

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In the Matter of

No. 15-I-342

**THE APPLICATION OF
TIEN NGOC THUY NGUYEN, CLP-GEN
(Applicant)**

**CONSENT ORDER FOR ISSUANCE OF
LICENSE WITH REPRIMAND**

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Tien Ngoc Thuy Nguyen ("Ms. Nguyen") for a license to practice as a Clinical Laboratory Personnel-Generalist ("CLP-GEN") in this state. While a review of the materials submitted in support of her application indicate that she satisfies the educational and other requirements necessary for licensure consideration, Ms. Nguyen reports that she has worked as a Med Tech at Lake Charles Memorial Hospital in Louisiana without licensure.

In connection with this matter, Ms. Nguyen explained that she interned at the hospital during her senior year at college, and then after graduation, the hospital hired her as a Med Tech to continue her training and orientation. She and her employer thought she did not need a state license while waiting to take the national examination. On September 3, 2015, Ms. Nguyen received her ASCP Board of Certification, valid for three years; however, since December 2014, Ms. Nguyen has not practiced in any clinical laboratory position. When Ms. Nguyen learned that licensure by the Board was required to practice, she acknowledged that her prior understanding was in error and she now accepts her responsibility to understand and comply with all rules and regulations regarding licensure in this state.

As evidenced by her subscription to this Order, Ms. Nguyen acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing could establish sufficient cause for the rejection or denial of her application for licensure in this state or such other action as the Board may deem appropriate, pursuant to the Law and/or the Board's rules respecting clinical laboratory personnel.¹

Investigation of the captioned matter was assigned to the Investigating Officer ("I/O") for the Board. While it appears to the I/O that Ms. Nguyen is a conscientious and well-trained clinical laboratory scientist-generalist, the I/O's review and analysis of the matter confirms to her satisfaction that sufficient cause exists to charge Ms. Nguyen with one or more violations of the Louisiana Clinical Laboratory Personnel Law (the "Law"), La. Rev. Stat. §37:1318, 1326 and/or the Board's rules respecting clinical laboratory personnel, La. Adm. C. 46XLV.3505.

¹La. Rev. Stat. §37:1318, 1326; La. Adm. C. §46XLV:3505.

Recognizing her right to have administrative adjudication of the above charges, at which time she 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. §§49:951, *et seq.*, Ms. Nguyen, nonetheless, hereby waives her right to notice of charges, formal adjudication and written decision and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Moreover, by her subscription hereto, Ms. Nguyen also waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act² or which otherwise may be afforded to her by law, to contest her agreement to or the force and effect of this document in any court or before any judicial or administrative agency or body, relating to the matters referred to herein. By her subscription hereto, Ms. Nguyen also hereby authorizes the Investigating Officer 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. Furthermore, Ms. Nguyen expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue any Administrative Complaint filed against her or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent Order. Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1326 and La. Rev. Stat. §49:955D;

IT IS ORDERED that Tien Ngoc Thuy Nguyen is hereby **OFFICIALLY REPRIMANDED** for the conduct asserted hereinabove.

IT IS FURTHER ORDERED that after completion of application requirements, a license to practice as a Clinical Laboratory Scientist-Generalist in the state of Louisiana shall be issued to Tien Ngoc Thuy Nguyen.

IT IS FURTHER ORDERED that within six (6) months of the date of this Order, Ms. Nguyen shall pay the Board a fine in the amount of One Hundred Thirty (\$130.00) Dollars, which represents the licensure fees for one (1) year, plus a penalty of an equal amount.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Ms. Nguyen 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. §37:1326.

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

² La. Rev. Stat. §49:951, *et seq.*

Signed at New Orleans, Louisiana, and effective this 26th day of October, 2015.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY: Mark H. Dawson, M.D.
MARK H. DAWSON, M.D.
President

*Acknowledgement and Consent
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STATE OF Louisiana

PARISH OF Calcasieu

**ACKNOWLEDGMENT
AND CONSENT**

I, TIEN NGOC THUY NGUYEN, CLP-GEN, APPLICANT, hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 22 day of September, 2015.

Tien Nguyen

TIEN NGOC THUY NGUYEN, CLP-GEN, APPLICANT

WITNESSES:

David Bergaux
Signature

David Bergaux
Printed Name

4845 Lake St.
Address

Lake Charles, LA 70605
City, State, Zip Code

Sonya Hidalgo
Signature

Sonya Hidalgo
Printed Name

MSU Box 92000
Address

Lake Charles, LA 70609
City, State, Zip Code

Sworn to and subscribed before me this 22 day of Sept, 2015, in the presence of the two stated witnesses.

Thomas J. Howard
Notary Public (Signature and Seal)

Thomas J. Howard 059799
Printed Name/Notary or Bar Number