

# 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**  
**Lonnie Mark Faulk, CRT**  
(Certificate No. LT 1585),  
*Respondent*  
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**No. 07-I-412**  
**STIPULATION AND AGREEMENT FOR**  
**VOLUNTARY SURRENDER OF**  
**RESPIRATORY THERAPY LICENSE**

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**THIS STIPULATION AND AGREEMENT** is made and executed by Lonnie Mark Faulk, CRT ("Mr. Faulk"), who at all times pertinent has been licensed to practice as a respiratory therapist in the state of Louisiana and engaged in practice in and around Picayune, Mississippi, with and in favor of the Louisiana State Board of Medical Examiners (the "Board").

1. **ACKNOWLEDGMENT AND STIPULATIONS.** Mr. Faulk hereby acknowledges, stipulates and agrees that:

a. An investigation conducted on behalf of the Louisiana State Board of Medical Examiners (the "Board") through its Investigating Officer ("I/O") reveals that Mr. Faulk was arrested in early January, 2007 on charges of Child Molestation. He made bond and was released from jail, but was re-arrested January 23, 2007 for a separate incident and charged with two (2) counts of Sexual Battery and two (2) counts of Child Molestation. On May 14, 2007 Mr. Faulk was indicted on four (4) counts of Sexual Battery. All offenses charged and indicted are felony offenses. On October 21, 2008, Mr. Faulk pled guilty to one (1) count of child molestation and was sentenced to fifteen (15) years in Mississippi Department of Corrections. Mr. Faulk will serve five (5) years in prison and be under ten (10) years of supervised probation.

Further investigation revealed that Mr. Faulk had previously been charged with Child Molestation and Sexual Battery in Pearl River County (Mississippi) Circuit Court in 2004. This case was tried twice, with each trial ending in a mistrial. Mr. Faulk failed to reveal or explain the criminal charges that had been brought against him in 2004 on his license renewal applications for the years 2004, 2005 and 2006 as is required.

b. Investigation of the captioned matter was assigned to the I/O, whose review and analysis confirms to her satisfaction that just cause exists for charging Mr. Faulk with violation of the Louisiana Respiratory Therapy Practice Act (the "Act"), La. Rev. Stat.

§37:3358A(2) and the Board's rules respecting respiratory therapists, La. Adm. C. §46:XLV.5519(A)(1), (3) and (18).<sup>1</sup>

c. Pursuant to the Act and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et. seq.*, Mr. Faulk would be entitled, prior to disciplinary action against his license to practice respiratory therapy, to have notice of any allegations and charges asserted against him and to administrative adjudication of such charges, pursuant to La. Rev. Stat. §§49:951, *et. seq.* At such hearing Mr. Faulk would be entitled to be represented by legal counsel, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made and to a decision by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951, *et. seq.*

2. **VOLUNTARY SURRENDER OF LICENSE.** In lieu of the institution and prosecution of formal administrative proceedings in this matter, and notwithstanding his right to notice of formal charges, administrative hearing and a decision thereon, as provided by La. Rev. Stat. §49:951, *et seq.*, in recognition of the stipulations set forth herein above, toward final disposition of the investigation now pending in this matter, Mr. Faulk, nonetheless, waives his right to notice of charges and formal adjudication and hereby voluntarily surrenders to the Board for cancellation his license to practice respiratory therapy in the state of Louisiana, as evidenced by Certificate No. LT 1585. By his subscription hereto Mr. Faulk also hereby authorizes the I/O designated by the Board with respect hereto 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. Rev. Stat. §49:960.

3. **EFFECT OF VOLUNTARY SURRENDER OF LICENSE.** Mr. Faulk acknowledges, stipulates and agrees that the voluntary surrender of his license to practice respiratory therapy effected 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. Mr. Faulk further acknowledges, stipulates and agrees that as a result of the voluntary surrender of

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La. Rev. Stat. §37:3358A(2) provides that the Board may take action against the license of a respiratory therapist as the result of being found guilty of "[U]nprofessional conduct, as defined by the policies established by the board . . . ." Pursuant to its rules, La. Adm. C. §46:XLV.5519A(1), (3) and (18), respectively, the Board may take action against the license of a respiratory therapist as a result of "unprofessional conduct" consisting of, among other items:

(1) conviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of the state of Louisiana, of the United States or of the state in which such conviction or plea was entered; (3) perjury, fraud, deceit, misrepresentation or concealment of material facts in obtaining a license to practice respiratory care; and (18) demonstrating a lack of good moral character as defined in §5503.A;

his license to practice respiratory therapy he shall not have any right or entitlement to reinstatement or renewal of such license nor shall he hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewal of his license to practice respiratory therapy in the state of Louisiana.

4. **TERMINATION OF PROCEEDINGS.** By the voluntary surrender of his license to practice respiratory therapy occasioned hereby Mr. Faulk 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. Rev. Stat. §§49:951, *et. seq.*, or which 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 stipulations, agreements, acknowledgments and other matters referred to herein.

5. **ADVICE OF COUNSEL.** Mr. Faulk acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation 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. Faulk 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**.

*Stipulation and Agreement and Acceptance pages  
follow this page*

**ACCEPTANCE**

CONSIDERING THE ABOVE AND FOREGOING, the Stipulation and Agreement for Voluntary Surrender of a Respiratory Therapy License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, this 15<sup>th</sup> day of December, 2008.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

By: Kweli J. Amusa, MD  
KWELI J. AMUSA, M.D.  
*President*

\* \* \*

**STIPULATION  
AND AGREEMENT**

STATE OF ~~LOUISIANA~~ MISSISSIPPI  
~~PARISH OF~~ PEARL RIVER  
COUNTY

I, LONNIE MARK FAULK, CRT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Stipulation and Agreement, this 21<sup>st</sup> day of NOVEMBER, 2008.

*Lonnie Mark Faulk*  
LONNIE MARK FAULK, CRT

WITNESSES:

*Sgt Christa Groom*  
Signature

Sgt Christa Groom  
Typed Name

171 Savannah Millwood Rd.  
Address

*Elizabeth Stewart*  
Signature

Elizabeth Stewart  
Typed Name

1125 Beechdale Dr.  
Address

Sworn to and subscribed before me at PEARL RIVER COMM. CORRECTIONAL CTR. ~~Louisiana~~ MS., this 21<sup>st</sup> day of NOVEMBER, 2008, in the presence of the two stated witnesses.

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Notary Public

\_\_\_\_\_  
Printed Name/Notary #