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

## MINUTES OF THE HEARING PANEL HELD ON WEDNESDAY. SEPTEMBER 14, 2022

**Call to Order:** The Hearing Panel of the Louisiana State Board of Nursing was called to

order at 10:22 a.m. by J. Manning, Alternate Officer, and Presiding Officer,

on Wednesday, September 14, 2022, at the Louisiana State Board of

Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

**Roll Call:** The following Board members were in attendance:

Jennifer Manning, DNS, APRN, CNS, CNE, Alternate Officer

Wendi Palermo, PhD, RN Frederick Pinkney, EdD

Denise Bottcher

Deborah Spann, MSN, RN-BC, CEN, FAEN

Teresita McNabb, RN, MHA

The following staff members were in attendance:

Karen C. Lyon, PhD, MBA, APRN-CNS, NEA, Executive Director/Chief

**Executive Officer** 

Wanda Matthews, MPA, BBA, Chief Compliance Officer

Carrie LeBlanc Jones, JD, MBA, Chief Legal Officer/General Counsel

Caroline Tomeny, JD, Prosecuting Attorney Chance Fontenot, RN, Compliance Officer Jelesia Sellars, RN, Compliance Officer

Nichole R. Battle, Compliance Investigator, Team Leader

Lenora Thomas, Compliance Investigator Tia Williams, Compliance Investigator Alicia Wheeler, JD, Hearing Officer

Suzanne C. Armand, CCR, CVR, Court Reporter

Ms. C. Jones stated there were no changes to the Agenda.

**Motion:** by T. McNabb, seconded, to approve the Agenda as presented.

There being no nays or abstentions, the motion carried.

**Motion**: by D. Bottcher, seconded, to authorize one panel member to approve the minutes

of today's Hearing Panel. D. Bottcher will review and approve.

There being no nays or abstentions, the motion carried.

**Motion:** by W. Palermo, seconded, to go into Executive Session pursuant to La. R.S.

42:17(1) for the purpose of hearing those disciplinary matters and/or reviewing

those consent orders, automatic suspensions and other disciplinary actions in the cases listed on the Agenda.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

#### Motion Carried

### **CONSENT ORDERS**

The following Consent Orders went on record as presented:

# **Nurse Practice Act Violations**

Blaire Weatherford Arceneaux Joni Martin Biondini Kelly Clark Bond Cynthia Lowe Bradstreet Kimberly Rose Cahill Genevieve Irene Labowicz John C. Mauer Stacy Hoffman Rabalais Noel Rita-Christine Robinson Christy Russell Seals Mary Vandersypen Setliff Matthew James Sibille Kimberly Lowery Wagner

## **Reinstatement of Licensure**

Joan Boyd Broussard John Matthew Cox Amanda Thereasa Gosack Lisa Broussard Griffin Christopher John Guy Mitchell Wayne Marcantel Stacie Nicole Stanley

## **Students**

Jade Ashton Bryan Caitlyn Marie Duplessy Shannon Elizabeth Paige

## RATIFICATION OF AUTOMATIC SUSPENSIONS

The following Automatic Suspensions by staff were presented to the Board for ratification:

Jenna Marie Baker Kevin James Chevalier Lore Vogel Richards Jessica Jorden Wallis

### REPORT OF DELAY/DENIAL BY STAFF

The following Delay/Denials by staff were presented to the Board for ratification:

Anthony John Cordaro Mackenzie Gates Erineesha Shelton

**Motion:** by W. Palermo, seconded to return to open session.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes;

D. Spann-yes; T. McNabb-yes.

Motion Carried

### **CONSENT ORDERS**

There were twenty-three (23) matters considered by the Board as Consent Orders.

**Motion:** By T. McNabb, seconded, that the Board accept the Consent Order for the

following individuals:

Nurse Practice Act
Blaire Weatherford Arceneaux
Joni Martin Biondini
Kelly Clark Bond
Cynthia Lowe Bradstreet
Kimberly Rose Cahill
Genevieve Irene Labowicz
John C. Mauer
Stacy Hoffman Rabalais
Noel Rita-Christine Robinson
Christy Russell Seals
Mary Vandersypen Setliff
Matthew James Sibille

# Reinstatement

Joan Boyd Broussard John Matthew Cox Amanda Thereasa Gosack Lisa Broussard Griffin Christopher John Guy

**Kimberly Lowery Wagner** 

Mitchell Wayne Marcantel Stacie Nicole Stanley

**Students** 

Jade Ashton Bryan Caitlyn Marie Duplessy Shannon Elizabeth Paige

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

**Motion Carried** 

## **RATIFICATION OF AUTOMATIC SUSPENSIONS:**

There were four (4) matters considered by the Board as ratification of Automatic Suspension by Board staff. W. Matthews' affidavits were introduced to support the position that these automatic suspensions were in order:

**Motion:** by W. Palermo, seconded, that the Board ratify the Automatic Suspension on the following individuals:

Jenna Marie Baker Kevin James Chevalier Lore Vogel Richards Jessica Jorden Wallis

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

Motion Carried

## RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There were three (3) matters considered by the Board as Ratification of Delay/Denial by staff action. C. Jones' affidavits were introduced to support the position that these Delay/Denials were in order:

**Motion:** by F. Pinkney, seconded, that the Board ratify the Delay/Denial by staff action on the following individuals:

Anthony John Cordaro Mackenzie Gates Erineesha Shelton

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

# **Motion Carried**

**Motion:** by W. Palermo, seconded, to return to Executive Session.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

#### Motion Carried

# **Robert Wayne Grant**

Charges Filed: 8/15/2022

The hearing began at 10:58 a.m. Mr. Grant was not present for the hearing and was not represented by Counsel.

Ms. C. Tomeny served as the prosecuting attorney.

Mr. Chance Fontenot, MSN, RN, Compliance Officer, was sworn in and testified as a witness for the Board.

Ms. Abigail Durrett, RN, was sworn in and testified as a witness for the Board.

Ms. Catherine Troquille, RN, was sworn in and testified as a witness for the Board virtually via Microsoft TEAMS.

Sixteen (16) exhibits were entered into evidence labeled Board 1 through 16.

Ms. Tomeny submitted proposed Findings of Fact and Conclusions of Law.

### **Cheneka Scott Miller**

Charges Filed: 08/12/2022

Ms. Miller entered the hearing room at 12:35 p.m. and was not represented by counsel.

Ms. Nicole Battle, Compliance Investigator, Team Leader, was sworn in and testified as a witness for the Board.

Ms. Chasidy Guthrie was sworn in and testified as a witness for the Board virtually via Microsoft TEAMS.

Ms. Shauna Lonadier, RN, was sworn in and testified as a witness for the Board virtually via Microsoft TEAMS.

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

Eleven (11) exhibits were submitted into evidence labeled Board 1 through 11.

Ms. Tomeny submitted proposed Findings of Fact and Conclusions of Law.

## **Heather Theresa Lejeune**

Charges Filed: 08/12/2022

The hearing began at 2:20 p.m. Ms. Lejeune was not present and was not represented by counsel.

Ms. C. Tomeny served as the prosecuting attorney.

Ms. Jelesia Sellars, RN, Compliance Officer, was sworn in and testified as a witness for the Board.

Ms. Lenora Thomas, Compliance Investigator, Team Leader, was sworn in and testified as a witness for the Board.

Ms. Marilyn Davis, RN, was sworn in and testified as a witness for the Board.

Ms. Peggy Anderson, RN, was sworn in and testified as a witness for the Board.

Mr. Alexus Bennett, LPN was sworn in and testified as a witness for the Board.

Mr. Steven Trahan was sworn in and testified as a witness for the Board.

Sixteen (16) exhibits were entered into evidence labeled Board 1 through 16.

Ms. Tomeny submitted proposed Findings of Fact and Conclusions of Law.

**Motion:** by W. Palermo, seconded, to go into Open Session.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

### Motion Carried

## **Robert Wayne Grant**

**Motion:** 

by T. McNabb, seconded, that the Board accept the Findings of Fact as submitted by the Prosecuting Attorney.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

**Motion:** 

by T. McNabb, seconded, that the Board accept the Conclusions of Law as submitted by the Prosecuting Attorney.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

**Motion:** 

by T. McNabb, seconded, that the Board adopt the following Board order with the following additions:

Line 10 to read, "Within 6 months, submit a payment of \$1,500 to the Board as a fine."

Line 11 to read, "Within 9 months, submit a payment of \$1,200 to the Board as cost of this hearing."

Line 12 to read, "Within 12 months, submit a payment of \$3,105 to the Board for the cost of legal fees."

Respondent was not present and was not represented by counsel.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

## **Cheneka Scott Miller**

**Motion:** 

by W. Palermo, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney with the following edits:

Page 2 of 4, combine Bullets 1 and 4. Bullet 1 now reads, "While visiting a family acquaintance, who was a patient in the Surgical Oncology wing, Respondent performed a bladder scan. The patient was not assigned to her care. Respondent was not on University Health's time clock working in the capacity of an employee at the time of the incident."

Keep Bullet 2.

Delete Bullets 3 and 5.

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

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

### **Motion:**

by W. Palermo, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney with the following edits:

Number 3, the third white bullet under the second black bullet is changed to read, "Respondent performed a procedure beyond the authorized scope of nursing or any specialty thereof;" L.A.C. 46:XLVII.3405(f).

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

#### **Motion:**

by W. Palermo, seconded, that the Board adopt the following Board order with the following changes:

"It is **ORDERED**, **ADJUDGED**, **AND DECREED**, that the license of this registrant is formally reprimanded with the following stipulations:"

Delete, "It is **FUTHER ORDERED**"

Delete Numbers 1 through 8.

Keep Number 9, which becomes Number 1.

Delete Number 10.

Number 11, which becomes Number 2, "Within 6 months, submit payment of \$600 to the Board as cost of hearing."

Number 12, which becomes Number 3, "Within 12 months, submit payment of \$2,677.50 to the Board for cost of legal fees."

Delete Number 13.

Number 14, which becomes Number 4, is changed to read, "Not have any further misconduct, criminal violations or convictions, or violations of any heath care regulations related to this or any other incidents.

Number 15, which becomes Number 5, is changed to read, "Failure to comply with above orders on or before the due date shall result in the immediate suspension of this Respondent's RN license."

Reporting will read, "This will be reported to the National Practitioner Data Bank (NPDB) as D8: Other Unprofessional Conduct, treated a patient while off-duty, and 99: Other Not Classified, Failure to Utilize Appropriate Judgement."

NPDB Narrative will read:

"By Final Order, Respondent's Registered Nurse license is reprimanded after Respondent inserted a Foley catheter without a physician order for a patient not assigned to her care while off-duty."

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

### **Heather Theresa Lejeune**

**Motion:** 

by F. Pinkney, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney.

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

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

**Motion:** 

by F. Pinkney, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

**Motion:** 

by F. Pinkney, seconded, that the Board adopt the following Board order with the following changes:

Number 15, "Within 6 months, submit payment of \$1,500 to the Board as a fine."

Number 16, "Within 9 months, submit payment of \$900 to the Board as cost of this hearing."

Number 17, "Within 12 months, submit payment of \$4,365.00 to the Board as cost of legal fees."

Voice Vote: J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; D. Bottcher-yes; D. Spann-yes; T. McNabb-yes.

#### **ADJOURNMENT:**

**Motion**: by W. Palermo, seconded, to adjourn.

The Hearing Panel adjourned at 4:35 p.m.

J. MANNING, ALTERIATE OFFICER, AND PRESIDING OFFICER LOUISIANA STATE BOARD OF NURSING