

LOUISIANA BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY (LBESPA)

IN THE MATTER OF
EMILY MARIE CESTIA

LBESPA ADMINISTRATIVE
COMPLAINT #2008-06

CONSENT AGREEMENT AND ORDER

WHEREAS, this matter came before the Louisiana Board of Examiners for Speech-Language Pathology and Audiology (hereinafter sometimes referred to as "Board") pursuant to an application for licensure to practice as an Audiologist with Hearing Aid Dispensing submitted by Emily Marie Cestia (hereinafter sometimes referred to as "Applicant").

WHEREAS, the information received during the application process reflects that Ms. Cestia practiced Audiology without a valid license from January 2005 through July 2005, in violation of the Louisiana Revised Statutes, Title 37, Chapter 34; Section 2652 and in violation of the Louisiana Administrative Code's Professional and Occupational Standards (Title 46) for Speech Pathology and Audiology (Part LXXV), revised November 1, 2004.

WHEREAS, the Board is persuaded that it is in the best interest of the public to enter into this Consent Agreement and Order, the conditions of which are set forth hereafter;

WHEREAS, Applicant hereby formally waives any and all legal, administrative, procedural, or judicial remedies, appeals, or relief which might be

available under the Administrative Procedure Act, the Speech-Language Pathology and Audiology Act, or any other law or statute;

WHEREAS, the Board and Applicant have entered into this Consent Agreement and Order by which the Board agrees to resolve the licensure concerns. Applicant agrees to accept the following specified conditions in resolution of the concerns while maintaining that her actions were due to a lack of knowledge and without any intent to circumvent the law.

WHEREAS, by practicing without a valid license, Ms. Cestia has violated her professional and ethical duty as set out in Louisiana Speech-Language Pathology and Audiology Practice Act LA R.S. 2652 by practicing audiology without a current, license, as well as LA R.S. 2662(A)(5) and (6) by engaging in unprofessional conduct, as defined by the rules established by the board, and has violated the code of ethics adopted and published by the board as identified in Rule 701(E)(2)(b) which states individuals shall hold the appropriate qualifications for the area(s) in which they are providing...professional services...; Rule 701(E)(4)(g) which states individuals shall not violate these principles and rules, nor attempt to circumvent them.

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the Board by LA R.S. 49:955(D), the Board orders and Emily Marie Cestia accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

1. Within ninety (90) days of the date all parties sign this Consent Agreement and Order, Licensee shall successfully complete an open book

examination, and pay all related testing fees, regarding Louisiana Revised Statute 37:2650-2666 (The Practice Act); the Board's Rules, Regulations and Procedures; and Ethical Questions.

2. Applicant shall complete a self-study on the importance of licensure OR five hours of a continuing education course in ethical practice. (For the self-study, an outline must be submitted to the Board for pre-approval within thirty (30) days from the date all parties sign this Consent Agreement and Order.) The self-study must be submitted within three (3) months from the date all parties sign this Consent Agreement and Order. For the continuing education course, pre-approval MUST be obtained from the Board thirty (30) days prior to the course. A certificate of attendance for the course must be submitted within three (3) months from the date that all parties sign this Consent Agreement and Order.
3. Applicant waives any and all legal, procedural, or judicial remedies, appeals, or relief which might be available under the Administrative Procedures Act, and the statutory and procedural rules of the Louisiana Board of Examiners for Speech-Language Pathology and Audiology.
4. Applicant specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order in a timely manner without LBESPA's authorization shall result in **SUSPENSION** of licensure without further notice until such time as the Board receives and accepts documentation of Applicant's completion of the requirements set forth above. The

admissions contained herein, will be considered proven and the only issue will be failure to follow the terms of the Consent Agreement and Order.

THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Speech-Language Pathology and Audiology Practice Act and the Rules, Regulations and Procedures. Licensee is to be Publicly Reprimanded for violation of the above referenced sections in the Practice Act (LA R.S. 37:2650 et seq.) and the Rules, Regulations and Procedures. Such reprimand shall include publication by LBESPA, notification to the Louisiana Speech-Language Hearing Association (LSHA), American Speech-Language-Hearing Association (ASHA), Speech Pathologists and Audiologists in Louisiana Schools (SPALS) and the Healthcare Integrity and Protection (HIP) Data Bank.

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IN WITNESS HEREOF, the Louisiana Board of Examiners for Speech-
Language Pathology and Audiology has entered into this Consent Agreement
and Order and executed same at Baton Rouge, Louisiana on this the
8th day of April, 2008.

Glenn M. Waguespack
Glenn Waguespack, L-AUD, Chair

Stephen J. Harris
Stephen J. Harris, L-AUD/SLP, Vice Chair

Theresa H. Rodgers
Theresa H. Rodgers, L-SLP, Secretary-Treasurer

Jan Childs
Board Member

IN WITNESS HEREOF, Emily Marie Cestia, Applicant, has entered into
this Consent Agreement and Order and executed same at
W Iberia, Louisiana, on this 13th day of
March, 2008.

Emily Marie Cestia
Emily Marie Cestia
Burt E. Cestia, Jr.
Notary Burt E. Cestia, Jr.
#34974

NOTARIZATION REQUIRED