

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter of	:	No. 18-I-388
	:	
CANDIS N. WALTERS, CLP	:	CONSENT ORDER
(Certificate No. CLP.203379-TCH),	:	
	:	
Respondent	:	_____
----- X	:	

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") regarding Candis N. Walters ("Ms. Walters"), a CLP (Clinical Laboratory Personnel) who is, and was, at all times material to the facts and matters alleged herein, licensed by the Board as a CLP and employed and working as a CLP in the state of Louisiana pursuant to the Louisiana Clinical Laboratory Personnel Law, ("CLP Act"), La. Rev. Stat. §37:1311-1329. The investigation was initiated following the receipt of apparently reliable information indicating that Ms. Walters failed to perform a test that was ordered and falsified test results in violation of the CLP Act.

Ms. Walters has cooperated with the Board, met with the Director of Investigations, and acknowledged that the foregoing information could provide the Investigating Officer for the Board with probable cause to pursue formal administrative proceedings against her for violations of the CLP Act, La. R.S. §37:1326(A)(2) and (3),¹ constituting sufficient cause for the revocation, suspension or such other action against her license to practice in the state of Louisiana as the Board may determine appropriate.

Recognizing her right to notice and administrative adjudication of any charges that may be asserted against her in these proceedings, at which time Ms. Walters 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. §49:955-965, Ms. Walters, nonetheless, hereby waives her right to notice and formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Ms. Walters acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana

¹ Pursuant to La. R.S. §37:1326A The board, upon the recommendation of the committee, may deny, suspend, probate, restrict, or revoke the issuance or renewal of a license or certificate, after notice and an opportunity for a hearing pursuant to the Administrative Procedure Act, upon a preponderance of evidence showing any of the following when such activity is not authorized by the provisions of this Part: '(2) Demonstrating incompetence in the performance of the practice of clinical laboratory science;' and '(3) Dishonest or false reporting of laboratory test results.'

Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or which may be afforded to her by any other law to contest or appeal her agreement to or the force and effect of the Board's investigation or this Order in any court or other forum. By her subscription hereto, Ms. Walters also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this 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. Walters expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the adjudication of an administrative complaint against her or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1326, La. Rev. Stat. §49:955(D).

IT IS ORDERED that license of Candice N. Walters to practice as a CLP in the state of Louisiana, as evidenced by certificate number CLP.203379-TCH, is hereby **SUSPENDED** for a period of **SIX (6) MONTHS**, commencing on January 1, 2020.

IT IS FURTHER ORDERED that the reinstatement of Ms. Walters' license shall be subject to her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (a) **Payment of a Fine.** Ms. Walters shall pay to the Board a fine in the amount of Two Hundred and Fifty and No/100 (\$250.00) Dollars.²
- (b) **Community Service.** Ms. Walters shall, within one hundred and twenty (120) days of the date of this Order, complete fifty (50) hours of Board approved community service.³
- (c) **Certification of Compliance with Probationary Terms.** Ms. Walters' eligibility for reinstatement of licensure is predicated upon her compliance with the above terms, conditions and restrictions. Ms. Walters shall accompany any request for reinstatement with documentation evidencing satisfaction of the items specified in this Order prerequisite to reinstatement, as well as an affidavit certifying such compliance.

IT IS FURTHER ORDERED that upon Walters' compliance with and satisfaction of the terms, conditions and restrictions hereinabove set forth, her license to practice as a CLP in the state of Louisiana shall be reinstated by the Board on **PROBATION** for **TWO (2) YEARS**; *provided, however*, that such reinstatement of her 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:

² Ms. Walters has already satisfied this term and is not required to pay an additional fine.

³ The Board approved Ms. Walters' request to volunteer at the Forrest General Hospital Cancer Center to fulfill her community service obligation. Ms. Walters will provide a letter from Forrest General Hospital Cancer Center verifying her community service.

(1) Restriction of Practice. Following reinstatement, and during the two (2) year probationary period, Ms. Walters shall only engage in practicing as a CLP in a clinical setting approved by the Board in writing.

(2) Monitoring of Practice. Ms. Walters' practice shall be supervised by another CLP, who shall monitor her practice to determine whether Ms. Walters is practicing consistently with accepted standards. Ms. Walters shall authorize and cause such CLP, not less frequently than quarterly during the time of her probation, to submit to the Board written reports as to his or her determinations concerning Ms. Walters' professional competence as derived from such monitoring.

(3) Notification to Employers. Ms. Walters shall provide a complete copy of this Consent Order to each hospital, institution or other clinical setting at which or for whom she provides services as a CLP in this state.

(4) Probation Monitoring Fee. Ms. Walters shall pay the Board a probation monitoring fee of **Three Hundred Dollars And No/100 (\$300.00)** for each year of her probationary term. Payment of the initial fee shall be due not later than thirty (30) days following reinstatement of her license.

(5) Absence from State/Practice/Effect on Probation. Should Ms. Walters at any time during the period of probation ordered herein be absent from being employed in the state of Louisiana, or discontinue practicing as a CLP for a period of thirty (30) days or more, or fail to renew her license to practice in this state, she shall advise the Board in writing. In such instance, the probationary period ordered herein and all terms, conditions and restrictions thereof, shall be deemed interrupted and extended and shall not commence to run until Ms. Walters notifies the Board in writing that she has resumed practicing as a CLP in the state of Louisiana, or renewed her Louisiana license. In such instance, Ms. Walters shall not receive credit toward completion of the probationary period for the time during which she was not engaged in or licensed to practice as a CLP therapy in this state.

(6) Sanction. By her subscription hereto, Ms. Walters acknowledges that her receipt of written notification from the Board that it has received any report or other apparently reliable information which indicates her failure to comply with the requirements set forth by this Order in any respect shall, without need for formal hearing or 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 CLP in this state pending issuance of a decision and final resolution by the Board of administrative proceedings resulting from such report or information; alternatively, by the Board's approval of a Consent Order or other disposition respecting such report or information.

(7) Additional Probationary Terms. In addition to such other terms and conditions as are placed upon any reinstated license to practice as a CLP by this Order, Ms. Walters hereby

consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length and nature thereof including, but not limited to, the continued suspension of her license and/or additional restrictions as to the nature, scope, location, supervision, monitoring of her practice, reports, and evaluations, which the Board in its sole discretion may then deem necessary or appropriate following a review of the reports submitted in connection with her request for reinstatement.


(8) Cooperation with Board's Probation and Compliance Officer. Ms. Walters shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and professional addresses and telephone numbers. She shall direct all matters required by this Order to the attention of the Probation and Compliance Officer, with whom she shall cooperate on all inquiries and requests pertaining to her compliance with the terms, conditions and restrictions of this Consent Order.

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. Walters shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Ms. Walters' license to practice as a CLP 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.

Signed in New Orleans, Louisiana, and effective on this 29th day of June, 2019.
2020

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: 
Roderick V. Clark, MD, MBA
President

Acknowledgment and Consent on Following Page.

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Mississippi
PARISH OF Hancock
County

I, CANDIS N. WALTERS, CLP, hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 28 day of May, ~~2019~~ 2020

Candis N Walters
CANDIS N. WALTERS, CLP

WITNESSES:

Kell McCarty
Signature

LaShunda McGrath
Signature

Kell McCarty
Typed Name

LaShunda McGrath
Typed Name

TIMOTHY A. KELLAR
HANGCOCK COUNTY CHANCERY CLERK
Address: 854 HIGHWAY 90, SUITE B
BAY ST. LOUIS, MS 39520

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HANGCOCK COUNTY CHANCERY CLERK
Address: 854 HIGHWAY 90, SUITE B
BAY ST. LOUIS, MS 39520

City/State/Zip Code

City/State/Zip Code

Sworn to and subscribed before me this 28th day of May, ~~2019~~ 2020
in the presence of the two stated witnesses.

Timothy A. Kellar
Chancery Clerk
By: [Signature] DC
Notary Public (Signature)



Adrian Lee
Printed Name & Notary or Bar Number

My Commission Expires Dec. 31, 2023