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

MINUTES OF THE HEARING PANEL HELD WEDNESDAY, JUNE 12, 2019

Call to Order: The Hearing Panel of the Board of Nursing was called to order at 9:15 a.m.

by T. Cotita, President, on Wednesday, June 12, 2019, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:

Tim Cotita, MSHCE, RN, CDE, President Tavell Kindall, DNP, APRN, Alternate Officer

Ann Carruth, DNS, RN

Jennifer Manning, DNS, APRN, CNS, CNE

Tracey Moffatt, MHA, BSN, RN Jamie Wiggins, MS, RN, FACHE

The following staff members were in attendance:

Karen C. Lyon, PhD, APRN, ACNS-BC, NEA-BC, Executive

Director/CEO

Wanda Matthews, MPA, Chief Regulatory Officer William Little, JD, MPA, Director of Investigations Urhonda Beckwith, MSN, APRN, FNP, RNP Director

Robin Huet, RN, Compliance Officer Jelesia Sellars, RN, Compliance Officer

Carrie LeBlanc Jones, JD, LSBN General Counsel

Domoine Rutledge, JD, Board Attorney Lauren Reed, JD, Board Attorney

Suzanne C. Armand, CCR, CVR, Court Reporter

Agenda Approval:

Dr. Lyon stated there was one change to the Agenda. Under Ratification of Automatic Suspensions, remove Cristina Andrea Creech.

Motion: by T. Kindall, seconded, to adopt the Agenda as amended

Voice Vote: Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes;

T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion: by J. Manning, seconded, to authorize one panel member to approve the Minutes of

today's Hearing Panel. J. Manning will review and approve.

Voice Vote: Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by T. Kindall, seconded, to go into Executive Session pursuant to La. R.S. 42:17 (1) to adjudicate scheduled cases and for reviewing consent orders, automatic suspensions and other disciplinary actions in the cases listed on the Agenda.

Voice Vote: Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Karey Lyn Thigpen

Show Cause Order Filed: 04/02/2019

The Hearing began at 9:05 a.m. Ms. Thigpen was not present for the hearing and was not represented by counsel.

Robin Huet was sworn in and testified to the background of the matter.

Jason McDaniel was sworn in and testified as a witness for the Board.

Six (6) Exhibits were entered into evidence labeled Board Exhibit 1 through 6.

Rhonda Yvette Maberry

Show Cause Order Filed: 04/03/2019

Ms. Maberry entered the hearing room at 11:25 a.m. and was represented by her counsel, Mr. Dylan C. Utley.

Jelesia Sellars was sworn in and testified to the background of the matter.

Ms. Maberry was sworn in as a witness and testified in her own behalf.

Seven (7) Exhibits were entered into evidence labeled Board 1 through 7.

Two (2) Exhibits was entered into evidence labeled Respondent 1 and 2.

Zellisha Maria Dejean

Show Cause Order Filed: 04/08/2019

Mr. Dejean entered the hearing room at 2:00 p.m. and was not represented by counsel.

Jelesia Sellars was sworn in and testified to the background of the matter.

Ms. Dejean was sworn in as a witness and testified in her own behalf.

Six (6) Exhibits were entered into evidence labeled Board Exhibit 1 through 6.

Suprenia Wilson Washington

Show Cause Order Filed: 04/12/2019

Ms. Washington entered the hearing room at 3:10 p.m. and was not represented by counsel.

Jelesia Sellars was sworn in and testified to the background of the matter.

Ms. Washington was sworn in as a witness and testified in her own behalf.

Seven (7) Exhibits were entered into evidence labeled Exhibit 1 through 7.

Erica Nicole Edwards

Show Cause Order filed: 04/08/2019

Ms. Edwards entered the hearing room at 4:45 p.m. and was not represented by counsel.

Jelesia Sellars was sworn in and testified to the background of the matter.

Ms. Edwards was sworn in as a witness and testified in her own behalf.

Six (6) Exhibits were entered into evidence labeled Exhibit 1 through 6.

CONSENT ORDERS:

The following Consent Orders went on record as presented:

Nurse Practice Act Violations

Katelyn Joye Courville Jeffrey Marion Koon Laura Claus Franks Shelli Melissa Green

Kristie Thompson Henderson Kiona Tonae Lynum Kathleen Marie Persell Gretchen Bufkin Spencer Meagan Veronica Veillion Alecia Shattuck Wever Shannon Michele Wright

Reinstatement of Licensure

Lisa Jones Baker Laura Nicole Candella Katherine Couch Devillier

Students

Sara Cox

RATIFICATION OF AUTOMATIC SUSPENSIONS:

The following Automatic Suspensions by staff were presented to the Board for ratification. The record of these individuals and W. Matthews' affidavit and summary were introduced as Exhibit Number 1 in globo to support the position that these automatic suspensions were in order:

Jeremy Heath Allen
Jodi Marie Beavers
Holly Elizabeth Connor
Raquel Loretta Foster
Daniel Andrew Moore
Mark Richard Nichols
Heather Guichet Ryan
Rachelle Claire Stephenson
Patricia Modica Workman

Motion: by T. Kindall, seconded, to go into Open Session.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes;

T. Moffatt-yes; J. Wiggins-yes

Motion Carried

ACTIONS ON DISCIPLINARY MATTERS HELD ON WEDNESDAY, JUNE 12, 2019:

Roll Call: The following Board members were in attendance:

Tim Cotita, MSHCE, RN, CDE, President Tavell Kindall, DNP, APRN, Alternate Officer

Ann Carruth, DNS, RN

Jennifer Manning, DNS, APRN, CNS, CNE

Tracey Moffatt, MHA, BSN, RN

Jamie Wiggins, MS, RN, FACHE

The following staff members were in attendance:

Karen C. Lyon, PhD, APRN, ACNS-BC, NEA-BC, Executive

Director/CEO

Wanda Matthews, MPA, Chief Regulatory Officer

William Little, JD, MPA, Director of Investigations

Urhonda Beckwith, MSN, APRN, FNP, RNP Director

Robin Huet, RN, Compliance Officer

Jelesia Sellars, RN, Compliance Officer

Carrie LeBlanc Jones, JD, LSBN General Counsel

Domoine Rutledge, JD, Board Attorney

Lauren Reed, JD, Board Attorney

Suzanne C. Armand, CCR, CVR, Court Reporter

Karey Lyn Thigpen

Motion:

by T. Kindall, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following modification and changes:

Respondent was not present and not represented by counsel.

Number 11 on page 4 is changed to read Number 12.

Number 12, Bullet 1, second sentence is changed to read, "The complainant presented photographs of medication packages reportedly found on Respondent's nightstand bearing the names of current or previous residents of Camelot Place Nursing Home."

First Number 12 on page 5 is changed to read Number 13.

Second Number 12 on page 5 is changed to read Number 14.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by T. Kindall, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by T. Kindall, seconded, that the Board adopt the Board Order as presented by the Prosecuting Attorney with the following changes:

Number 9, "Payment of \$5,000 to the Board as a fine." Number 10, "Payment of \$880 to the Board as cost of the hearing."

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Zellisha Marie Dejean

Motion:

by J. Wiggins, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following modification:

Respondent was present and not represented by counsel.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by J. Wiggins, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by J. Wiggins, seconded, that the Board adopt the Board Order as presented by the Prosecuting Attorney with the following changes:

OPTION #2

"It is **ORDERED**, **ADJUDGED**, **AND DECREED** that the Registered Nurse license of this Respondent is suspended for three (3) years, suspension stayed. Respondent shall:"

Number 1 is changed to read: "Work in a restrictive environment of a treatment team rather than alone or with a few employees. Additionally, not to be employed in any unsupervised setting and must be directly supervised by an onsite Registered Nurse, not be employed in any agency/pool/staffing, home health services or nursing home."

Number 2 is changed to read: "Submit evidence of compliance with all court-ordered probation and/or parole community service and restitution."

Number 3 is changed to read: "Within three (3) months submit written evidence of completion of LSBN staff approved continuing education hours in the areas of Professional Accountability & Legal Liability for Nursing (4.6 Hours), Righting a Wrong: Ethics & Professionalism in Nursing (3.0 Hours), and Do you Reflect a Positive Image of Nursing (1.0 Hour). See LSBN website, monitoring – Resources for CE courses."

Strike Numbers 4 through 7. Renumber 8 through 12 to 4 through 8.

Number 5, "Submit payment of 0 dollars as a fine."

Number 6, "Submit payment of \$300 to the Board as cost of the hearing."

OPTION 2 NPDB Narrative: By Final Order, Respondent's Louisiana Registered Nurse license is suspended for three (3) years, suspension stayed, after Respondent pled guilty to Health Care Fraud in the United States District Court, Eastern District of Louisiana.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Erica Nicole Edwards

Motion:

by T. Moffatt, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following clarification:

Respondent was not present for the hearing and was not represented by counsel.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by T. Moffatt, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by T. Moffatt, seconded, that the Board adopt the Board Order as presented by the Prosecuting Attorney with the following changes:

OPTION 2

"It is **ORDERED**, **ADJUDGED**, **AND DECREED** that the Registered Nurse license of this Respondent is suspended for three (3) years, suspension stayed."

"Respondent whose license is currently inactive may reapply for active status under the stipulations outlined."

Number 1 is changed to read, "Work in a restrictive environment of a treatment team rather than alone or with a few employees. Additionally, Respondent may not be employed in any unsupervised setting and must be directly supervised by an onsite Registered Nurse, not be employed in any agency/pool/staffing, home health services or nursing home.

Number 2 is changed to read, "Submit evidence of compliance with all courtordered probation and/or parole, community service, or restitution plans."

Number 3 is changed to read, "Within three (3) months Respondent will provide written notice to the Louisiana State Board of Nursing Staff of approved continuing education hours in the areas of Professional Accountability & Legal Liability for Nursing (4.6 Hours), Righting a Wrong: Ethics & Professionalism in Nursing (3.0 Hours), and Do you Reflect a Positive Image of Nursing (1.0 Hours). See LSBN website, monitoring – Resources for CE courses."

Strike Numbers 4 through 7. Numbers 8 through 12 are renumbered 4 through 8.

Number 5, "Submit payment of 0 dollars as a fine."

Number 6, "Submit payment of \$120 to the Board for cost of the hearing."

NPDB Narrative will read:

OPTION #2 NPDB Narrative: "By Final Order, Respondent's Louisiana Registered Nurse license is suspended for three (3) years with stipulations, suspension stayed, after Respondent pled guilty to Health Care Fraud in the United States District Court, Eastern District of Louisiana."

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Rhonda Yvette Maberry

Motion:

by J. Manning, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following modification.

Respondent was present and was represented by counsel, Mr. Dylan C. Utley.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by J. Manning, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by J. Manning, seconded, that the Board adopt the Board Order as presented by the Prosecuting Attorney with the following changes:

OPTION #2

Number 2, changed to read, "Submit evidence of compliance of all court-ordered probation and/or parole, community service, and restitution."

Number 9, "Submit payment of 0 dollars as a fine."

Number 10, "Submit payment of \$860 to the Board as the cost of the hearing."

OPTION #2 NPDB Narrative: "By Final Order, Respondent's Louisiana Registered Nurse and Advanced Practice Registered Nurse licenses are suspended for three (3) years with stipulations, after Respondent pled guilty to Health Care Fraud in United States District Court, Eastern District of Louisiana."

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Suprenia Wilson Washington

Motion:

by A. Carruth, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following modification:

Respondent was present and not represented by counsel.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by A. Carruth, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney with the following changes:

Strike Bullet 2 under Number 3.

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by A. Carruth, seconded, that the Board adopt the Board Order as presented by the Prosecuting Attorney with the following changes:

OPTION #2

"It is **ORDERED**, **ADJUDGED**, **AND DECREED** that the Registered Nurse license of this Respondent is suspended for three (3) years, suspension stayed with stipulations. Respondent shall:"

Number 1 is changed to read, "Work in a restrictive environment of a treatment team rather than alone or with a few employees. Additionally, not to be employed in any unsupervised setting and must be directly supervised by an onsite Registered Nurse, not to be employed in any agency/pool/staffing, home health services or nursing home."

Number 2 is changed to read, "Submit evidence of compliance with all court-ordered probation and/or parole, community service, and restitution."

Number 3 is changed to read, "Within three (3) months submit written evidence of completion of LSBN staff approved continuing education hours in the areas of Professional Accountability & Legal Liability for Nursing (4.6 Hours), Righting a Wrong: Ethics & Professionalism in Nursing (3.0 Hours), and Do you Reflect a Positive Image of Nursing (1.0 Hours). See LSBN website, monitoring – Resources for CE courses."

Strike Current Numbers 4 through 7. Renumber 8 through 12.

Number 5, "Submit payment of 0 dollars as a fine."

Number 6, "Submit payment of \$650 to the Board as cost of the hearing."

Option #2 NPDB Narrative: "By Final Order, Respondent's Louisiana Registered Nurse and Advanced Practice Registered Nurse licenses are suspended for three (3) years with stipulations, after Respondent pled guilty to Health Care Fraud in United States District Court, Eastern District of Louisiana."

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

CONSENT ORDERS:

There were fourteen (14) matters considered by the Board as Consent Orders.

Motion:

by T. Kindall, seconded, that the Board accept the Consent Orders on the following individuals:

Nurse Practice Act Violations

Katelyn Joye Courville
Shelli Melissa Green
Kristie Thompson Henderson
Jeffrey Marion Koon
Kiona Tonae Lynum
Kathleen Marie Persell
Gretchen Bufkin Spencer
Meagan Veronica Veillion
Alecia Shattuck Wever
Shannon Michele Wright

Reinstatement of Licensure

Lisa Jones Baker Laura Nicole Candella Katherine Couch Devillier

Students

Sara Cox

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

RATIFICATION OF AUTOMATIC SUSPENSIONS:

There were nine (9) matters considered by the Board as ratification of Automatic Suspensions by Board staff.

Motion:

by T. Moffatt, seconded, that the Board ratify the Automatic Suspensions by Board staff on the following individuals:

Jeremy Heath Allen
Jodi Marie Beavers
Holly Elizabeth Connor
Raquel Loretta Foster
Daniel Andrew Moore
Mark Richard Nichols
Heather Guichet Ryan
Rachelle Claire Stephenson
Patricia Modica Workman

Voice Vote: A. Carruth-yes; T. Cotita-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; J. Wiggins-yes

Motion Carried

Motion:

by J. Manning, seconded, to reject the Consent Order of Laura Claus Franks and return the matter back to staff for conversion to an Automatic Suspension for a third violation of her RNP agreement.

ADJOURNMENT:

Motion: by T. Moffatt, seconded, to adjourn.

The Hearing Panel adjourned at 5:55 p.m.

TIM COTITA, PRESIDENT

LOUISIANA STATE BOARD OF NURSING