

**LOUISIANA BOARD OF EXAMINERS  
IN DIETETICS AND NUTRITION**

IN THE MATTER OF

CASE #2024-05

KATHARINE GARVEY

LDN REINSTATEMENT #2774

**CONSENT AGREEMENT AND ORDER**

This matter came before the Louisiana Board of Examiners in Dietetics and Nutrition (hereinafter referred to as "Board") pursuant to an Application for License to practice as a Licensed Dietitian/Nutritionist filed by Katharine Garvey, hereinafter referred to as "Ms. Garvey" or "Applicant".

The application for licensure reinstatement was received by the Board on September 1, 2023. The Application indicated that Applicant had been providing "individual and family nutrition counseling sessions using evidence-based medical nutrition therapy" beginning December 1, 2016. Ms. Garvey held a Licensed Dietitian/Nutritionist license from November 21, 2016 through June 30, 2023. This information reflects that Ms. Garvey failed to renew her license and practiced without a license from July 1, 2023 through September 1, 2023 in violation of Louisiana Revised Statute 37:3085 and 3090 and Louisiana Revised Statute 49:955(D).

The Board has submitted this Consent Agreement and Order to Ms. Garvey and Ms. Garvey has signed the Agreement as provided for in Rule 503 of the Board's *Rules and Regulations* and LA R.S. 49:955(D) of the Louisiana Administrative Procedure Act, duly acknowledging the following:

By submitting the application, Ms. Garvey accepts the Board's jurisdiction. At all times pertinent to the facts and matters alleged herein, Ms. Garvey was self employed in private practice;

1. Ms. Garvey has by her subscription hereto acknowledged the substantial accuracy of the foregoing information and that such information could provide the Board with probable cause to deny a license to Applicant because of a violation of LA R.S. 37:3090(A), LA R.S. 37:3091 and the *Rules and Regulations* of this Board;
2. Ms. Garvey has been provided an opportunity for a compliance hearing before the Board pursuant to Rule 501 of the Board's *Rules and Regulations*, which right as well as any legal or administrative rights Ms. Garvey formally waives by the execution of this agreement.
3. Ms. Garvey has executed this agreement as a free and voluntary act and with full knowledge and with the terms and conditions of the Order set out herein.

By practicing as a dietitian/nutritionist without a valid license, Ms. Garvey has violated LA R.S. 37:3091 which is cause for disciplinary action pursuant to LA R.S. 37:3090(A)(5).

Considering the foregoing information and acknowledgments and waivers by Ms. Garvey, the Board is persuaded that it is in the best interest of the public to enter into this Consent Agreement and Order and therefore, pursuant to the authority vested in the Board by LA R.S. 49:955(D).

It is HEREBY ORDERED that Ms. Katharine Garvey is granted reinstatement as a **Licensed Dietitian/Nutritionist**, subject to the following terms and conditions:

1. Ms. Garvey shall pay a fine in the amount of \$250.00 within ninety (90) days from the date all parties sign this Consent Agreement and Order. Such fine is authorized by LA R.S. 37:3092(B).
2. Within ninety (90) days, Ms. Garvey 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*. Ms. Garvey must make a minimum score of 80% on the Open Book Examination and will be allowed three (3) hours to complete the examination online or at the board office, located at 37283 Swamp Road, Suite 3B, Prairieville, Louisiana. Applicant must also pay all related testing fees.
3. Publication of the Consent Agreement and Order by LBEDN, as well as notification to the Academy of Nutrition and Dietetics (AND)/Commission on Dietetic Registration Ethics Committee (CDR), as well as reporting to the National Practitioner DataBank (NPDB).
4. If Applicant fails to successfully and timely complete all requirements in the time frames set forth above, the Applicant's license shall be **SUSPENDED** without further notice until such time as the Board receives and accepts documentation of Applicant's completion of the requirements set forth above.

**Waiver of Rights.** Ms. Garvey is aware that she has the right to consult with an attorney of her choice and understands that she has the right to an administrative hearing on the facts in this case. She understands and agrees that by signing this Consent Agreement and Order, she is waiving her rights to a hearing. Further, she understands and agrees that she is relieving the prosecutor of any burden it has of proving the facts

admitted above. Ms. Garvey further understands and agrees that by signing this Agreement she is voluntarily and knowingly giving up her right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against her, and to appeal the Board's decision.

**Effect of Non-Acceptance of Agreement.** Ms. Garvey agrees that this Consent Agreement and Order is subject to the approval of the Board. She 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. Ms. Garvey 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 her, that it cannot fairly decide the case, or that it has received ex parte communication.

**Address of Board.** All payments ordered 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.

I, Katharine Garvey, 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.

Katharine Garvey

Katharine Garvey

SUBSCRIBED AND SWORN TO before me this 11<sup>th</sup> day of September, 2023, in Metairie, Louisiana.

Adriana Walker

NOTARY PUBLIC

185829

ID#



ADRIANA WALKER  
Notary Public  
State of Louisiana  
Notary ID # 185829  
Orleans Parish

**ORDER**

The Louisiana Board of Examiners in Dietetics and Nutrition, having examined the Consent Agreement and Order, Case No. 2024-05, adopted the Consent Agreement and Order in this matter.

DATED this 17<sup>th</sup> day of November, 2023 in Prairieville, Louisiana.

**Louisiana Board of Examiners in  
Dietetics and Nutrition**

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