

Louisiana State Board of Medical Examiners

Mailing Address: P.O. Box 30250, New Orleans, LA 70190-0250

Physical Address: 1515 Poydras Street, Suite 2700, New Orleans, LA 70112

Phone: (504) 568-6820

Fax: (504) 568-5754

Web site: <http://www.lsbme.louisiana.gov>



Telephone: 568-8571

Fax 568-5754

----- X
:
IN THE MATTER OF :
:
AMANDA AARON HATAWAY, O.T. :
(Certificate No.Z12471) :
Respondent :
:
----- X

No. 11-I-176
CONSENT ORDER

The above-entitled matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board"), following the receipt of apparently reliable information that Amanda Aaron Hataway, O. T. ("Ms. Hataway"), continued the practice of occupational therapy in this state despite the fact that her license had lapsed and expired.

In connection with this matter, Ms. Hataway acknowledged that her conduct was in violation of the Louisiana Occupational Therapy Practice Act ("Act"), La. Rev. Stat. §§37.3001 *et. seq.* and cooperated fully with the investigation. On her own behalf, Ms. Hataway stated that the failure to renew her license was unintentional and she expressed a commitment to insure that her future practice would at all times be in compliance with the Act and the Board's occupational therapy rules.

Investigation of the captioned matter was assigned to the Investigating Officer ("I/O"). While it appears to the I/O that Ms. Hataway is a conscientious and well-trained occupational therapist, the I/O's review and analysis of the matter confirms to her satisfaction that the actions identified hereinabove may implicate one or more violations of the Louisiana Occupational Therapy Practice Act and the Board's rules pertaining to Occupational Therapists.¹

Recognizing her right to have notice of such allegations and charges asserted against her, to administrative adjudication of such charges, at which time Ms. Hataway 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. §§ 49:95 *et. seq.*, Ms.

¹Pursuant to the Louisiana Occupational Therapy Practice Act, La. Rev. Stat. §37.3004 "No person shall practice occupational therapy or hold himself out as an occupational therapist. . . unless he is licensed in accordance with the provisions of this Chapter;" pursuant to La. Rev. Stat. §37.3012.A. "A license issued under this Chapter shall be subject to annual renewal and shall expire unless renewed in the manner prescribed by the policies of the board;" and pursuant to La. Rev. Stat. §37.3011.A. the board may take action against the licensee or applicant as the result of: "(2) Being guilty of unprofessional conduct . . ." The Board's rules also prescribe such conduct and define professional conduct to include La. Adm. C. §46XLV.4921.B. "18. [V]iolation of any rules and regulations of the board, or any provisions of the Act . . ."

Hataway, 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. Hataway further acknowledges that she hereby waives any right that 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 the Board's investigation or this document in any court or other forum relating to the matters referred to herein. By her subscription hereto, Ms. Hataway 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. Hataway expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the IO's authority to proceed with the filing and adjudication of an 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 information provided, and upon the recommendation of the I/O assigned to this matter, 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. §37:3011, 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. §37:3011 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Amanda Aaron Hataway, O. T., who has now renewed her license to practice as an occupational therapist in the state of Louisiana, as evidenced by Certificate No. OTT.Z12471 is hereby *officially reprimanded* for the conduct identified above.

IT IS FURTHER ORDERED that within one hundred eighty days (180) of issuance of this order, Ms. Hataway shall provide written confirmation that she has attended and successfully completed a course of study, acceptable to and pre-approved in writing by the Board, in the area of professionalism and ethical conduct of Occupational Therapists.

IT IS FURTHER ORDERED that within one year of this Order, Ms. Hataway shall perform, without compensation, a minimum of thirty (30) hours of community service in a setting that has been pre-approved in writing by the Board, and shall cause to be submitted to the Board written certification of the Board approved community service completed by her.

IT IS FURTHER ORDERED that any violation of this Order by Ms. Hataway shall, upon proof of such violation, be deemed adequate and sufficient cause for such further action against her license to practice as an occupational therapist in this state as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:3011.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

Signed at New Orleans, Louisiana, and effective this 15 day of July, 2011.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: Mark H. Dawson MD
MARK H. DAWSON, M.D.
President

STATE OF LouisianaPARISH/COUNTY OF Bossier Parish**ACKNOWLEDGMENT
AND CONSENT**

I, AMANDA AARON HATAWAY, O.T., hereby acknowledge, approve, accept and consent to
entry of the above and foregoing Order, this 8th day of July, 2011.

Amanda Aaron Hataway, O.T.
AMANDA AARON HATAWAY, O.T.

WITNESSES:

Thomas S. Harvey
Signature

Thomas S. Harvey
Printed Name

2008 Airline Dr, Bossier City, LA 71111
Address

Jessica Thornton
Signature

Jessica Thornton
Printed Name

2008 Airline Dr, Bossier City, LA 71111
Address

Sworn to and subscribed before me at Bossier City, Louisiana, this 8th day of
July, 2011, in the presence of the two stated witnesses.

[Signature]
Notary Public

Print name Teresa M. Aegerter

Bar/Notary No.: 68359

