

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291**

IN THE MATTER OF:)	CASE NO. 2017-64
)	
JASON S. HATHORN, P.E.)	
)	
RESPONDENT)	Received
)	OCT 22 2019
)	By LAPELS Enforcement

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the “Board”], by and through its Executive Director, pursuant to authorization by the Board, and Jason S. Hathorn, P.E. [hereinafter “Respondent”] hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE-31839.

An investigation was opened based upon the Board’s receipt of information and/or documents which suggested that Respondent may have committed violations of the Board’s laws and/or rules. The investigation disclosed that in January 2015 Respondent was convicted of a crime other than a traffic violation in the Bossier City Court, Bossier City, Louisiana.

On or about September 28, 2015, Respondent submitted to the Board his 2015 Louisiana professional engineer license renewal online, confirming thereon that **(a)** he had met the Board’s requirements for continuing professional development [hereinafter “CPD”] for active status for the biennial licensure renewal period of October 1, 2013 to September 30, 2015, **(b)** if selected for a CPD audit by the Board he would be required to submit the appropriate documentation to validate completion of all CPD requirements, **(c)** failure to comply with such CPD requirements or any false statements made by him could be cause for disciplinary action by the Board, **(d)** he had not been convicted or entered a plea of guilty or nolo contendere of any crime (other than traffic violation(s)) since his previous license renewal in 2013, **(e)** all information provided in his online renewal was true and correct to the best of his knowledge, information and belief and **(f)** an omission or untrue response may constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under the Board’s licensure law.

The investigation also disclosed that in April 2017 Respondent was convicted in the County Court at Law of Panola County, Texas of a crime other than a traffic violation.

On or about September 30, 2017, Respondent submitted to the Board his 2017 Louisiana professional engineer license renewal online, confirming thereon that **(a)** he had met the Board's requirements for CPD for active status for the biennial licensure renewal period of October 1, 2015 to September 30, 2017, **(b)** if selected for a CPD audit by the Board he would be required to submit the appropriate documentation to validate completion of all CPD requirements, **(c)** failure to comply with such CPD requirements or any false statements made by him could be cause for disciplinary action by the Board, **(d)** he had not been convicted or entered a plea of guilty or nolo contendere of any crime (other than traffic violation(s)) since his previous license renewal in 2015, **(e)** all information provided in his online renewal was true and correct to the best of his knowledge, information and belief and **(f)** an omission or untrue response may constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under the Board's licensure law.

In 2017, the Board audited Respondent's CPD records for the biennial licensure renewal periods of October 1, 2013 to September 30, 2015 and October 1, 2015 to September 30, 2017. In responding to this CPD audit, Respondent failed to produce any documentation to prove that **(a)** for the biennial licensure renewal period of October 1, 2013 to September 30, 2015 he had earned the required minimum of one (1) professional development hour [hereinafter "PDH"] in professional ethics and **(b)** for the biennial licensure renewal period of October 1, 2015 to September 30, 2017 he had earned the required minimum of thirty (30) PDHs in engineering-related acceptable activities.

La. R.S. 37:698(A)(1) prohibits licensees from committing any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board. La. R.S. 37:698(A)(6), *to wit* La. R.S. 37:693(C), render ineligible for renewal of licensure as a professional engineer an individual who is not, in the opinion of the Board, of good character and reputation. La. R.S. 37:698(A)(6) *to wit* LAC Title 46:LXI§3105(A), require professional engineer licensees in active status to earn thirty (30) PDHs in engineering-related acceptable activities during each biennial licensure renewal period beginning before January 1, 2017, which includes at least one (1) PDH in professional ethics.

La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§3115, 3117 and 3119, require licensees to maintain certain documentation of compliance with the Board's CPD requirements and to provide proof of such compliance to the Board upon request. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:693(C), La. R.S. 37:698(A)(1) and (6), and LAC Title 46:LXI§3105(A), 3115, 3117 and 3119, upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:693(C), La. R.S. 37:698(A)(1) and (6), La. R.S. 37:698(H) and LAC Title 46:LXI§3105(A), 3115, 3117 and 3119 were in effect at all times material hereto.

It is undisputed that **(a)** in January 2015 Respondent was convicted of a crime other than a traffic violation; **(b)** on or about September 28, 2015 Respondent falsely stated on his 2015 Louisiana professional engineer license renewal that he had not been convicted or entered a plea of guilty or *nolo contendere* of any crime (other than traffic violation(s)) since his previous license renewal in 2013; **(c)** Respondent failed to earn (and on or about September 28, 2015 he falsely stated on his 2015 Louisiana professional engineer license renewal that he had earned) the required minimum of one (1) PDH in professional ethics for the biennial licensure renewal period of October 1, 2013 to September 30, 2015; **(d)** in April 2017 Respondent was convicted of a crime other than a traffic violation; **(e)** on or about September 30, 2017 Respondent falsely stated on his 2017 Louisiana professional engineer license renewal that he had not been convicted or entered a plea of guilty or *nolo contendere* of any crime (other than traffic violation(s)) since his previous license renewal in 2015; **(f)** Respondent failed to earn (and on or about September 30, 2017 he falsely stated on his 2017 Louisiana professional engineer license renewal that he had earned) the required minimum of thirty (30) PDHs in engineering-related acceptable activities for the biennial licensure renewal period of October 1, 2015 to September 30, 2017; and **(g)** Respondent has demonstrated a lack of good character and reputation.

By letter dated May 28, 2019, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated **(a)** La. R.S. 37:698(A)(1), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board, **(b)** La. R.S. 37:698(A)(6), *to wit* La. R.S. 37:693(C), relative to being rendered ineligible

for renewal of licensure as a professional engineer if an individual is not, in the opinion of the Board, of good character and reputation, and **(c)** La. R.S. 37:698(A)(6) *to wit* LAC Title 46:LXI§3105(A), 3115, 3117 and 3119, relative to the Board's CPD requirements.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** his Louisiana professional engineer license being placed on probation for a period of five (5) years [hereinafter "Probation Period"] beginning on the effective date of this Consent Order, **(b)** submit to the Board, no later than January 15 each year during the Probation Period, the appropriate documentation to substantiate compliance with all of the Board's continuing professional development requirements during the preceding calendar year, **(c)** additional disciplinary action, up to and including the revocation of his Louisiana professional engineer license, if he is convicted of any crime during the Probation Period, **(d)** pay a fine of One Thousand Two Hundred Fifty and No/100 (\$1,250.00) Dollars, **(e)** pay administrative costs of Two Thousand Four Hundred Fifty-Four and 82/100 (\$2,454.82) Dollars, **(f)** successfully complete the Board's online Louisiana Laws and Rules Quiz, **(g)** successfully complete the Board's online Louisiana Professionalism and Ethics Quiz, **(h)** earn an additional thirty (30) PDHs in engineering-related acceptable activities (at least two (2) of which shall be in professional ethics), with these PDHs being in addition to those PDHs which he is required to earn to satisfy his normal CPD requirements for active status, **(i)** promptly submit to the Board the appropriate documentation to substantiate the earning of these additional thirty (30) PDHs, **(j)** the immediate suspension of its Louisiana professional engineer license if he fails to comply with any portion of this Consent Order, with said suspension continuing until he so complies, and **(k)** the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits that his conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws

and/or rules and states that he will comply with all applicable laws and rules henceforth.

Respondent has been advised of his right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in his own behalf, he hereby waives this right and his right to appeal, and he states affirmatively that he has been afforded all administrative remedies due him under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive his right to a hearing before the Board, to the presenting of evidence and witnesses on his behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that **(a)** he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument and **(c)** the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent's Louisiana professional engineer license, number PE-31839, shall be placed on probation for a period of five (5) years beginning on the effective date of this Consent Order; and

2. Respondent shall submit to the Board, no later than January 15 each year during the Probation Period, the appropriate documentation to substantiate compliance with all of the Board's continuing professional development requirements during the preceding calendar year; and

3. Respondent shall be subject to additional disciplinary action, up to and including the revocation of his Louisiana professional engineer license, if he is convicted of any crime during the Probation Period; and

4. Respondent shall pay a fine of One Thousand Two Hundred Fifty and No/100 (\$1,250.00) Dollars, which shall be tendered to the Board by certified checks payable to the Board in four (4) installments, with an initial payment of Three Hundred Thirteen and No/100 (\$313.00) Dollars due upon the signing of this Consent Order, a second payment of Three Hundred Thirteen and No/100 (\$313.00) Dollars due within thirty (30) days of the signing of this Consent Order, a third payment of Three Hundred Twelve and No/100 (\$312.00) Dollars due within sixty (60) days of the signing of this Consent Order, and a fourth payment of Three Hundred Twelve and No/100 (\$312.00) Dollars due within ninety (90) days of the signing of this Consent Order; and

5. Respondent shall pay administrative costs of Two Thousand Four Hundred Fifty-Four and 82/100 (\$2,454.82) Dollars, which shall be tendered to the Board by certified checks payable to the Board in four (4) installments, with an initial payment of Six Hundred Fourteen and 21/100 (\$614.21) Dollars due upon the signing of this Consent Order, a second payment of Six Hundred Fourteen and 21/100 (\$614.21) Dollars due within thirty (30) days of the signing of this Consent Order, a third payment of Six Hundred Thirteen and 20/100 (\$613.20) Dollars due within sixty (60) days of the signing of this Consent Order, and a fourth payment of Six Hundred Thirteen and 20/100 (\$613.20) Dollars due within ninety (90) days of the signing of this Consent Order; and

6. Respondent shall successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and

7. Respondent shall successfully complete the Board's online Louisiana Professionalism and Ethics Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and

8. Respondent shall, within twelve (12) months of the effective date of this Consent Order, earn an additional thirty (30) PDHs in engineering-related acceptable activities (at least two (2) of which shall be in professional ethics), with these PDHs being in addition to those

PDHs which Respondent is required to earn to satisfy his normal CPD requirements for active status; and

9. Respondent shall promptly submit to the Board the appropriate documentation to substantiate the earning of these additional thirty (30) PDHs; and

10. Respondent's Louisiana professional engineer license, number PE-31839, shall be immediately suspended if he fails to comply with any portion of this Consent Order, with said suspension continuing until he so complies; and

11. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

12. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

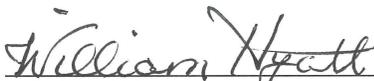
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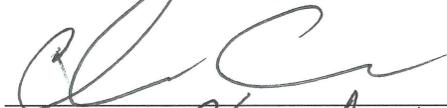
BY: 
DONNA D. SENTELL, Executive Director

DATE: 10-22-19


JASON S. HATHORN, P.E., Respondent

Witnesses to the signature of
Jason S. Hathorn, P.E.


Print Name: WILLIAM HEATH


Print Name: CHRIS AARON