

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE
LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

(504) _____

	X	
IN THE MATTER OF	:	No. 21-I-617
SANDRA G. DARBONNE, CLP-GEN	:	STIPULATION AND
(Certificate No. CLP.G03190-GEN),	:	AGREEMENT FOR VOLUNTARY
Respondent	:	SURRENDER OF CLINICAL
	:	LABORATORY PERSONNEL
	:	LICENSE
	:	
	X	

This *Stipulation and Agreement* is made by Sandra G. Darbonne, CLP-GEN ("Ms. Darbonne"), a Clinical Laboratory Personnel - Generalist licensed, as of the date hereof, to perform clinical laboratory work in the State of Louisiana by the Louisiana State Board of Medical Examiners (the "Board").

1. **Acknowledgment and Stipulations.** Ms. Darbonne hereby acknowledges, stipulates, and agrees that:
 - (a) On or about November 2, 2018, Ms. Darbonne tested positive for a controlled substance during a routine employment-based drug screen. Thereafter, she entered into an Allied Professionals Health Program Monitoring Agreement with the Board. As part of the monitoring agreement, Ms. Darbonne agreed to submit to random drug screens as well as to maintain abstinence from the use of "alcohol or mood-altering substances except as may be prescribed for a *bona fide* medical condition by a treating physician..." The monitoring agreement also required Ms. Darbonne to notify her compliance officer within forty-eight (48) hours of any use of alcohol, or prescription for, or administration of, any controlled or mood-altering substance.
 - (b) An investigation was opened when the Board, received information indicating that Ms. Darbonne had shown positive results for ETG/ETS in one

test and Tramadol in another test. Ms. Darbonne underwent a fitness for duty evaluation. The evaluators recommended she undergo treatment. Ms. Darbonne has been unable or unwilling to undergo the recommended treatment and has advised that she does not intend to renew her license as a Clinical Laboratory Personnel – Generalist.

- (c) Investigation of the captioned matter was assigned to the Director of Investigations for the Board and review and analysis of the facts and circumstances has confirmed to his satisfaction that just cause exists for recommending that a formal Administrative Complaint be filed charging Ms. Darbonne with violations of the Louisiana Clinical Laboratory Personnel Law, (the “Law”), La. Rev. Stat. §§37:1311-1329.¹
- (d) Pursuant to Louisiana Clinical Laboratory Personnel Law, (the “Law”), La. Rev. Stat. §§37:1311-1329, and the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et. seq.*, Ms. Darbonne would be entitled, prior to final disciplinary action against her license, to have notice of the allegations and charges asserted against her and to adjudication of such charges, pursuant to La. Rev. Stat. §§49:955-958. At such hearing, Ms. Darbonne would be entitled to be represented by legal counsel, to have those charges proved against her by evidence, to appear and confront adverse witnesses, to call witnesses and present evidence on her own behalf in defense or in mitigation of the charges made, to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La Rev. Stat. §§49:955-965 and to any other right to which he may be afforded by the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.* or otherwise.

¹ La. R.S. 37:1326 (A) provides, in part: “The board, upon the recommendation of the committee, may deny, suspend, probate, restrict, or revoke the issuance or renewal of a license or certificate, after notice and an opportunity for a hearing pursuant to the Administrative Procedure Act, upon a preponderance of evidence showing any of the following when such activity is not authorized by the provisions of this Part: (1) Performing, attempting to perform, or permitting anyone to perform any clinical laboratory procedure or category of procedures not authorized by license or certificate. (2) Demonstrating incompetence in the performance of the practice of clinical laboratory science.”

2. **Voluntary Surrender of License.** Notwithstanding her right to notice of formal charges, administrative hearing and a decision thereon, as provided by La Rev. Stat. §§49:951, *et. seq.*, in recognition of the stipulations set forth hereinabove toward final disposition of investigation now pending in this matter and in lieu of the continued institution and prosecution of formal administrative proceedings Ms. Darbonne, nonetheless, acknowledges the substantial accuracy of the foregoing and hereby waives her right to notice of charges and formal adjudication and voluntarily surrenders to the Board for cancellation her clinical laboratory personnel - generalist license in the state of Louisiana, as evidenced by License No. CLP.G03190-GEN. By her subscription hereto, Ms. Darbonne also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation, and he waives any to such disclosures under La Rev. Stat. §49:960.

3. **Effect of Voluntary Surrender of License.** Ms. Darbonne acknowledges, stipulates and agrees that the voluntary surrender of her clinical laboratory personnel-generalist license affected hereby in the presence of administrative investigation shall have, and shall be deemed by the Board to have, the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings. Ms. Darbonne further acknowledges, stipulates, and agrees that as a result of the voluntary surrender of her clinical laboratory personnel license affected hereby, she shall not have any right or entitlement to reinstatement or renewal of her license in the state of Louisiana, nor shall she hereafter be entitled to apply for or otherwise attempt to obtain any original, reinstated or renewal of her license in this state.

4. **Termination of Proceedings.** By the voluntary surrender of her clinical laboratory personnel - generalist license, and the attendant dismissal of the investigation occasioned hereby Ms. Darbonne, moreover, acknowledges, stipulates and agrees that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et. seq.* or to which otherwise may be afforded to her by any law, to contest her agreement to or the force and effect of this document in any court or other forum relating

to the stipulations, agreements, acknowledgements and other matters referred to herein.

5. **Advice of Counsel.** Ms. Darbonne acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License and that all of the terms, conditions, restrictions and limitations contained herein have been explained to her and/or that she fully understands them.

6. **Public Record.** Ms. Darbonne acknowledges, stipulates, and agrees this Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License shall be, and shall be deemed, by the Board, to be a **PUBLIC RECORD**.

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Acknowledgment and Consent and Acceptance on the following pages

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ACKNOWLEDGMENT AND CONSENT

State of Louisiana
Parish/County of Caddo

I, Sandra G. Darbonne, CLP-GEN, hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License 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 Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License without duress and of my own free will and accord, this 25th day of August, 2021.

Sandra G. Darbonne
Sandra G. Darbonne, CLP-GEN

WITNESSES:

Sierra Matthews
Signature
Sierra Matthews
Printed Name

Pam Watson
Signature
Pam Watson
Printed Name

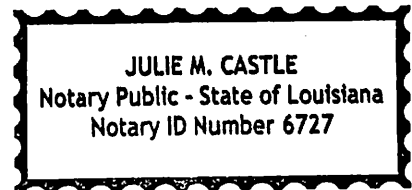
510 E Stoner Ave Shreveport
Address LA 71101

510 E Stoner Ave Spartanburg
Address SC 29101

Sworn to and subscribed before me at Shreveport Louisiana this 25th day of August, 2021, in the presence of the two stated witnesses.

Julie M. Castle
Notary Public (signature)

Julie M. Castle 6727
Printed Name/Notary or La. Bar No. #




ACCEPTANCE

CONSIDERING THE ABOVE AND FOREGONG, the Stipulation and Agreement for Voluntary Surrender of Clinical Laboratory Personnel License is hereby **APPROVED AND ACCEPTED** by the Louisiana State Board of Medical Examiners, at New Orleans, Louisiana, on this 25 day of Oct, 2021.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:



Lester W. Johnson, M.D.
President