

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250



Telephone: (504) 524-6763

FAX: (504) 568-8893

Writer's Direct Dial:

(504) _____

**IN THE MATTER OF:
YVETTE M. TILLMAN, RRT
APPLICATION FOR LICENSURE**

**OPINION
99-A-002**

Yvette M. Tillman, RRT, has applied for a license as a Respiratory Therapy Technician in Louisiana. The Board's Licensure Committee has recommended denial of the application and Ms. Tillman requested a hearing on the application before the Board.

The case was heard before a panel of the Board, consisting of Drs. Elmo J. Laborde, Trenton L. James II, Ike Muslow and F.P. Bordelon, Jr., constituting a quorum of the Board. Ms. Tillman was present, unrepresented by counsel. At the direction of Dr. James, Vice-President, the hearing was conducted by Frederick S. Ellis, the Board's independent counsel.

The record reveals that Ms. Tillman was arrested on August 22, 1993, and charged with driving while under the influence of alcohol, battery on a peace officer, and resisting arrest. On October 7, 1993, she entered a plea of no contest to driving under the influence of alcohol, and was given a suspended sentence, ordered to pay a fine and costs, and to complete successfully a First Offenders Program.

On August 8, 1995, she applied for renewal of her California license, but failed to reveal the conviction and sentence above described.

On December 22, 1996, an accusation was filed against Ms. Tillman before the Respiratory Care Board of the California Department of Consumer Affairs, charging Ms. Tillman with the above conviction and her failure to report it on her application for renewal. At the time of the accusation, Ms. Tillman held a valid license as a Respiratory Care practitioner, which would expire on August 31, 1997.

As of April 7, 1997, a Stipulated Settlement and Disciplinary Order was entered into between Ms. Tillman and the Respiratory Care Board, by virtue of which Ms. Tillman's license was revoked, but the revocation was stayed and she was placed on probation for three years. In addition, she was required to pay \$500.00 in costs; undergo random biological fluid testing over the entire probation period; abstain from the use of mood altering substances; attend substance

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abuse support recovery group; and take and pass an examination on the California Respiratory Care Practice Act and Regulations.

She was further required to maintain a current and valid license during her probation period, and to be employed full time as a respiratory care practitioner for two out of the three years probation period.

The settlement agreement further provides that residence outside the State of California will toll, or stop, the running of the probationary period.

Ms. Tillman testified that she had left California and came to Louisiana for family reasons in September, 1996, before the charges against her were filed in California. She has not since returned, and, apparently, negotiated the settlement agreement by mail. She has not complied with any of the conditions of her probation, with one exception, and did not renew her California license when it expired in August, 1997. California currently classified her license as delinquent.

She testified that she completed fully the conditions of her probation on the driving under the influence of alcohol, and that she has not consumed any alcohol since the date of her arrest on that charge.

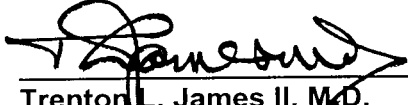
Ms. Tillman further testified that her work as a respiratory therapist has been without incident and was entirely satisfactory. She is presently employed as a Corrections Officer in Winnfield, Louisiana.

Apparently, Ms. Tillman has the impression that she need not comply with the conditions of her California probation unless she resides in that State. Be that as it may, she cannot be licensed in this state unless she is fully licensed in California. It is necessary that she have her license reinstated in California, and be in compliance with the terms of her probation before her application for licensure in this state can be considered.

Therefore, the application is denied.

NEW ORLEANS, LOUISIANA, this 5th day of May, 1999.

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Trenton L. James II, M.D.
Vice-President