

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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:
In The Matter Of
:
MICHELLE HARRELL ANTHONY, ATH
Applicant
:
:
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No. 10-I-213

**CONSENT ORDER FOR
ISSUANCE OF CERTIFICATION**

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Michelle Harrell Anthony's application for certification by the Board to practice as an athletic trainer ("ATH") in this state. While it appears from information available as supplied by Ms. Anthony's application and otherwise that she is generally qualified for issuance of such certification, as acknowledged by her in her application, she reported that she has been working as an athletic trainer in Louisiana at a public educational institution since 2008 without Board certification.

On her own behalf, Ms. Anthony advised the Board that she was under the understanding that certification by the National Association of Athletic Trainers was sufficient to practice as an athletic trainer in a public high school in this state. In late 2009 when she discovered that certification by the Board is required to practice, she advised her employer and submitted an application and subsequently a written explanation to the Board, wherein she acknowledged that her understanding was in error and accepting her responsibility to understand and comply with all rules and regulations regarding certification in this state.

As evidenced by her subscription to this Order Ms. Anthony acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Board with sufficient cause to deny her application pursuant to the Law and/or the Board's rules respecting athletic trainers.¹

¹La. Rev. Stat. §37:3305, 3308; La. Adm. C. 46XLV.5709.

Investigation of the captioned matter was assigned to the Director of Investigations ("I/O") for the Board. While it appears to the I/O that Ms. Anthony is a conscientious and well-trained athletic trainer, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Anthony with one or more violations of the Louisiana Athletic Trainers Law (the "Law"), La. Rev. Stat. §37:3305, 3308 and/or the Board's rules respecting athletic trainers, La. Adm. C. 46XLV.5709.

Recognizing her right to have notice of such allegations and charges asserted against her, to 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 of law, pursuant to La. Rev. Stat. §§49:951 *et. seq.*, Ms. Anthony, nonetheless, hereby waives her right to notice of charges and formal adjudication and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. Ms. Anthony further acknowledges and waives any right to which she may 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 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. Anthony also hereby authorizes the I/O designated by the Board with respect hereto to present this Consent 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. Anthony expressly acknowledges that the disclosure of information to the Board by the I/O shall be without prejudice to the I/O's authority to file a formal Administrative Complaint against her or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

Based upon the foregoing information, as well as the recommendation of the I/O, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:3303, 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. Rev. Stat. §37:3303 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that Michelle Harrell Anthony is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that certification to practice as an athletic trainer in the state of Louisiana shall be issued to Michelle Harrell Anthony.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order Ms. Anthony shall pay the Board a fine in the amount of Four Hundred (\$400.00) Dollars, which represents the certification fees for each of the past two years, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Ms. Anthony shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3308.

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 this 17 day of May
2010.

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

BY:

Mark H. Dawson
MARK H. DAWSON, M.D.
President

*Acknowledgement and Consent
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STATE OF LOUISIANA
PARISH OF Tangipahoa

**ACKNOWLEDGMENT
AND CONSENT**

I, MICHELLE HARRELL ANTHONY, ATH, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 5th day of April, 2010.

Michelle Harrell Anthony, ATH
MICELLE HARRELL ANTHONY, ATH

WITNESSES:

Sandra M Noto
Signature

Sandra M Noto
Printed Name

P.O. Box 1537, Hammond LA
Address 70404

Michan Guagliardo
Signature

Michan Guagliardo
Printed Name

P.O. Box 1537, Hammond LA
Address 70404

Sworn to and subscribed before me at Hammond, Louisiana this
5th day of April, 2010, in the presence of the two stated witnesses.

Notary Public (Printed Name) and Seal

Nita R. Gorrell Bar# 06177
Notary (Signature) & Bar/Notary No.

NITA R. GORRELL
Notary Public State of Louisiana
Notary ID No. 9751
Commission Expires at Death