

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
General Correspondence Address: Post Office Box 30250, New Orleans, LA 70190-0250
www.lsbme.org



Tel: phone: (504) 568-6820
FAX: (504) 568-8893
Writer's Direct Dial:

Ext. _____

-----X

	:	No. 10-I-333
In The Matter Of	:	
	:	
BART ANTHONY FOLSE, ATH	:	CONSENT ORDER FOR
<i>Applicant</i>	:	ISSUANCE OF CERTIFICATION
	:	_____
	:	

-----X

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following receipt of Bart Anthony Folse'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 Mr. Folse's application and otherwise that he is generally qualified for issuance of such certification, as acknowledged by him in his application, he reported that he has been working as an athletic trainer in Louisiana since 2008 without Board certification.

On his own behalf, Mr. Folse advised the Board that he was under the understanding that since he began working as an Assistant Athletic Trainer he was not required to be state certified to practice as an athletic trainer in Louisiana. Mr. Folse has been certified by the National Association of Athletic Trainers since 2007. When he discovered that certification by the Board is required to practice, he submitted an application and subsequently a written explanation to the Board, wherein he acknowledged that his understanding was in error and accepting his responsibility to understand and comply with all rules and regulations regarding certification in this state.

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

¹La. Rev. Stat. §37:3305, 3308; La. Adm. C. 46X1.V.5709.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

In the Matter of
Bart Anthony Folse, ATH

Consent Order

Page 2

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 Mr. Folse 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 Mr. Folse 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 his right to have notice of such allegations and charges asserted against him, to administrative adjudication of such charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his 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.*, Mr. Folse, nonetheless, hereby waives his 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. Mr. Folse further acknowledges and 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 law to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto Mr. Folse 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 he waives any objection to such disclosures under La. Rev. Stat. §49:960. Mr. Folse 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 him 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 Bart Anthony Folse 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 Bart Anthony Folse.

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

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

In the Matter of

Bart Anthony Folse, ATH

Consent Order

Page 3

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Mr. Folse 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 22 day of June
2010.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

BY:



Robert E. Dawson, M.D.
Vice President

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

*Acknowledgement and Consent
on Following Page*

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

In the Matter of

Bart Anthony Folse, ATH

Consent Order

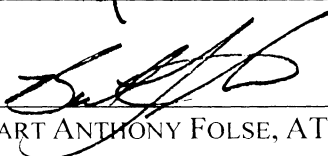
Page 4

STATE OF LOUISIANA

PARISH OF Assumption

ACKNOWLEDGMENT
AND CONSENT

I, BART ANTHONY FOLSE, ATH, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 24th day of May, 2010.

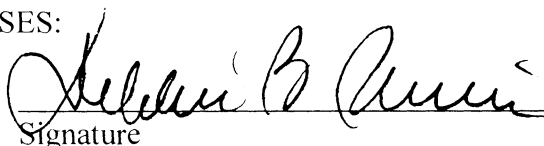

BART ANTHONY FOLSE, ATH

WITNESSES:


Signature

Renee M. Cedotal
Printed Name

P.O. Box 10, Napoleonville, LA 70390
Address

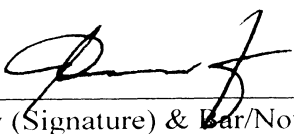

Signature

Debbie B. Rivere
Printed Name

P.O. Box 10, Napoleonville, LA 70390
Address

Sworn to and subscribed before me at Napoleonville, Louisiana this
24th day of May, 2010, in the presence of the two stated witnesses.

E. Robert Sternfels
Notary Public (Printed Name) and Seal

 #12455
Notary (Signature) & Bar/Notary No.