

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**No. 15-I-251**

**In The Matter Of**  
**NATASHA DANIELLE BENARD, CLP-PHL**  
*Applicant*

**CONSENT ORDER FOR  
ISSUANCE OF LICENSE  
ON PROBATION**

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Natasha Danielle Benard ("Ms. Benard") for a license to practice as a Clinical Laboratory Personnel-Phlebotomist ("CLP-PHL") in this state. While a review of the materials submitted in support of her application indicates that she satisfies the educational and other requirements necessary for licensure consideration, Ms. Benard disclosed that she had prior criminal actions including a felony conviction in 2009. She had further arrests in 2011 and 2015, and she is currently working to complete the court requirements. Ms. Benard is amenable to a license being issued on probationary status and has expressed a willingness, if licensed as a phlebotomist in Louisiana, to submit to on-going monitoring.

As evidenced by her subscription hereto, Ms. Benard 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 as a phlebotomist in this state or such other action as the Board may deem appropriate, pursuant to the Louisiana Clinical Laboratory Practice Act La. Rev. Stat. §37:1326.<sup>1</sup>

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. Benard, 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. Benard also waives any right to which 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 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. Benard 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

<sup>1</sup> Pursuant to La. Rev. Stat. §37:1326(A) the Board may deny or take action against the license of a clinical laboratory technician for: (2) Demonstrating incompetence in the performance of the practice of clinical laboratory science.

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. Benard 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 a license is hereby issued on **PROBATION for one (1) year** to Natasha Danielle Benard to practice as a phlebotomist in the state of Louisiana, subject to her acceptance of and strict compliance with the following terms and conditions:

1. **Participation in the Board's Allied Professionals Health Program.** Ms. Benard shall sign a one (1) year agreement with the Board's Allied Professionals Health Program and shall fully comply with all terms, monitoring conditions and restrictions of the program. Ms. Benard shall authorize and cause to have submitted to the Board monthly reports of full compliance with all monitoring requirements of the Program.
2. **Participation in Drug Screening.** Ms. Benard shall submit to periodic, unannounced blood, urine, saliva, hair collection or other screens, including EtG and PEth levels, to detect the presence of alcohol or other mood-altering substances. Such screenings shall be random and shall occur at such intervals as may be directed by the Board's Probation and Compliance Officer or designee. Ms. Benard shall authorize and cause all reports of the results of such drug screens to be promptly submitted to the Board.
3. **Board Approval of Practice Setting.** Following the effective date of this Order and for the duration of the probationary period, before continuing or accepting any employment with any clinic, hospital, physician or other entity providing healthcare services to patients, Ms. Benard shall obtain the Board's written approval of her employment setting and shall provide any and all information that the Board may then require in connection with such approval. Ms. Benard shall not engage in health care practice in advance of the Board's specific written approval of such practice setting.
4. **Notification of Order; Reports from Supervisors; Authorization.** Prior to beginning or returning to work, Ms. Benard shall provide a copy of this Order to each hospital, clinic, facility, physician or other employer or prospective employer at which or for whom she provides health care services in this state. Thereafter, Ms. Benard shall authorize and cause the supervisors, or other designees approved by the Board, to submit to the Board quarterly written reports of their determination concerning Ms. Benard's professional competence as derived from such monitoring. In addition, upon request of the Board's probation officer, Ms. Benard shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or other employment records pertaining to Ms. Benard from any hospital, institution, physician or other health care entity where Ms. Benard is employed.
5. **Probation Monitoring Fee.** For each year of the probationary term, Ms. Benard shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

6. **Attendance at Approved Seminar/Course on Professionalism/Ethics.** Within six (6) months of the date of this Order, Ms. Benard shall provide written confirmation that she has successfully completed a course, acceptable to and pre-approved in writing by the Board, in the area of professionalism and ethical conduct of clinic lab personnel.
7. **Self-Reporting of Violations.** Ms. Benard shall immediately self-report in writing to the probation officer any violation of or failure to adhere to the terms, conditions or restrictions of this order. Furthermore, Ms. Benard shall immediately self-report in writing any personal action or inaction, which constitutes a violation of the Act.
8. **Cooperation with the Board's Probation and Compliance Officer.** Throughout the probationary term, Ms. Benard shall immediately thereafter notify the Board's Probation Office of any changes in her current home and professional addresses and telephone numbers, and shall direct all matters required pursuant to this Consent Order to the attention of the Probation Officer with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms, conditions and restrictions hereof. Ms. Benard shall also make herself available upon reasonable notice for personal interviews with the Probation Officer of the Board for the purpose of discussing her then-current compliance with the terms of this Order.
9. **Absence from State or Discontinuance of Practice - Effect on.** Should Ms. Benard at any time during the period of probation be absent from the state of Louisiana or discontinue practicing as a phlebotomist, for a period of thirty (30) days or more, she will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which she was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed in the Board's discretion. Ms. Benard shall not receive credit toward completion of the probationary period for the time during which she was absent from, or not practicing as a phlebotomist in the state of Louisiana.
10. **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary term imposed herein, Ms. Benard shall provide the Board with a written request for termination of probation and an affidavit certifying that she has complied with each of the terms of probation imposed by this Order. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Ms. Benard's compliance with the requirements of this provision.
11. **Effect of Violation/Sanction/Resolution.** By her subscription hereto, Ms. Benard acknowledges that her receipt of written notification that the Board has received apparently reliable information which indicates her failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing her with any right to which she may otherwise 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, constitute her irrevocable consent to the immediate suspension of her license to practice as a phlebotomist in this state pending a hearing before the Board and the conclusion of the administrative proceedings by issuance of a final decision following administrative adjudication of such charges.

12. **Effective Date.** This Consent Order shall be effective the date it is approved and accepted by the Board as shown by the signature of its representative below.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Ms. Benard shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Ms. Benard's license to practice as a phlebotomist in the state of Louisiana or for such other action as the Board may deem 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.

New Orleans, Louisiana, this 12<sup>th</sup> day of June, 2017.

**LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

By:   
K. BARTON FARRIS, M.D.  
*President*

*Acknowledgment and Consent Follows  
on Next Page*

STATE OF LOUISIANA

PARISH OF ORLEANS

**ACKNOWLEDGMENT  
AND CONSENT**

I, NATASHA DANIELLE BENARD, CLP-PHL hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 4<sup>th</sup> day of May, 2017.

Natasha Benard  
NATASHA DANIELLE BENARD, CLP-PHL

WITNESSES:

Cathy M. Storm  
Signature

Cathy M. Storm  
Printed Name

630 Camp St  
Address

NO, LA 70130  
City, State, Zip Code

Esparanza B Spooner  
Signature

Esparanza B Spooner  
Printed Name

630 Camp St.  
Address

NOLA 70130  
City, State, Zip Code

Sworn to and subscribed before me at NEW ORLEANS, Louisiana, this 4 day of May, 2017, in the presence of the two stated witnesses.

Jennifer M. Stulier  
Notary Public

Print name Jennifer M. Stulier

Bar/Notary No.: 28240

JENNIFER MARTIN STOLIER  
NOTARY PUBLIC  
ID # 69507  
State of Louisiana  
Bar # 28240  
My Commission is issued for Life.