



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2024-I-654

IN THE MATTER OF:

JAMES KENNETH MORRIS, RRT
(*Credential No. RRT.L01371*).
Respondent

STIPULATION AND AGREEMENT FOR
VOLUNTARY SURRENDER OF RESPIRATORY
THERAPY LICENSE

This *Stipulation and Agreement* is made by James K. Morris, RRT ("Mr. Morris"), a respiratory therapist who is licensed to practice in the State of Louisiana by the Louisiana State Board of Medical Examiners (the "Board"), as evidenced by Credential No. RRT.L01371.

1. *Acknowledgment and Stipulations.* Mr. Morris hereby acknowledges, stipulates, and agrees that:

- (a) The above-entitled proceeding was docketed by the Board for investigation following the receipt of a complaint alleging that Mr. Morris arrived at work appearing intoxicated on July 31, 2024. Mr. Morris was taken to the emergency department of the hospital where he worked and was tested for alcohol.
- (b) Previously, on February 11, 2021, Mr. Morris had executed a 2-year Allied Professionals Health Program monitoring agreement after receiving a similar complaint while working for his prior employer. Mr. Morris successfully completed the monitoring agreement.
- (c) The investigation also revealed that Mr. Morris had been arrested for driving while intoxicated on April 11, 2024.
- (d) Mr. Morris informed the Board that he would voluntarily surrender his respiratory therapy license instead of undergoing intensive inpatient treatment due to the cost of treatment. Accordingly, Mr. Morris wishes to resolve these proceedings through consent and stipulation for the voluntary surrender his respiratory therapy license in this state, rather than undergoing inpatient treatment or undertaking an administrative hearing.

- (e) Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to the matter determined that reasonable cause existed such that a formal Administrative Complaint could have been filed against Mr. Morris, charging him with a violation of the Louisiana Respiratory Therapy Practice Act (the "Act"), pursuant to La. R.S. 37:3358(A)(7).¹
- (f) Pursuant to the Act, La. R.S. 37:3351 *et. seq.*, the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, and the Board's Rules on Adjudication, La. Admin. Code. tit. 46, pt. XLV, § 9901 *et seq.*, Mr. Morris would be entitled, prior to final disciplinary action against his respiratory therapy license, to an administrative adjudication of such charges, pursuant to La. R.S. 49:975 *et seq.* At such hearing, Mr. Morris would be entitled to be represented by legal counsel, to have those charges proved against him by evidence, to appear and confront adverse witnesses, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made, to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:977, and to any other right to which he may be afforded by the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.* or otherwise.

2. ***Voluntary Surrender of License.*** Notwithstanding his right to an administrative hearing and a decision thereon, as provided by La. R.S. 49:951 *et. seq.*, in recognition of the stipulations set forth hereinabove, Mr. Morris acknowledges the substantial accuracy of the foregoing information and hereby waives his right to formal adjudication and voluntarily surrenders to the Board for cancellation his license to practice as a respiratory therapist in the State of Louisiana, as evidenced by Credential No. RRT.L01371. By his subscription hereto, Mr. Morris also hereby authorizes the Investigating Officer designated by the Board with respect to this matter to present this Stipulation and Agreement for Voluntary Surrender of Respiratory Therapy License to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation, and he waives any objection to such disclosures under La. R.S. 49:977.2.

3. ***Effect of Voluntary Surrender of License.*** Mr. Morris acknowledges, stipulates and agrees that the voluntary surrender of his Louisiana respiratory therapy license affected hereby in the presence of an administrative investigation shall have, and shall be deemed by the Board to have, the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings.

4. ***Termination of Proceedings.*** By the voluntary surrender of his respiratory therapy license, and the attendant dismissal of the proceedings occasioned hereby, Mr. Morris, moreover, acknowledges, stipulates, and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et. seq.*, or which

¹ La. R.S. 37:33:58(A)(7) ("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 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.").

otherwise may be afforded to him by any law, to contest his agreement to or the force and effect of this document in any court or other forum relating to the stipulations, agreements, acknowledgments and other matters referred to herein.

5. ***Advice of Counsel.*** Mr. Morris acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Respiratory Therapy License and that all of the terms, conditions, restrictions and limitations contained herein have been explained to him and/or that he fully understands them.

6. ***Public Record.*** Mr. Morris acknowledges, stipulates and agrees that this Stipulation and Agreement for Voluntary Surrender of Respiratory Therapy License shall be, and shall be deemed to be, a **PUBLIC RECORD**.

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**STIPULATION
AND AGREEMENT**

STATE OF LOUISIANA

PARISH/COUNTY OF JEFFERSON

I, JAMES KENNETH MORRIS, RRT, hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Respiratory Therapy License 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 Stipulation and Agreement without duress and of my own free will and accord, this 24th day of FEBRUARY, 2025.

[Signature]
JAMES KENNETH MORRIS, RRT

WITNESSES:

[Signature]
Signature

Laura W. Morris
Typed Name

2524 Danbury Dr
Street Address

New Orleans, LA 70131
City/State/Zip Code

[Signature]
Signature

Kim Ho Doan
Typed Name

3909 Acadia Street
Street Address

Metairie, LA 70002
City/State/Zip Code

Sworn to and subscribed before me this 24th day of FEBRUARY, 2025, in the presence of the two stated witnesses

[Signature]
Notary Public (Signature)

Name: LANCE SHERLOCK

Notary/Bar No.: 156788

Commission expires: COMMISSIONED FOR LIFE



ACCEPTANCE

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of Respiratory Therapy License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, in New Orleans, Louisiana, on this 28th day of April, 2025.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY: _____


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