

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of:

No. 15-I-963

JOSEPH DAYTON FARLEY, ATH
(License No. ATH.200683)
Respondent

CONSENT ORDER FOR
REPRIMAND

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Joseph Dayton Farley's application for reinstatement of license by the Board to practice as an athletic trainer ("ATH") in this state. Mr. Farley was first certified in Louisiana as an athletic trainer in January 2008 and has practiced in Louisiana continuously since that time; however, he failed to timely renew his license in 2015, allowing his license to expire on June 30, 2015. From information available as supplied by Mr. Farley's application and otherwise, he is generally qualified to be reinstated; however, he reported that he did work and hold himself out as an athletic trainer at Centenary College in Louisiana without Board licensure.

In connection with this matter, Mr. Farley explained with his renewal application that he had moved several times during the year and did not receive his reminder to renew his license. When he received his notice to renew his national certification, he realized that he not received any renewal for his state license. His license was renewed on October 21, 2015, and investigation of the captioned matter was referred to the Investigating Officer of the Board (the "I/O"). Mr. Farley has now acknowledged that he should have timely notified the Board of his address changes, and that he should not have worked with an expired license. Further, he has cooperated with this investigation, 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. Farley acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Investigating Officer herein with sufficient cause to pursue formal administrative proceedings against him for the suspension, revocation or imposition of such other terms, conditions or restrictions on his license to practice as an athletic trainer in the State of Louisiana as the Board may determine to be appropriate.

While it appears to the I/O that Mr. Farley 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. Farley, nonetheless, hereby waives his right to

¹ La. Rev. Stat. §37:3305.1, 3307, and 3308.1; La. Adm. C. 46XLV.5709.

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. Farley 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. Farley 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. Farley 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 Joseph Dayton Farley is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that within three (3) months of the date of this Order Mr. Farley shall pay the Board a fine in the amount of Two Hundred (\$200.00) Dollars, which represents the licensure fee 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 Mr. Farley 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 7th day of December 2015.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

BY:



MARK HENRY DAWSON, M.D.
President

STATE OF LOUISIANA

PARISH OF CADDO

**ACKNOWLEDGMENT
AND CONSENT**

I, JOSEPH DAYTON FARLEY, ATH, hereby acknowledge, approve, accept and consent
to entry of the above and foregoing Order, this 24th day of November, 2015.

Joseph Dayton Farley
JOSEPH DAYTON FARLEY, ATH

WITNESSES:

Robert Frey
Signature
Robert Frey
Printed Name

Preston Frey
Signature
Preston Frey
Printed Name

Shreveport, LA 71118
Address
City/State/Zip Code

Bossier City, LA 71111
Address
City/State/Zip Code

Sworn to and subscribed before me at Shreveport, Louisiana this
24th day of November, 2015, in the presence of the two stated witnesses.

Debra S. Brown
Notary Public (Signature) and Seal

Debra S. Brown / 1543
Notary (Printed Name) & Bar/Notary No.