

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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**BEFORE THE LOUISIANA
STATE BOARD OF MEDICAL EXAMINERS**

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In The Matter Of :
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LYNNETTE DENISE LEE, LRT :
(Certificate No. 000240) :
Respondent :
:
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No. 17-I-708

**CONSENT ORDER
FOR REPRIMAND**

Respondent, Lynette Denise Lee, LRT, ("Ms. Lee" or "Respondent") is duly licensed by the Board to practice as a licensed respiratory therapist in the State of Louisiana, pursuant to the Louisiana Respiratory Therapy Practice Act, La. Rev. Stat. §37:3351-61 (the "Act"), as evidenced by Certificate No. 0000240.

At all times pertinent, Ms. Lee was practicing in and around Lafayette, Louisiana. Investigation revealed that Ms. Lee had charted services that she did not provide.

Ms. Lee acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and the reported information would provide the Investigating Officer herein with probable cause to pursue formal administrative proceedings against her pursuant to La. Rev. Stat. §37:3358(A)¹ for the suspension, revocation or imposition of such other terms, conditions or restrictions on her license to practice as a respiratory therapist in the State of Louisiana as the Board may determine to be appropriate.

Recognizing her right to have notice and formal administrative adjudication of the charges which have been asserted, at which time he 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. Lee nonetheless, hereby waives her right to notice and formal adjudication and agrees to the terms and conditions of this Order.

¹La. Rev. Stat. §37:3358(A) provides that "[t]he board may refuse to renew a license, may suspend or revoke a license, or may impose probationary conditions if the licensee or applicant for license has been found guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public.

By her subscription hereto, Ms. Lee also acknowledges that she 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 other forum relating to the matters referred to herein. By her subscription hereto, Ms. Lee 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 to the Board under La. Rev. Stat. §49:960. Ms. Lee 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 formal administrative charges against her or to the Board's capacity to adjudicate such charges, should the Board decline to accept this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:3355 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that Lynnette Denise Lee, LRT, who is licensed to practice as a respiratory therapist in the state of Louisiana, as evidenced by Certificate No. 000240, is hereby **OFFICIALLY REPRIMANDED** for the conduct described hereinabove.

IT IS FURTHER ORDERED that Lynnette Denise Lee, LRT is hereby placed **ON PROBATION**, for a period of one (1) year from the effective date of this Consent Order; *provided, however,* that Ms. Lee's license and her continuing exercise of rights and privileges thereunder shall be conditioned upon her acceptance of and strict compliance with the following terms, conditions and restrictions during the period of her probation:

- (1) Participation in the Board's Allied Professionals Health Program.** Ms. Lee shall enroll in the Board's Allied Professionals Health Program and submit to witnessed urine, saliva, hair collection or other screens to detect the presence of alcohol, controlled or other mood-altering substances throughout the probationary term. Such screenings shall occur at such times or intervals as may be directed by the Board's Probation and Compliance Officer. Ms. Lee shall authorize and cause all reports of the results of such drug screens to be promptly submitted to the Board.
- (2) Continuing Medical Education.** Ms. Lee shall obtain not less than twenty (20) credit hours during her probationary term through attendance at and participation in continuing medical education programs ("CME") accredited by the American Association for Respiratory Therapy, or such other national accrediting association or organization as the Board may approve in writing, on the subjects of professionalism and documentation. At least sixty (60) days prior to the conclusion of the probationary term, Ms. Lee shall cause to be submitted to the Board written certification of the CME programs and credits completed by her during the preceding twelve (12) months.
- (3) Reports from Supervisors.** Ms. Lee shall provide the Board's probation officer with information identifying her place of employment as a respiratory therapist, and

identify her supervisor. Thereafter, Ms. Lee shall authorize and cause the supervisor of the respiratory care department of the facility where she is employed, or another person approved by the Board, to provide quarterly reports to the Board confirming that she is then practicing in accordance with the acceptable standards of care for respiratory therapists.

- (4) **Notification to Employers.** Ms. Lee shall provide a copy of this Consent Order to the Director of Human Resources (“DHR”) at each facility where she may be employed.
- (5) **Payment of Fine.** Within 90 days of the effective date of this Consent Order, Ms. Lee shall pay a fine of \$100 to the Board. Ms. Lee acknowledges that the timely payment of the fine is her legal obligation and responsibility and that she understands that she shall cease practicing as a respiratory therapist in this state if the fine is not paid within ninety (90) days as ordered.
- (6) **Additional Probationary Terms.** In addition to such other terms and conditions as are placed upon her license to practice as a respiratory therapist by this Order, Ms. Lee hereby consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length or nature thereof.
- (7) **Sanction.** By her subscription hereto, Ms. Lee acknowledges that her receipt of written notification from the Board that it has received apparently reliable information which indicates her failure to abide by the terms and conditions of this Order, including, but not limited to her failure to pay the aforementioned fine as ordered, shall, without need for formal hearing or providing her with 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 her by law, constitute her consent to the immediate suspension of her license to practice as a respiratory therapist in this state pending the issuance of a decision by the Board following administrative adjudication of such charges.
- (8) **Cooperation with Board's Probation and Compliance Officer.** Ms. Lee shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and professional addresses and telephone numbers and she shall direct all matters that may then be required by the Board pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms, conditions and restrictions of this Order.
- (9) **Absence from Active Practice in Louisiana—Effect on Probation.** Should Ms. Lee at any time during the period of probation be absent from the state of Louisiana, or discontinue practicing as a respiratory therapist 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 and all terms and conditions thereof shall be deemed

interrupted and extended and shall not commence to run until Ms. Lee notifies the Board in writing that she has resumed the practice of respiratory therapy in this state. In such instance, Ms. Lee shall not receive credit toward completion of the probationary period for the time during which she was absent from, or not practicing respiratory therapy in the state of Louisiana.

(10) Certification of Compliance with Probationary Terms/Personal Appearance Before the Board. At least sixty (60) days prior to the conclusion of the probationary term imposed herein, Ms. Lee shall provide the Board with an executed affidavit certifying that she has complied with each of the terms of probation imposed upon her by this Order, and she shall contact the Board and arrange for a personal appearance before the Board, or its designee, at its meeting preceding the expiration of the probationary term ordered herein.

(11) Payment of Probation Monitoring Fee. Ms. Lee shall pay the Board an annual probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than ninety (90) days from the effective date of this Consent Order.

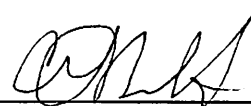
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the restrictions set forth by this Order by Ms. Lee shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Ms. Lee's license to practice as a respiratory therapist 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. §37:3358.

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

New Orleans, Louisiana, this 9th day of April, 2018.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



CHRISTY L. VALENTINE, M.D.

PRESIDENT

Acknowledgment and Consent on Next Page

STATE OF Louisiana
PARISH/COUNTY OF Lafayette

**ACKNOWLEDGMENT
AND CONSENT**

I, LYNETTE DENISE LEE, LRT, hereby acknowledge, approve, accept and consent to entry
of the above and foregoing Consent Order, this 29th day of March, 2018.

Lynnette Denise Lee LRT
LYNETTE DENISE LEE, LRT

WITNESSES:

Allie Wilkinson
Signature

Allie Wilkinson
Typed Name

The UPS Store
Address 139 B James Comeaux Rd.
Lafayette, LA 70508

Brandon Radecker
Signature

Brandon Radecker
Typed Name

The UPS Store
Address 139 B James Comeaux Rd.
Lafayette, LA 70508

Sworn to and subscribed before me at Lafayette, Louisiana, this 29th day of March,
2018, in the presence of the two stated witnesses.

Amanda K Vaussine
Notary Public

Print name Amanda K Vaussine

Bar/Notary No.: 131412

