

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

IN THE MATTER OF

CASE NUMBER 2021-17

RACHEL HANES

PROVISIONAL LDN LICENSE NO. 3240

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 a license to practice as a Licensed Dietitian/Nutritionist filed by Rachel Hanes, hereinafter referred to as Ms. Hanes.

The application was received by the Board on February 21, 2021.

Information received in the application process reflects that Ms. Hanes practiced as a Licensed Dietitian/Nutritionist without a license issued by this Board from September 10, 2017 through February 26, 2021, in violation of Louisiana Revised Statute 37:3085 and 3090 and LA R.S. 49:955(D).

WHEREAS, Ms. Hanes has indicated her 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, Ms. Hanes, has admitted the following:

1. At all times pertinent to the facts and matters alleged herein, Ms. Hanes has been a contract employee at Mercy Multiplied as a Nutrition Manager.

2. Ms. Hanes never held a dietetics/nutrition license issued by this Board until February 26, 2021, yet she worked in the scope of practice of a licensed dietitian/nutritionist.
3. Upon acceptance of an initial Consent Agreement and Order by Ms. Hanes, the Board issued a **Provisional Licensed Dietitian/Nutritionist** license, as evidenced by license number 3240.

WHEREAS, by signing the Consent Agreement and Order, Ms. Hanes acknowledges that by submitting the application, she accepts the Board's jurisdiction. Ms. Hanes 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, are formally waived by execution of this Consent Agreement and Order.

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

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

1. Ms. Hanes shall pay a fine in the amount of \$3,500.00 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 credit/debit card. The first payment is due within 90 days from the date all parties sign this Consent Agreement and Order.

Waiver of Rights. Ms. Hanes 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 his 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. Hanes further understands and agrees that by signing this Agreement she is voluntarily and knowingly giving up his 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. Hanes 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. Hanes 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 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/facility on record, the Academy of Nutrition and Dietetics/Commission on Dietetic Registration Ethics Committee, and the National Practitioner Data Bank (NPDB).

I, Rachel Hanes, 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: 10/4/21

Rachel Hanes
Rachel Hanes

SUBSCRIBED AND SWORN TO before me this 4 day of October, 2021, in Ruston, Louisiana.

Linda J. Cruse

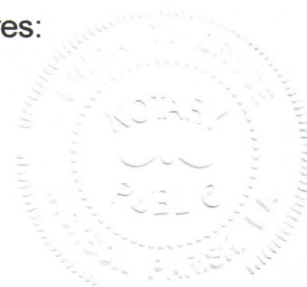
Notary Public

Print Name:

My commission expires:

Linda J. Cruse

062414



ORDER

The Louisiana Board of Examiners in Dietetics and Nutrition, having examined the Consent Agreement and Order, Case No. 2021-17, adopted the Consent Agreement and Order in this matter.

DATED this 18th day of November, 2021
in Princetonville, Louisiana.

Louisiana Board of Examiners in
Dietetics and Nutrition

Monica M. Bunnell, MS, RD, LDN
Chairperson

Martina M. Selke, MPT, RD, LDN, CDE
Vice Chairperson

Amata M. Anderson, MS, LDN, RD
Secretary-Treasurer

Jennifer Graham, E.D., RD, LDN
Board Member