

**LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

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

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**No. 2019-I-782**

**IN THE MATTER OF:**

**CATHERINE E. LEE, CLP-PHL**  
*(Credential No. CLP.P00444-PHL),*  
*Applicant*

**CONSENT ORDER FOR  
REINSTATEMENT OF CLP-PHL  
LICENSE ON PROBATION**

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Catherine E. Lee, CLP-PHL ("Ms. Lee") for a license to practice as a phlebotomist in this state. Ms. Lee initially was licensed by the Board on February 23, 2000 but allowed her license to lapse as of December 31, 2009.<sup>1</sup> Ms. Lee applied to the Board for reinstatement of her phlebotomist license on April 29, 2019. As part of this application, Ms. Lee answered "No" to the question, "Have you been arrested (cited, charged with, convicted of or pled guilty or nolo contendere) to a violation of any municipal, state or federal statute?" A criminal background check revealed, however, that Ms. Lee had been arrested for Medicaid Fraud in 2014. According to court records, moreover, Ms. Lee had pled nolo contendere to one count of Medicaid Fraud, in violation of La. R.S. 14:70.1 on May 14, 2015. In response to an inquiry from the Board, Ms. Lee acknowledged the previous arrest and omission from her application and explained that she was distracted by unrelated events while filling out the application.

As evidenced by her subscription hereto, Ms. Lee acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing could establish sufficient cause to deny her license pursuant to the Louisiana Clinical Laboratory Practice Act (the "Act"), La. R.S. 37:1326.<sup>2</sup>

Recognizing her right to have notice of such allegations and administrative adjudication of such 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

<sup>1</sup> No prior disciplinary action was taken with respect to Ms. Lee's phlebotomist license and no complaints or cases are pending relative to that license.

<sup>2</sup> The Board may take action against a license or certificate for "[f]raud or deceit in procuring or attempting to procure a license or certificate to engage in the practice of clinical laboratory science." La. R.S. 37:1326(A)(6).

of law, pursuant to La. R.S. 49:951 *et seq.*, Ms. Lee nonetheless, hereby waives her right to notice and formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Order set forth hereinafter. By her subscription hereto, Ms. Lee also acknowledges that she waives any right to which she may be entitled under the Louisiana Administrative Procedure Act, La. R.S. 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 and to discuss with the Board the nature and result of the investigation and waives any objection to such disclosures under La. R.S. 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 approve this Consent Order.

Based upon the foregoing information, and upon the recommendation of the Investigating Officer, the Board has concluded that, consistent with its mandate under La. R.S. 37:1326, the interests of public health, safety, and welfare 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. R.S. 37:1326 and La. R.S. 49:955(D);

**IT IS ORDERED** that the license of Catherine E. Lee, CLP-PHL, to practice as a phlebotomist in the state of Louisiana, as evidenced by Credential No. CLP.P00444-PHL shall receive an **OFFICIAL REPRIMAND** for the conduct asserted above.

**IT IS FURTHER ORDERED** that Ms. Lee's license to practice as a phlebotomist in the State of Louisiana is hereby reinstated, provided, however, that such license shall be placed **ON PROBATION for one (1) year**, subject to her acceptance of and strict compliance with the following terms, conditions, and restrictions:

- (1) **Notification of Order; Authorization.** Prior to beginning or returning to work, and while on probation, Ms. Lee shall provide a copy of this Consent Order to each hospital, clinic, facility, physician, or other employer or prospective employer at which or for whom she provides services as a phlebotomist in this state. In addition, upon request of the Board's probation officer, Ms. Lee shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or other employment records pertaining to her from any hospital, institution, physician, or other health care entity where she is employed.
- (2) **Course on Ethics and Professionalism.** Ms. Lee shall provide written confirmation that she has attended and successfully completed a Board recommended course in the areas of medical ethics and professionalism.
- (3) **Self-Reporting of Violations.** Ms. Lee 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. Lee shall immediately self-report in writing to the Board any personal action or inaction which constitutes a violation of the Act.

- (4) Probation Monitoring Fee.** For each year of the probationary period, Ms. Lee shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the fee shall be due not later than sixty (60) days from the effective date of this Order.
- (5) Cooperation with the Board's Probation and Compliance Officer.** Ms. Lee shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer and she shall cooperate on all matters and inquiries pertaining to her compliance with the terms and conditions of this Order. Ms. Lee is required to report in person to her probation officer at such times as may be directed. Ms. Lee is required to immediately complete all forms, fully and carefully, when received, and to present these to her probation officer at the first meeting as directed. She shall immediately thereafter notify the Board's Probation and Compliance Officer of any changes in her current home and professional addresses and telephone numbers, and shall allow such access to her office, business practice or home and to patient medical records as may be necessary to her supervision.
- (6) Absence from State or Discontinuance of Practice – Effect on.** Should Ms. Lee 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 term 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.
- (7) Effect of Violation/Sanction.** By her subscription hereto, Ms. Lee acknowledges that her receipt of written notification that the Board has received reliable information indicating 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. R.S. 49:951 *et seq.*, or which otherwise may be afforded to her by law, constitute her irrevocable consent to the immediate or continued suspension of her license in this state pending a hearing before the Board and the conclusion of the administrative proceeding by issuance of a final decision following administrative adjudication of such charges.
- (8) Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Ms. Lee shall file a request for termination of probation in accordance with this paragraph. As a precondition to

her request for termination of probation, 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. 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. Lee's compliance with the requirements of this provision.

**(9) Effective Date.** This Consent Order shall be effective the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

**IT IS FURTHER ORDERED** that any violation of or failure to strictly comply with this Order by Ms. Lee shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Ms. Lee's license to practice phlebotomy in this state as the Board may deem appropriate, as if such violation were enumerated among the causes provided in La. R.S. 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 31<sup>st</sup> day of July, 2020.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By: \_\_\_\_\_

  
RODERICK V. CLARK, M.D., M.B.A.

President

*Acknowledgment and Consent on Following Page*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF LOUISIANA

PARISH OF Jefferson

I, CATHERINE E. LEE, 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 13<sup>th</sup> day of July, 2020.

Catherine Lee

CATHERINE E. LEE

WITNESSES:

Ry Owell  
Signature

Reagan Develle  
Typed Name

4224 Florida Ave. Suite 2  
Street Address

Kenner La 70065  
City/State/Zip Code

J R Callahan  
Signature

Jenny R Callahan  
Typed Name

4224 Florida Ave Suite 2  
Street Address

Kenner LA 70065  
City/State/Zip Code

Sworn to and subscribed before me this 13<sup>th</sup> day of July, 2020, in the presence of the two stated witnesses.

Barry Ranshi  
Notary Public (Signature)

Name: Barry Ranshi  
Notary/Bar No.: 144940/33493  
Commission expires: at Death

