

**LOUISIANA STATE BOARD OF NURSING
17373 PERKINS ROAD
BATON ROUGE, LOUISIANA 70810**

MINUTES OF THE HEARING PANEL HELD TUESDAY, JUNE 14, 2011

Call to Order: The Hearing Panel of the Board of Nursing was called to order at 9:00 a.m. by C. MacMillan, Vice-President, on Tuesday, June 14, 2011, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The Hearing Panel Members in attendance:
Carlleen MacMillan, MN, RN, Vice-President
Demetrius Porche, DNS, APRN, Ph.D, FNP, Alternate Officer
Nancy Davis, RN, MN, ME-BC
Jolie Harris, MSN, RN
Patricia Prechter, RN, MSN, Ed.D.

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Danielle Smith, RN, MSN, Director for Monitoring
Michelle Wells, MSHCM, BSHCM, BSN, RNC, Regional Manager
Patricia Dufrene, MSN, RN, Director of Education and Licensure
Joy Peterson, JD, BSN, RN, Director of Investigations
Celia Cangelosi, Board Attorney
Wade Shows, Board Attorney
Bernie Trappey, Court Reporter

Motion: by D. Porche, seconded, to approve the Agenda as written.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by P. Prechter, seconded, to authorize the Chair to approve the Minutes of the 6/14/11 meeting.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by P. Prechter, seconded, to go into Executive Session pursuant to La. R.S. 37:17 (1) for the purpose of hearing disciplinary matters and reviewing consent orders, automatic suspensions and other disciplinary actions in the

cases listed on the Agenda.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Dana Latrice Peterson

Show Cause Order filed 2/10/11

The hearing began at 8:50 a.m. Ms. Peterson was not present for the hearing. Counsel for Ms. Peterson was present.

D. Smith was sworn in and testified as to the background of the matter

Louis Cataldie was sworn in and testified as a witness for the Board

Douglas Balash was sworn in and testified as a witness for the Board.

William B. Keith, Jr. was sworn in and testified as a witness for the Board

Thirteen (13) exhibits were entered into evidenced labeled Board Exhibit 1 through 13

One Exhibit was entered into evidence by Dana Peterson

Jeremy Douglas Linton

Show Cause order filed 1/11/11

Mr. Linton entered the room at 1:05 p.m.

D. Smith was sworn in and testified as to the background of the matter

W. Wilson was sworn in and testified as a witness for the Board

Amy Linton was sworn in and testified as a witness for Mr. Linton

Jason Rogers was sworn in and testified as a witness for Mr. Linton

Valerie Schluter was sworn in and testified as a witness for Mr. Linton

Jeremy Linton was sworn in and testified in his own behalf

Cornelius Jerome Desha

Show Cause Order filed on 3/29/11

The hearing began at 2:56 p.m.

D. Tillinghast was sworn in and testified as a witness for the Board

Seven (7) exhibits were entered into evidenced labeled Board Exhibit 1 through 7.

CONSENT ORDERS:

The following Consent Orders went on record as presented:

**Becky Ann Abshir
Tiffany Sayers Bonnette
Jason Anthony Breaux
Yolandis Evett Carter
Sybil Barber Christy
Rachel Lynn Crum
Michael C. Fultz
Charles Francois Garrison
Jourdan Murphy Haeuser
Megan Sandifer Harrison-Vanbeest
Jennifer Paige McWhorter
Luke Thurmond Norwood
Julia Perkins Odom AKA Julia Ann Doyle
Justine A. Randall
Jessica McCain Roberts
Scott Garrett Saltzman
Maggie Bourg Schouest
Michael Ellis Taylor
Sandra Birdsong Thompson
Leontine Maxine Trought
Dwayne Wheeler
Lawrence Williams**

AUTOMATIC SUSPENSIONS:

The following Automatic Suspensions by staff were presented to the Board for ratification. The records of each individual and J. Peterson's affidavit and summary were introduced as Exhibit Number 1 in globo to support the position that the automatic suspensions were in order.

**Eyad Lutfi Abdulhalim
Susan Montano Allen
Mary Grace Faucheaux**

**Scott Winn McLean
Arian Justice Mendoza
Eddie Rivers Pendarvis, Jr.
Daryl Gene Pugh
Rosalyn Brown Winfrey**

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

The following individuals were presented to the Board for ratification of delay/denial by staff action.

**Uhura Ali Duke
Tracy Joyhn Foret
Tien Thuy Nguyen
Brady Renea Nyankojo**

RECALL OF TEMPORARY PERMIT

Norma Jean Lane

MULTIPLE ACTIONS

**James David Buitt
Sean Stuart Farrell**

ACTIONS ON DISCIPLINARY HEARING HELD ON TUESDAY, JUNE 14, 2011:

Motion: by D. Porche, seconded, to go into open session

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Dana Latrice Peterson

The matter of Dana Latrice Peterson was heard by the Board in response to Charges as filed and a Show Cause Order as filed.

Motion: by J. Harris, seconded, that the Panel accepts the Findings of Fact as presented by Mr. Shows with the following modifications.

Item No. 26, Dana Peterson failed to appear for the Hearing.

Item No. 27, Ms. Peterson's attorney, who was present at hearing, stipulated to admissibility and accuracy of Board Exhibits 1 through 12.

Item No. 28, Ms. Peterson's attorney admitted the factual allegations of the Show Cause Order.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by J. Harris, seconded, to accept the Findings of Facts and Conclusion of Law with the following changes.

Delete 3E

Amend No. 4 to state that the evidence presented constitutes sufficient cause pursuant to La R.S. 37:92 to revoke the license of respondent to practice nursing.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by J. Harris, seconded, that the license of this registrant is revoked. Respondent shall:

1. Refrain from working in any capacity as a Registered Nurse. Failure to do so shall cause criminal charges.
2. Within 3 months, submit payment of \$600.00 to the Board as cost of this hearing.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Jeremy Douglas Linton

Mr. Linton appeared before the Board in response to a Show Cause order as filed.

Motion: by P. Prechter, seconded, to accept the Findings of Fact as proposed by Board Attorney with the following changes.

Modify paragraph 11 and 12 and adding paragraph 13 and 14 to read as follows:

On September 28, 2010, Respondent submitted to a comprehensive out-patient evaluation performed by Addiction Recovery Resources of New Orleans which gave the following recommendations:

Joseph Malta, M.D. recommended that Mr. Linton be able to continue schooling as a nurse with competence to safety to the public provided he successfully complies with the following:

Monitoring program
Continued psychiatric care
Prescription monitoring; and
Supervisory reports

A. James Klein, Ph.D., also recommended monitoring and supervisory reports to ensure patient safety.

Alfredo Santistevan, MS, LPC, NCC, AADC, LAC, recommended that Dr. Linton is able to practice clinical nursing with competence and safety to the public under appropriate supervision after completion of an IOP program, maintaining complete abstinence and random urine screens.

Paragraph 12. On June 14, 2011 an administrative hearing was held. The Board reviewed documents, evidence and heard testimony. Witness(es) appeared credible and truthful.

Paragraph 13. Mr. Linton testified that he has maintained sobriety since 2005. He presented a strong work history with no disciplinary action or conflict with authority since May 2002.

Paragraph 14. Witnesses testifying on Linton's behalf testified as to the positive changes in his behavior, lifestyle and trustworthiness for the last 9 years.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes; P. Prechter-yes

Motion Carried

Motion: by P. Prechter, seconded, to accept the Conclusions of Law as proposed by Board Attorney with the following changes:

Paragraph 3, delete the second bullet.

Paragraph 2, add the word “delay.”

Voice Vote: N. Davis-no; J. Harris-yes; C. MacMillan-yes, D. Porche-no;
P. Prechter-yes

Motion Carried

Motion: by P. Prechter, seconded, that the Respondent is delayed approval to enter into clinical nursing courses with the, with the opportunity to request re-entry after he completes an intensive IOP program, approved by the Board, as recommended by Alfredo Santistevan, MS, LPC, NCC, AADC, LAC, and follows all recommendations thereof including complete abstinence, to be shown by random drug screens administered by the Board for a period of one year. After completion of IOP program and one year of negative random drug screens, Respondent must meet with Board or Board staff to review eligibility for re-entry into clinical courses. If deemed eligible for re-entry the Board shall require a period of probation, along with supportive conditions or stipulations, to ensure that patients and the public are protected. Additionally, must comply with the following stipulations:

1. Sign and adhere to a four (4) year disciplinary RNP agreement.
2. Continuance in psychiatric care as recommended by Joseph Matta, M.D.
3. Within 6 months, submit payment of \$600.00 to the Board as cost of this hearing.
4. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
5. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in immediate denial of this student's request to enter/progress to the next clinical course and appear before the Board and show cause why he should not be permanently denied to enter or progress to the next clinical nursing course and be licensed as a Registered Nurse in Louisiana.

Voice Vote: N. Davis-no; J. Harris-yes; C. MacMillan-yes, D. Porche-no;
P. Prechter-yes

Motion Carried

Cornelius Jerome Desha

The matter was heard in response to a Show Cause order as filed.

Motion: by D. Porche, seconded, to accept the Findings of Fact proposed by Board Attorney.

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by D. Porche, seconded, to accept the Conclusions of Law proposed by Board Attorney

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by D. Porche, seconded, that the Licensure by endorsement is denied, and further, submit payment of \$300.00 to the Board.

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Consent Orders:

There were 22 matters heard by the Board as Consent Orders.

Motion: by J. Harris, seconded that the Consent Orders submitted by the following registrants be accepted:

**Becky Ann Abshir
Tiffany Sayers Bonnette
Jason Anthony Breaux
Yolandis Evett Carter
Sybil Barber Christy
Rachel Lynn Crum
Charles Francois Garrison
Jourdan Murphy Haeuser
Megan Sandifer Harrison-Vanbeest**

Jennifer Paige McWhorter
Luke Thurmond Norwood
Julia Perkins Odom AKA Julia Ann Doyle
Justine A. Randall
Jessica McCain Roberts
Scott Garrett Saltzman
Michael Ellis Taylor
Sandra Birdsong Thompson
Leontine Maxine Trought
Dwayne Wheeler
Lawrence Williams

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by J. Harris, seconded, that the Consent Order submitted by the following registrant be accepted.

Michael C. Fultz

Voice Vote: N. Davis-yes; J. Harris-yes; C. MacMillan-yes, P. Prechter-yes

Motion Carried

Motion: by J. Harris, seconded, that the Consent Order submitted by the following registrant be accepted.

Maggie Bourg Schouest

Voice Vote: J. Harris-yes; C. MacMillan-yes, D. Porche-yes; P. Prechter-yes

Motion Carried

Automatic Suspensions

There were eight (8) matters heard before the Board as Automatic Suspension of Board Staff

Motion: by D. Porche, seconded, that the Board ratify the Automatic Suspension by staff of the following registrants:

**Eyad Lutfi Abdulhalim
Susan Montano Allen
Mary Grace Fauchaux
Scott Winn McLean
Arian Justice Mendoza
Eddie Rivers Pendarvis, Jr.
Daryl Gene Pugh
Roselyn Brown Winfrey**

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There were four (4) matters heard before the Board as Ratification of Delay or Denial by Board Staff.

Motion: by N. Davis, seconded, that the Board ratify the Delay/Denial of licensure by staff of the following individuals:

**Uhura Ali Duke
Tracy Joyhn Foret
Tien Thuy Nguyen
Brady Renea Nyankojo**

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Recall of Temporary Permit

There was one matter heard before the Board as Recall of Temporary Permit

Motion: by D. Porche, seconded, that the Board ratify the Recall of Temporary Permit of the following:

Norma Jean Lane

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Multiple Actions

There were two matters heard before the Board with Multiple Actions.

Motion: by N. Davis, seconded, that the Board ratify actions by Board Staff of the following:

**James David Buitt
Sean Stuart Farrell**

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

Motion: by D. Porche, seconded, to adjourn.

Voice Vote: N. Davis-yes J. Harris-yes; C. MacMillan-yes, D. Porche-yes;
P. Prechter-yes

Motion Carried

ADJOURNMENT: The meeting adjourned at 5:00 p.m.

Carlene MacMillan, R.N.

**CARLEEN MACMILLAN, VICE-PRESIDENT
LOUISIANA STATE BOARD OF NURSING**