represents the licensure fees for six (6) years, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Ms. Frye 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 31st day of September,
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

PARISH OF East Baton Rouge

**ACKNOWLEDGMENT
AND CONSENT**

I, TRICIA ANN FRYE, CLP-SPE, APPLICANT, hereby acknowledge, approve, accept
and consent to entry of the above and foregoing Order, this 8 day of Sept,
2015.

Tricia Ann Frye
TRICIA ANN FRYE, CLP-SPE, APPLICANT

WITNESSES:

Rhita
Signature
Roy Misita
Printed Name
5383 JONES CREEK RD.
Address
Baton Rouge, LA 70817
City, State, Zip Code

James Gallardo
Signature
JAMES GALLARDO
Printed Name
5383 JONES CREEK RD.
Address
Baton Rouge, LA 70817
City, State, Zip Code

Sworn to and subscribed before me this 8 day of Sept, 2015, in
the presence of the two stated witnesses.

Opelle H. Chollette
Notary Public (Signature and Seal) 9018

Opelle H. Chollette 9018
Printed Name/Notary or Bar Number