



# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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

## BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2023-I-833

IN THE MATTER OF:

CONSENT ORDER

**STEFAN JACOB FOSTER, LRT**  
*(Credential No. LRT.338764),*  
*Respondent*

Stefan Jacob Foster, LRT (“Mr. Foster”) is a respiratory therapist licensed to practice in the State of Louisiana pursuant to the Louisiana Respiratory Therapy Practice Act (“the Act”), La. R.S. 37:3351 *et seq.*, as evidenced by Credential No. LRT.338764, who at all relevant times has been engaged in the practice of respiratory therapy in and around Haughton, Louisiana. Mr. Foster has not been the subject of prior discipline before the Board.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., the Director of Investigations for the Board (the “Investigating Officer” or “DOI”), after the Board received apparently reliable information that Mr. Foster tested positive for alcohol in violation of his Allied Professionals Health Program (“APHP”) monitoring agreement.

The investigation revealed that in or around May 2023, Mr. Foster applied for a respiratory therapist license and answered affirmatively to questions on his Oath or Affirmation. After meeting and discussing his answers with the DOI, Mr. Foster took a phosphatidyl ethanol (“PEth”) test, which came back negative for alcohol. On September 6, 2023, Mr. Foster entered into a two-year monitoring agreement with the APHP prohibiting alcohol and mood-altering substance use.

On November 8, 2023, Mr. Foster tested positive for ethyl glucuronide (“EtG”), indicating alcohol use in violation of his then-current APHP monitoring agreement. On November 16, 2023, Mr. Foster also tested positive for alcohol in a blood test for PEth. After communicating with the Board, Mr. Foster scheduled and completed an evaluation in December 2023. The evaluators concluded that Mr. Foster could not practice with reasonable skill and safety and should enter inpatient treatment.

On or around March 20, 2023, Mr. Foster successfully completed treatment for alcohol use and stimulant use disorder. The treatment providers concluded that Mr. Foster was safe to return to practice with reasonable skill and safety if he adhered to their recommendations, including any monitoring requirements from the Board. On April 2, 2024, Mr. Foster entered into a new five-year monitoring agreement with the APHP.

As evidenced by his subscription hereto, Mr. Foster acknowledges the substantial accuracy of the foregoing information and that the reported information would provide the Investigating Officer with sufficient cause to pursue administrative proceedings against him for violations of the Louisiana Respiratory Therapy Practice Act (the "Act"), La. R.S. 37:3358(A)(7),<sup>1</sup> and that such information, if proven upon administrative evidentiary hearing, would establish sufficient cause to take action against his license to practice respiratory therapy in the State of Louisiana. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to ensure the health, safety, and welfare of the citizens of this state against the unprofessional, unqualified, and unsafe practice of respiratory therapy, La. R.S. 37:3351, will be effectively served by entry of the Order set forth hereinafter by consent.<sup>2</sup>

Recognizing his right to notice and administrative adjudication of any charges that may be asserted against him in these proceedings, at which time Mr. Foster would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his 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. 49:975 *et seq.*, Mr. Foster, nonetheless, hereby waives his right to notice and formal adjudication and, pursuant to La. R.S. 49:975(D), consents to entry of the Order set forth hereinafter. Mr. Foster acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950 *et seq.*, or which may be afforded to him by any other law to contest or appeal his agreement to or the force and effect of the Board's investigation or this Consent Order in any court or other forum. By his subscription hereto, Mr. Foster 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 he waives any objection to such disclosures under La. R.S. 49:977.2. Mr. Foster expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the adjudication of an administrative complaint against him 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. R.S. 37:3351 and La. R.S. 49:975(D);

**IT IS ORDERED** that the license of Stefan Jacob Foster, LRT, to engage in the practice of respiratory therapy in the State of Louisiana, as evidenced by Credential No. LRT.338764, be and the same is hereby **OFFICIALLY REPRIMANDED**.

**IT IS FURTHER ORDERED** that Mr. Foster shall enter and maintain a monitoring agreement with the Allied Professionals Health Program ("APHP") for a period of no less than

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<sup>1</sup> La. R.S. 37:3358(A)(7) ("The board may deny, refuse to renew, suspend, revoke, 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. Such unprofessional conduct shall include...(7) Habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence.").

<sup>2</sup> The Board has considered the guidelines for minimum and maximum disciplinary dispositions and the aggravating and mitigating circumstances apparent from the particular facts and circumstances of this matter. *See* La. Admin. Code tit. 46, pt. XLV, §§ 9714; 9716.

five (5) years. Mr. Foster shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring that are contained in such monitoring agreement and any amendments thereto, or any subsequent agreement or amendments thereto that may be recommended by the APHP, as well as those recommended by his treating physicians and those prescribed by any other health care provider involved in his care to the extent that they continue to follow him.

**IT IS FURTHER ORDERED** that Mr. Foster shall, within one (1) year of the effective date of this Order, pay to the Board a fine in the amount of Five Hundred and No/100 Dollars (\$500.00).

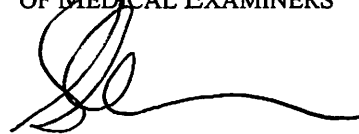
**IT IS FURTHER ORDERED** that any violation of or failure of strict compliance with any of the terms set forth by this Order by Mr. Foster shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Mr. Foster's license to practice respiratory therapy in the State of Louisiana as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. R.S. 37:3358.

**IT IS FURTHER ORDERED** that this Consent Order shall be effective as of 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 this Consent Order shall be, and shall be deemed to be, a public record, and shall likewise be reported on the Board's website, <https://www.lsbme.la.gov/>, under "Disciplinary Actions," and shall be reported to the National Practitioner Data Bank ("NPDB").

New Orleans, Louisiana, this 20<sup>th</sup> day of May, 2024.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS



By: \_\_\_\_\_

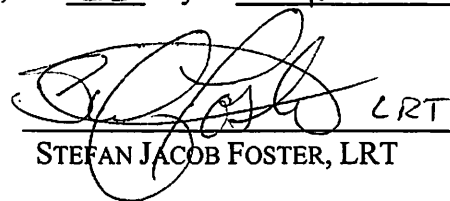
TERRIE R. THOMAS, M.D.  
*President*

*Acknowledgment and Consent on Following Page*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF LOUISIANA  
PARISH OF Caddo

I, STEFAN JACOB FOSTER, LRT, 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 22 day of April, 2024.

  
LRT  
STEFAN JACOB FOSTER, LRT

WITNESSES:

  
Signature

SHARON FOSTER  
Typed Name

8026 BOXWOOD TRAIL  
Street Address

HAUGHTON, LA 71037  
City/State/Zip Code


  
Signature

CHARLOTTE COURSEY  
Typed Name

3405 GARY BEX CIRCLE  
Street Address

HAUGHTON, LA 71037  
City/State/Zip Code

Sworn to and subscribed before me this 22<sup>nd</sup> day of April, 2024, in the presence of the two stated witnesses.

  
Notary Public (Signature)

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

