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LOUISIANA BOARD OF EXAMINERS IN
DIETETICS AND NUTRITION

IN THE MATTER OF
DAMON YOUNG

COMPLAINT NUMBER 2016-06
LICENSE NO. 1569

CONSENT AGREEMENT AND ORDER

WHEREAS, Damon Young (“Mr. Young”) held a Licensed Dietitian/Nutritionist license subject to the jurisdiction and rules and regulations of the Louisiana Board of Examiners in Dietetics and Nutrition (the “Board”); and

WHEREAS, pursuant to a complaint and an administrative investigation, Mr. Young has indicated his desire to resolve this matter through a Consent Agreement and Order as provided for in Rule No. 503 of the Board’s Rules and Regulations and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act; and

WHEREAS, Mr. Young, has admitted the following:

1. Mr. Young was a Licensed Dietitian/Nutritionist (“LDN”), licensed by the Board to engage in the practice of dietetics and nutrition in the State of Louisiana pursuant to the Louisiana Dietetic and Nutrition Practice Act, La. R.S. 37:3081 *et seq.*, as evidenced by License No. 1569.
2. At all times pertinent to the facts and matters alleged herein, Mr. Young has been employed at Cornerstone Hospital as a Clinical Dietitian.
3. Mr. Young failed to renew his license by June 30, 2011.

4. During the period that his license was lapsed, July 1, 2011 through April 14, 2016, Mr. Young continued to reference himself as a Clinical Dietitian and practice in the scope of practice of a licensed dietitian/nutritionist.
5. Upon acceptance of this Consent Agreement and Order by Mr. Young, the Board will issue a **Licensed Dietitian/Nutritionist** license.

WHEREAS, by referencing himself as a dietitian during the period his license was lapsed, Damon Young has violated La. R.S. 37:3091 which is cause for disciplinary action pursuant to La. R.S. 37:3090(A)(5).

WHEREAS, Mr. Young has indicated his desire to resolve this matter through a Consent Agreement and Order;

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 Mr. Young accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Within ninety (90) days of the date of signing the Consent Agreement and Order, Applicant shall take and pass an Open Book Examination covering the Louisiana Dietetic/Nutrition Practice Act and the Board's *Rules and Regulations* to include Rule No. 113 *Ethical Standards*.
2. Mr. Young shall pay a fine in the amount of \$5,000.00 within three (3) years from the date all parties sign this Consent Agreement and Order. Such fine is authorized by La. R.S. 37:3092(B). Quarterly payments shall be remitted by either certified check, money order or credit card. The first

payment is due within 90 days from the date all parties sign this Consent Agreement and Order.

Waiver of Rights. Licensee is aware that he has the right to consult with an attorney of his choice and understands he has the right to an administrative hearing on the facts in this case. He understands and agrees that by signing this Consent Agreement and Order, he is waiving his rights to a hearing. Further, he understands and agrees that he is relieving the prosecutor of any burden it has of proving the facts admitted above. Applicant further understands and agrees that by signing this Agreement he is voluntarily and knowingly giving up his right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against him, and to appeal the Board's decision.

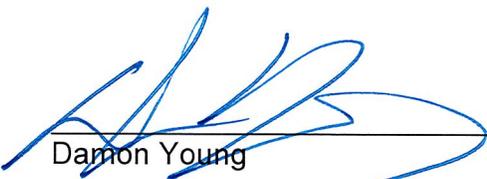
Effect of Non Acceptance of Agreement. Applicant agrees that this Consent Agreement and Order is subject to the approval of the Board. He agrees that, if the Board rejects this agreement, it will be void, and an Administrative Complaint may be filed. If this agreement is rejected by the Board it will not constitute a waiver of applicant's right to a hearing on the matters alleged in an administrative complaint and the admissions contained herein will have no effect. Applicant agrees that, if the Board rejects this agreement, the Board may decide the matter after a hearing, and its consideration of this agreement shall not alone be grounds for claiming that the Board is biased against him, that it cannot fairly decide the case, or that it has received ex parte communication.

Address of Board. All payments ordered and any reports required by this Consent Agreement and Order shall be addressed to: Louisiana Board of

Examiners in Dietetics and Nutrition, Towne Park Centre, 37283 Swamp Road, Suite 3B, Prairieville, Louisiana 70769.

IT IS HEREBY FURTHER ORDERED that this Consent Agreement and Order shall take effect immediately upon its adoption by the Board and is a public record of the Board. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the Board's website, notification to the employer on record, the Academy of Nutrition and Dietetics/Commission on Dietetic Registration Ethics Committee, and the National Practitioner Data Bank (NPDB).

I, Damon Young, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions. I specifically acknowledge that failure to comply with the terms of the Consent Agreement and Order will result in SUSPENSION of my license. 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.

DATED: 4/18/2016  _____
Damon Young

SUBSCRIBED AND SWORN TO before me this 18 day of APRIL, 2016, in SULPHUR,

Louisiana.

 _____
Notary Public #1875
Print Name: R. W. CART
My commission expires: with life

ORDER

The Louisiana Board of Examiners in Dietetics and Nutrition, having examined the Consent Agreement and Order, Case No. 2016-06, adopted the Consent Agreement and Order in this matter.

DATED this 8th day of July, 2016
in Prairieville, Louisiana.

LOUISIANA BOARD OF EXAMINERS IN
DIETETICS AND NUTRITION


Martina Musmeci Salles, MPH, RDN, LDN, FAND