

**LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

630 Camp Street, New Orleans, LA 70130

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**BEFORE THE  
LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

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**No. 2020-I-955**

**IN THE MATTER OF:**

**REGAN CLAIRE TERRY, LRT**  
*(Credential No. LRT.302235),*  
*Applicant for Reinstatement*

**CONSENT ORDER FOR  
REINSTATEMENT OF LRT  
LICENSE ON PROBATION**

This matter is before the Louisiana State Board of Medical Examiners (the "Board") on the application of Regan Claire Terry ("Ms. Terry") for reinstatement of her license to practice as a Licensed Respiratory Therapist ("LRT") in the State of Louisiana.

Ms. Terry initially was licensed by the Board on June 2, 2016, as evidenced by Credential No. LRT.302235. Ms. Terry allowed her license to lapse as of May 31, 2018. In March 2020, Ms. Terry submitted to the Board a request to reinstate her license.

Prior to the lapse of Ms. Terry's license, the Board was aware that Ms. Terry had entered an inpatient residential substance abuse treatment program.<sup>1</sup> Ms. Terry completed all goals and objectives of inpatient treatment and transitioned to a sober living facility for two weeks, prior to ultimate discharge on or about January 11, 2018.

In light of the foregoing, Ms. Terry completed an evaluation at a Board-approved addiction recovery center in connection with her request for reinstatement. The evaluators ultimately concluded that she would not be ready to practice respiratory therapy with skill and safety until she completed a Board-approved long-term inpatient treatment program, established a continuing care plan, and met with a treating addiction specialist to determine her fitness to return to duty.

In October 2020, Ms. Terry informed the Board that she had completed such inpatient treatment at a Board-approved facility and otherwise complied with the Board-approved treatment facility's recommendations. The Board has reviewed correspondence from the treatment facility indicating compliance and establishing recommendations for her ability to practice as a licensed respiratory therapist. On or about February 5, 2021, Ms. Terry submitted a formal application for licensure in accordance with the Board's rules regarding reinstatement. *See* La. Admin. Code tit.

<sup>1</sup> Specifically, on or about December 14, 2017, the Board received apparently reliable information indicating that Ms. Terry had used drugs at work on at least one occasion, and that such use resulted in an inability to treat her patients. A police report was filed but Ms. Terry was not arrested due to this occurrence. Ms. Terry's employment was subsequently terminated.

46, pt. XLV, § 2545. Ms. Terry has likewise submitted written confirmation that she has attended and successfully completed twenty hours of Board-approved continuing professional education, and paid to the Board a renewal fee of Eighty-Five (\$85.00) Dollars, as required by the Board's rules.<sup>2</sup>

As evidenced by her subscription hereto, Ms. Terry acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary hearing could establish sufficient cause to take action with respect to her license pursuant to the Respiratory Therapy Practice Act (the "Act"), La. R.S. 37:3358(A)(7); (15).<sup>3</sup>

Recognizing her right to have notice of such allegations and administrative adjudication of such 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. R.S. 49:951 *et seq.*, Ms. Terry nonetheless, hereby waives her right to notice and formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Order set forth hereinafter. By her subscription hereto, Ms. Terry also acknowledges that she waives any right to which she may be entitled under the Louisiana Administrative Procedure Act, La. R.S. 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 this document in any court or other forum relating to the matters referred to herein. By her subscription hereto, Ms. Terry 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 and to discuss with the Board the nature and result of the investigation and waives any objection to such disclosures under La. R.S. 49:960. Ms. Terry

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<sup>2</sup> See La. Admin. Code. tit. 46, Pt XLV, § 2545(B)(3) (requiring proof of ten hours of approved continuing professional education for each year that the license lapsed, up to a total of thirty hours); La. Admin. Code. tit. 46, pt. XLV, § 2545(B)(5)(a) (providing that application for reinstatement must be accompanied by both a renewal fee and, if the application for reinstatement is made less than two years from the date of license expiration, a penalty that is equal to the renewal fee); La. Admin. Code. tit. 46, pt. XLV, § 197 ("For processing an application for annual renewal of a respiratory therapist's license, a fee of \$85 shall be payable to the board.").

<sup>3</sup> The Board may deny or impose probationary conditions on a license if the licensee or applicant for license has been found guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public, including "[h]abitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence" and "[i]nability to practice respiratory therapy with reasonable competence, skill, or safety to patients because of mental or physical illness, condition, or deficiency, including but not limited to deterioration through the aging process or excessive use or abuse of drugs, including alcohol." La. R.S. 37:3358(7); (15); *see also* La. R.S. 37:3357.2 ("A [respiratory therapy] license that has expired without renewal may be reinstated by the board, provided the applicant is otherwise eligible under the provisions of this Chapter, pays the applicable fees, and satisfies the continuing education requirement and such other requirements as may be established by the board.").

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 formal administrative charges against her or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

Based upon the foregoing information, and upon the recommendation of the Investigating Officer, the Board has concluded that, consistent with its mandate under La. R.S. 37:3358, the interests of public health, safety, and welfare 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. R.S. 37:3358 and La. R.S. 49:955(D);

**IT IS ORDERED** that the license of Regan Claire Terry, LRT, to practice as a respiratory therapist in the state of Louisiana, as evidenced by Credential No. LRT.302235, is hereby **REINSTATED**, provided, however, that such license shall be placed **ON PROBATION** for a period of three (3) years (the "probationary period"), conditioned upon and subject to her acceptance of and strict compliance with the following terms, conditions, and restrictions:

- (1) **Allied Professionals Health Program Agreement, Reports to Board.** Ms. Terry shall enroll in and continue to maintain an agreement with the Board's Allied Professionals Health Program for the duration of the probationary period. Ms. Terry shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring which are contained in such agreement, as well as those recommended by her treating physicians and those prescribed by any other health care provider involved in her care to the extent that they continue to follow her. Ms. Terry shall, in addition, authorize and cause her treating and monitoring physicians or therapists to submit to the Board or its designee, not less frequently than quarterly, written reports and/or verbal reports, should the Board or its designee desire the latter, on her then-current treatment diagnosis, prognosis, course of treatment, her fitness and ability to practice respiratory therapy with reasonable skill and safety to patients, and her compliance with the terms, conditions and restrictions of this Order and her monitoring agreement.
- (2) **Approved Outpatient Therapy.** In addition to her monitoring agreement with the Board, Ms. Terry shall enroll and continue in outpatient therapy on an individual basis with a Board-approved therapist for continued treatment. Such pre-approved therapist shall provide written reports to the Board on an annual basis to confirm compliance with this condition.
- (3) **Drug Screens.** Ms. Terry shall, on a weekly basis upon outpatient request, submit to blood, urine, saliva and/or hair collection for testing for the presence of alcohol and/or controlled and other mood-altering substances by the Board-approved outpatient therapist or its designee. Unless and until this condition is modified or rescinded by the Board or its designee, she shall authorize and cause such testing facility and/or the Board-approved outpatient therapist to report the results of such drug screens to the

Board or its designee not less frequently than quarterly throughout the probationary period.

- (4) **Maintenance of Complete Abstinence.** Ms. Terry shall maintain complete and total abstinence from the use of alcohol, controlled and any mood-altering substance for as long as she holds a license to practice respiratory therapy in this state, except as may be prescribed by a treating physician for a *bona fide* medical condition. Ms. Terry shall personally inform her Board-approved outpatient therapist and the Board's Compliance Officer, both orally and in writing, within forty-eight (48) hours of the prescription or administration of any controlled or mood-altering substance received by her from any physician for treatment of a *bona fide* medical condition. If the prescription is from another physician, she shall also inform her treating/monitoring physician in this same manner.
- (5) **Continuing Professional Education.** Ms. Terry shall obtain not less than twenty (20) credit hours per year for each of the years of the probationary term through attendance at and participation in continuing professional education programs approved by the Board. On or before the anniversary date of the effective date of this Order and for each additional year of the probationary period, she shall cause to be submitted to the Board written certification of the continuing professional education programs and credits completed during the preceding twelve (12) months.
- (6) **Notification of Order; Authorization.** Prior to beginning or returning to work, and while on probation, Ms. Terry shall provide a copy of this Consent Order to each hospital, clinic, facility, physician, or other employer or prospective employer at which or for whom she provides services as a respiratory therapist in this state. In addition, upon request of the Board's probation officer, Ms. Terry shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or other employment records pertaining to her from any hospital, institution, physician, or other health care entity where she is employed.
- (7) **Self-Reporting of Violations.** Ms. Terry shall immediately self-report in writing to the probation officer any violation of or failure to adhere to the terms, conditions, or restrictions of this Order. Furthermore, Ms. Terry shall immediately self-report in writing to the Board any personal action or inaction which constitutes a violation of the Act.
- (8) **Probation Monitoring Fee.** For each year of the probationary period, Ms. Terry shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the fee shall be due not later than sixty (60) days from the effective date of this Order.

- (9) **Cooperation with the Board's Probation and Compliance Officer.** Ms. Terry shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer and she shall cooperate on all matters and inquiries pertaining to her compliance with the terms and conditions of this Order. Ms. Terry is required to report in person to her probation officer at such times as may be directed. Ms. Terry is required to immediately complete all forms, fully and carefully, when received, and to present these to her probation officer at the first meeting as directed. She shall immediately thereafter notify the Board's Probation and Compliance Officer of any changes in her current home and professional addresses and telephone numbers, and shall allow such access to her office, business practice or home and to patient medical records as may be necessary to her supervision.
- (10) **Absence from State or Discontinuance of Practice – Effect on.** Should Ms. Terry at any time during the period of probation be absent from the state of Louisiana, or discontinue practicing as a respiratory therapist for a period of thirty (30) days or more, she will so advise the Board in writing. In such instance, the probationary term ordered herein shall be deemed interrupted and extended for no less than the period of time during which she was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed in the Board's discretion.
- (11) **Effect of Violation/Sanction.** By her subscription hereto, Ms. Terry acknowledges that her receipt of written notification that the Board has received reliable information indicating her failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing her with any right to which she may otherwise be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, or which otherwise may be afforded to her by law, constitute her irrevocable consent to the immediate or continued suspension of her license in this state pending a hearing before the Board and the conclusion of the administrative proceeding by issuance of a final decision following administrative adjudication of such charges.
- (12) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Ms. Terry shall file a request for termination of probation in accordance with this paragraph. As a precondition to her request for termination of probation, Ms. Terry shall provide the Board with an executed affidavit certifying that she has complied with each of the terms of probation imposed upon her by this Order. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Ms. Terry's compliance with the requirements of this provision.


(13) **Effective Date.** This Consent Order shall be effective the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

**IT IS FURTHER ORDERED** that any violation of or failure to strictly comply with this Order by Ms. Terry shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Ms. Terry's license to practice respiratory therapy in this state as the Board may deem appropriate, as if such violation were enumerated among the causes provided in La. 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 29th day of March, 2021

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By:   
RODERICK V. CLARK, M.D., M.B.A.  
*President*

*Acknowledgment and Consent on Following Page*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF LOUISIANA

PARISH OF East Baton Rouge

I, REGAN CLAIRE TERRY, hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 16<sup>th</sup> day of March, 2021.

  
REGAN CLAIRE TERRY


WITNESSES:

Nicole H Perryman  
Signature

Nicole H. Perryman  
Typed Name

8658 Quarters Lake  
Street Address

BR. LA 70809  
City/State/Zip Code


  
Signature

Claire J Terry  
Typed Name

440 Rodney Dr.  
Street Address

B.R., LA 70808  
City/State/Zip Code

Sworn to and subscribed before me this 16<sup>th</sup> day of March, 2021, in the presence of the two stated witnesses.

  
Notary Public (Signature)

Name: \_\_\_\_\_  
Notary/Bar No.: \_\_\_\_\_  
Commission expires: \_\_\_\_\_

REBECCA B. MAUM  
Notary Public  
Commissioned for West Feliciana Parish  
Statewide Jurisdiction  
LOUISIANA NOTARY I.D.: 82221  
Commission Expires At Death