

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



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| In Re: | : | |
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| Application of | : | |
| SCOTT HAROLD GUINOT | : | CONSENT ORDER |
| For Respiratory Therapy Technician | : | FOR ISSUANCE OF |
| Temporary Permit | : | TEMPORARY PERMIT |
| | : | ON PROBATION |
| | : | |
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This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Scott H. Guinot for an 18-month temporary permit as a respiratory therapy technician. While it appears from information available to the Board, as supplied by Mr. Guinot's application and otherwise, that the applicant is generally qualified for such permit, Mr. Guinot also acknowledges in his application that in 1992, he was convicted of a felony for which he remains on supervised probation. More particularly, pursuant to his plea of guilty to conspiracy to distribute a controlled substance ("Ecstasy"), in violation of 21 U.S.C. § 846, on February 27, 1992, Mr. Guinot was fined \$3,000 and sentenced by United States District Judge George Arceneaux, Jr., to imprisonment for a term of five months, to be followed by supervised release for a term of five years, specially conditioned on, *inter alia*, his participation in a substance abuse treatment program and random urinalysis at the discretion of the U. S. Probation Officer.¹ Such conviction could constitute sufficient legal grounds for the Board to deny Mr. Guinot's application for a temporary permit under the Respiratory Therapy Practice Act.² Since his sentencing, however, the assigned Probation Officer advises that Mr. Guinot "has complied with all conditions of his supervised release term and that periodic urinalysis—weekly for 10 months, bi-monthly for six months and randomly thereafter—have been negative for the presence of controlled substances.

Upon the information and circumstances presented, the Board is persuaded that the public interest will be properly protected and served by the issuance to Mr. Guinot of a temporary permit as a respiratory therapy technician, subject to his acceptance of and compliance with appropriate terms and conditions relating to his continuing compliance with the terms of his supervised release and his continued submission to random, unannounced urinalysis drugs screens. And by his subscription hereto, Mr. Guinot hereby consents to entry of the order set forth below and to issuance of a temporary permit pursuant thereto. Accordingly,

¹ Judgment and Probation/Commitment Order, United States of America v. Scott Guinot, No. 91-342 (U.S.D. Ct., E.D. La., Feb. 28, 1992).

²La. Rev. Stat. § 37:3354(B)(1), 3358(A)(3).

IT IS ORDERED that an 18-month temporary permit as a respiratory therapy technician in the state of Louisiana shall be issued to Scott Harold Guinot, ON PROBATION, the issuance of such permit and Mr. Guinot's continuing maintenance of such permit being expressly conditioned upon and subject to his acceptance of and strict compliance with the following probationary terms and conditions:

(a) **Compliance with Conditions of Supervised Release.** Mr. Guinot shall maintain strict and full compliance with all of the terms, conditions and restrictions of his Supervised Release, as ordered by the United States District Court for the Eastern District of Louisiana in United States of America v. Scott Guinot, No. 91-342 (U.S.D. Ct., E.D. La., Feb. 28, 1992), and as directed by and in the discretion of his United States Probation Officer, including, but not limited to, submission to periodic random, unannounced urinalysis drug screens.

(b) **Maintenance of Complete Abstinence.** Mr. Guinot shall maintain complete and total abstinence from the use of controlled substances except as may be prescribed by a treating physician other than himself for a *bona fide* medical condition.

(c) **Disclosure to Employers.** Before accepting or engaging in employment as a respiratory therapy technician, Mr. Guinot shall give full disclosure to his employer of the nature and terms of this Consent Order.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the restrictions set forth by this Order by Mr. Guinot shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation of Mr. Guinot's temporary permit as a respiratory therapy technician in the state of Louisiana.

New Orleans, Louisiana, this 1 day of September, 1994.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: 

F. P. BORDELON, JR., M.D.
President

ACKNOWLEDGMENT
AND CONSENT

I, SCOTT HAROLD GUINOT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 29 day of August, 1994.


SCOTT HAROLD GUINOT