

BEFORE THE  
LOUISIANA STATE  
BOARD OF MEDICAL EXAMINERS`

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In The Matter Of	:	
	:	
LESLIE ANN CLEMENT, RTT (Certificate No. LT 1031),	:	
<i>Respondent.</i>	:	<b>CONSENT ORDER</b>

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The Louisiana State Board of Medical Examiners ("Board") has developed apparently reliable information indicating that Leslie Ann Clement ("Ms. Clement"), a respiratory therapy technician licensed to practice in the state of Louisiana, pursuant to the Louisiana Respiratory Therapy Practice Act, LSA-R.S. §37:3351-61, was the subject of an investigation by the Lafayette General Medical Center for recording entries on a respiratory therapy card which misrepresented that she had performed prescribed respiratory therapy on a hospitalized infant.<sup>1</sup>

Based on the foregoing, an Administrative Complaint was filed against Ms. Clement charging her with violations of the Louisiana Respiratory Therapy Practice Act, which include, in pertinent part, LSA-R.S. §37:3358A(2), which prohibits "[u]nprofessional conduct which has endangered or is likely to endanger the health, welfare or safety of the public.

As evidenced by her subscription hereto, and without denying the accuracy of the charges asserted in the Administrative Complaint described hereinabove, Ms. Clement acknowledges the existence of probable cause for the institution of administrative

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<sup>1</sup>The information developed by the Board indicates that on the late evening and early morning hours of October 14 and 15, 1990, respectively, while employed by Analytical Medical Enterprises, Ms. Clement was assigned to perform respiratory therapy technician services at Lafayette General Medical Center, in Lafayette, Louisiana. During the course of her tenure at Lafayette General Medical Center, Ms. Clement was directed to administer prescribed respiratory therapy treatments to a hospitalized infant. Nursing personnel became suspicious that such therapy had not in fact been performed, reviewed the respiratory therapy treatment record on the infant in question and discovered recorded entries by Ms. Clement which documented the therapy allegedly performed in accordance with the physician's orders. Suspecting that the therapy may not have been provided, Ms. Clement was questioned and, at that time, admitted that the therapy had not been administered.

proceedings against her respiratory therapy technician license, further acknowledging that proof of such information upon administrative evidentiary hearing would establish grounds under the Louisiana Respiratory Therapy Practice Act for the suspension or revocation of her license to practice as a respiratory therapy technician in the state of Louisiana, or for such other action as the Board may deem appropriate, pursuant to LSA-R.S. §37:3358.

Recognizing her right to have the allegations and charges asserted in the aforementioned Administrative Complaint adjudicated, pursuant to LSA-R.S. §§49:955-58, and to a Final Decision rendered upon findings of fact and conclusions of law, Ms. Clement, nonetheless, hereby waives her right to formal adjudication and pursuant to LSA-R.S. §49:955D, consents to entry of the Order set forth hereinafter.

By her subscription hereto, Ms. Clement also hereby authorizes the Investigating Officer designated by the Board with respect hereto personally, and/or through legal counsel, to present this Consent Order to the Board and/or its designated hearing panel for consideration and to fully disclose to and discuss with the Board and/or the hearing panel the nature and results of the investigation. Moreover, Ms. Clement hereby waives any and all rights which she has or may have to appear before the Board or the designated hearing panel at any time.

Based upon the information provided, accordingly, and on the recommendation of the Investigating Officer assigned to this matter, John B. Bobear, M.D., the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to LSA-R.S. §37:3351, et seq, 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 LSA-R.S. §37:3358 and LSA-R.S. §49:955D;

**IT IS ORDERED** that the license of Leslie Ann Clement, RTT, to engage in the practice as a respiratory therapy technician in the state of Louisiana, as evidenced by Certificate No. LT1031, be and the same is hereby *SUSPENDED* for a period of six (6) months, said suspension to be effective commencing on November 1, 1991.

**IT IS FURTHER ORDERED** that the foregoing Order of suspension will itself be *SUSPENDED* three (3) months henceforth, as of February 1, 1992, at which time the license of Leslie Ann Clement shall be placed *ON PROBATION* for a period of two (2) years or until February 1, 1994. However, the issuance of Ms. Clement's respiratory therapy technician license and the resumption of practice as a respiratory therapy technician following the three (3) month period of active suspension referred to hereinabove shall be expressly conditioned upon her acceptance of and strict compliance with the following probationary terms, conditions and restrictions:

(a) *Continuing Respiratory Therapy Technician Education:* Ms. Clement shall obtain no less than twenty-five (25) credit hours per year for two (2) years from the date hereof through attendance at and participation in Continuing Respiratory Therapy Educational courses approved by the Louisiana Respiratory Therapy Association, or such other continuing education as may be deemed acceptable to the Board, during

the period identified hereinabove. At least twenty-five (25) of the fifty (50) hours of study mandated hereunder shall be obtained through participation in courses concentrating on inhalation therapy and other respiratory therapy courses directed to the treatment of children. On or before October 31, 1992 and October 31, 1993, Ms. Clement shall cause to be submitted to the Board written certification of the credit hours completed by her as mandated hereunder.

b) *Supervised Hospital/Institutional Practice.* Upon resumption of her practice, on February 1, 1992, Ms. Clement's employment as a respiratory therapy technician shall, during the two year probationary period set forth hereinabove, be limited to a hospital or institutional setting, or such other setting as may be approved by the Board in writing, at which her practice shall be supervised and monitored by a physician approved by the Board. Moreover, Ms. Clement shall cause the supervising physician to furnish quarterly written reports to the Board reporting as to his observations of her competency to practice as a respiratory therapy technician with reasonable skill and safety to patients.

(c) *Cooperation with the Board's Probation Officer.* Ms. Clement shall immediately notify the Board's Probation Officer of any change in her current home and professional addresses and telephone numbers and she shall direct all credit hours certification reports required pursuant to this Consent Order to the attention of the Probation Officer. Ms. Clement may expect and does hereby authorize scheduled and/or unscheduled visits by the Probation Officer during the period of her probation and she shall cooperate with him on all matters and any inquiries pertaining to the conditions of her probation.

**IT IS FURTHER ORDERED** that any violation of or failure of strict compliance with any of the terms, conditions and/or restrictions of this Order by Ms. Clement shall, upon proof of such violation or failure, be deemed adequate and sufficient cause for the revocation and cancellation of Ms. Clement's license to practice as a respiratory therapy technician in the state of Louisiana, or for the imposition of the entirety of the original suspension assessed hereunder or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-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 31st day of October, 1991.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By: \_\_\_\_\_

Elmo J. Laborde, M.D.

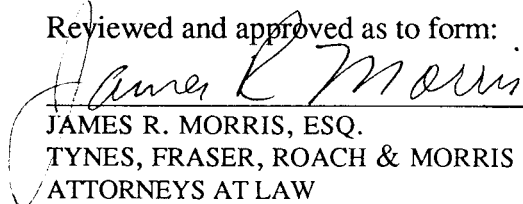
President

ACKNOWLEDGEMENT  
AND CONSENT

I, LESLIE ANN CLEMENT, RTT, HEREBY ACKNOWLEDGE, APPROVE, ACCEPT AND  
CONSENT to entry of the above and foregoing Order this 25<sup>th</sup> November day of ~~October~~, 1991.

  
LESLIE ANN CLEMENT, RTT

Reviewed and approved as to form:

  
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