

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130

www.lsbme.la.gov



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

Telephone: (504) 568-6820

FAX: (504) 568-8893

Writer's Direct Dial:

(504) _____

IN THE MATTER OF:

MARGO ANN OLIVIER, LRT
(Credential No. 320865)

No. 2021-I-1125

CONSENT ORDER

The above-captioned matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information indicating that Margo Ann Olivier, LRT ("Ms. Olivier"), who has a history of chemical dependency, had a return to use. Ms. Olivier is a respiratory therapist who, at all times pertinent, has been licensed and engaged in practice as a respiratory therapist in and around New Orleans, Louisiana. Ms. Olivier had previously entered into two-year monitoring agreement with the Allied Professionals Health Program ("APHP") as a condition of the Board approving her respiratory therapist licensure application in 2019. At the time the Board received the above information, Ms. Olivier's monitoring agreement with APHP was still in effect.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations (the "Investigating Officer") for the Board. In the course of the investigation, the Investigating Officer learned that Ms. Olivier failed an EtG test conducted by APHP on or around May 27, 2021. Based upon Ms. Olivier's previous monitoring agreement with the APHP, the Board recommended that Ms. Olivier undergo an evaluation at a Board-approved facility. Ms. Olivier agreed to submit to the recommended evaluation, and her evaluators determined that, while Ms. Olivier had a return to use, she could practice respiratory therapy with reasonable skill and safety as long as she adheres to the systems of accountability regarding her practice that have been recommended by her evaluators.

As evidenced by her subscription hereto, Ms. Olivier acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing would establish sufficient cause to take action with respect to her respiratory therapist license pursuant to the Respiratory Therapy Act (the "Act"), La. R.S. 37:3358(7).¹

¹ Pursuant to La. R.S. 37:3358(A), "The board may deny, refuse to renew, suspend, revoke, or impose probationary conditions on a license if the licensee or applicant for license has been found guilty of unprofessional conduct which

Recognizing her right to have notice and administrative adjudication of any charges that may be asserted against her in these proceedings, at which time Ms. Olivier 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. R.S. 49:955–65, Ms. Olivier, nonetheless, hereby waives her right to notice and formal adjudication and pursuant to La. R.S. 49:955(D) consents to entry of the Order set forth hereinafter. Ms. Olivier acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 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. Olivier 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. R.S. 49:960. Ms. Olivier 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.

Based upon the information provided, and upon the recommendation of the Investigating Officer, the Board hereby concludes that, consistent with its mandate under La. R.S. 37:3351, 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. 37:3358 and La. R.S. 49:955(D);

IT IS ORDERED that the license of Margo Ann Olivier, LRT, to engage in the practice of respiratory therapy, as evidenced by credential No. 320865, be and the same is hereby placed **ON PROBATION** for a period of three (3) years (the “probationary period”) commencing on the effective date of this Order, provided however, that Ms. Olivier’s continuing exercise of any rights and privileges granted thereby, shall be conditioned upon and subject to her acceptance of and strict compliance with the following terms, conditions, and restrictions:

- (1) **Maintenance of Complete Abstinence.** Ms. Olivier shall maintain complete and total abstinence from the use of alcohol, controlled and any mood-altering substance for the duration of the probationary period, except as may be prescribed by a treating physician for a *bona fide* medical condition. Ms. Olivier shall personally inform the Board’s Probation and Compliance Officer, both orally and in writing, within forty-eight (48) hours of the prescription or administration of any controlled or mood-altering substance received by her from any physician for treatment of a *bona fide*

has endangered or is likely to endanger the health, welfare, or safety of the public. Such unprofessional conduct shall include:... (7) Habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence.” *See also* La. Admin. Code tit. 46, pt. XLV, § 5517–19.

medical condition. If the prescription is from another physician, she shall also inform her treating/monitoring physician in this same manner.

- (2) **Allied Professionals Health Program Agreement, Reports to Board.** Ms. Olivier shall enroll in and continue to maintain a monitoring agreement with the APHP for a period of no less than three (3) years. Ms. Olivier shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring which are contained in such agreement, as well as those recommended by her treating physicians and those prescribed by any other health care provider involved in her care to the extent that they continue to follow her. Ms. Olivier shall, in addition, authorize and cause the APHP to submit to the Board or its designee, not less frequently than quarterly, written reports and/or verbal reports, should the Board or its designee desire the latter, on her compliance with the terms, conditions and restrictions of this Order and her monitoring agreement.
- (3) **Notification of Order and Authorization.** During the probationary period, Ms. Olivier shall provide a copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a respiratory therapist in this state. Additionally, upon request of the Board's Probation and Compliance Officer Ms. Olivier 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. Olivier from any hospital, institution, physician, or other health care entity where Ms. Olivier is employed.
- (4) **Drug Screens.** Ms. Olivier shall submit to blood, urine, saliva and/or hair collection for testing for the presence of alcohol and/or controlled and other mood-altering substances at a frequency determined by the APHP. Unless and until this condition is modified or rescinded by the Board or its designee, she shall authorize and cause such testing facility to report the results of such drug screens to the Board or its designee for the duration of the probationary period.
- (5) **Self-Reporting of Violations.** Ms. Olivier shall immediately self-report in writing to the Board's Probation and Compliance Officer any violation of or failure to adhere to the terms, conditions, or restrictions of this Order. Furthermore, Ms. Olivier shall immediately self-report in writing to the Board any personal action or inaction which constitutes a violation of the Act.
- (6) **Cooperation with Board's Probation and Compliance Officer.** Ms. Olivier 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 required pursuant to this Order to the attention of the Probation and Compliance Officer. Ms. Olivier shall cooperate with the Probation and Compliance Officer on all matters and inquiries pertaining to her compliance with the terms and conditions of this Order, specifically including without limitation providing

cooperation and assistance to the Board, its designee, or the APHP in obtaining any records under Sections 2, 3, and 4 of this Consent Order.


- (7) **Absence from the State/Practice/Effect on Probation.** Should Ms. Olivier at any time be absent from the State of Louisiana, relocate to and/or take up residency in another state or country, 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 probation ordered herein and all terms, conditions and restrictions thereof shall be deemed interrupted and extended and shall not commence again until Ms. Olivier notifies the Board in writing that she has resumed the practice of respiratory therapy in Louisiana.
- (8) **Probation Monitoring Fee.** For each year of the probationary period, Ms. Olivier 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 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.
- (9) **Effect of Violation/Sanction.** By her subscription hereto, Ms. Olivier 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 suspension of her license to practice respiratory therapy 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.
- (10) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Ms. Olivier shall provide the Board with 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. Olivier's compliance with the requirements of this provision.
- (11) **Effective Date.** This Consent Order shall be effective as of 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 of strict compliance with any of the terms set forth by this Order by Ms. Olivier shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Ms. Olivier's license to practice respiratory therapy in the state of Louisiana as the Board may deem appropriate as if such violations were enumerated among the causes provided in La. R.S. 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 24th day of January, 2022

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 
LESTER W. JOHNSON, M.D.
President

Acknowledgment and Consent on Following Page

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA

PARISH OF TERREBONNE

I, MARGO ANN OLIVIER, LRT, 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 12TH day of NOVEMBER, 2021.

Margo Olivier
MARGO ANN OLIVIER, LRT

WITNESSES:

Jessie Smith
Signature

Dodie Danos
Signature

JESSIE Smith
Typed Name

Dodie DANOS
Typed Name

142 Millennium Ave
Street Address

132 Millennium Ave
Street Address

Houma, LA 70364
City/State/Zip Code

Houma, LA.
70364
City/State/Zip Code

Sworn to and subscribed before me this
____ day of _____, 20__, in the
presence of the two stated witnesses.

Wilbert A. Billiot
Notary Public (Signature)

Name: Wilbert A. Billiot

Notary/Bar No.: _____

Commission expires: Perpetual FOR LIFE

