

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

MINUTES OF THE HEARING PANEL HELD ON WEDNESDAY, JULY 20, 2022

Call to Order: The Hearing Panel of the Louisiana State Board of Nursing was called to order at 9:02 a.m. by T. Moffatt, Vice President, and Presiding Officer, on Wednesday, July 20, 2022, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Tracey Moffatt, MHA, BSN, RN, Vice President, and Presiding Officer
Jennifer Manning, DNS, APRN, CNS, CNE, Alternate Officer
Wendi Palermo, PhD, RN
Frederick Pinkney, EdD
Mimi Primeaux, MS, BSN, CRNA
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
Lauren Papillion, JD, Prosecuting Attorney
Robin Huet, RN, Compliance Officer
Lenora Thomas, Compliance Investigator
Tia Williams, Compliance Investigator
Geneva Carter, MSN, APRN, FNP, RNCO Team Leader
Christian Accardo, RN Compliance Officer
Nichole R. Battle, Compliance Investigator Team Leader
Lynette Butler, MSN, RN, Case Manager
Thomas E. Devillier, JD, Hearing Officer
Suzanne C. Armand, CCR, CVR, Court Reporter

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

Motion: by J. Manning, seconded, to approve the Agenda as presented.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Motion: by T. McNabb, seconded, to authorize one panel member to approve the minutes of today's Hearing Panel. T. McNabb will review and approve.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;

M. Primeaux-yes; T. McNabb-yes.

Motion: by F. Pinkney, 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: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Jessica Delatte Dufrene

Clinical Denial: 05/11/2022

Request for Reconsideration: 06/06/2022

The hearing began at 9:12 a.m. Ms. Dufrene was present virtually and was not represented by counsel.

Ms. Dufrene was sworn in and petitioned the Board for reconsideration of the denial of her Application for Approval to Enroll in Clinical Nursing Courses.

Ms. L. Papillion served as the prosecuting attorney and opposed the Request for Reconsideration.

Ms. Papillion submitted a Memorandum in Opposition to Petition for Reconsideration.

One (1) exhibit was entered into evidence labeled P-1.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

Melissa Smith

Automatic Suspension: 05/02/2022

Request for Reconsideration: 05/10/2022

Ms. Smith entered the hearing room at 9:34 a.m. and was not represented by counsel.

Ms. Smith was sworn in and petitioned the Board for reconsideration of the automatic suspension of her Louisiana RN license.

Ms. L. Papillion served as the prosecuting attorney and opposed the Request for Reconsideration.

Ms. Papillion submitted a Memorandum in Opposition to Petition for Reconsideration.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

Joe Michael Brown

Automatic Suspension: 02/18/2022

Show Cause Order: 06/30/2022

The hearing began at 10:20 a.m. Mr. Brown was not present for the hearing and was not represented by counsel.

Ms. Lauren Papillion served as the prosecuting attorney.

Lynette Butler, MSN, RN, Recovery Nurse Manager, was sworn in and testified as a witness for the Board.

Twenty-three (23) exhibits were entered into evidence labeled Board 1 through 23.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

Amanda L. Mills

Charges Filed: 06/30/2022

The hearing began at 11:16 a.m. Ms. Mills was not present for the hearing and was not represented by counsel.

Ms. Lauren Papillion served as the prosecuting attorney.

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

Fifteen (15) exhibits were entered into evidence labeled Board 1 through 15.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

Michael Wallace

Charges Filed: 06/30/2022

The hearing began at 12:45 p.m. Mr. Wallace was not present for the hearing and was not represented by counsel.

Ms. Lauren Papillion served as the prosecuting attorney.

Robin Huet, RN, Compliance Officer, was sworn in and testified as a witness for the Board.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

Ten (10) exhibits were entered into evidence labeled Board 1 through 3-A and 4 through 9.

Ms. Papillion submitted Proposed Findings of Fact and Conclusions of Law.

CONSENT ORDERS

The following Consent Orders went on record as presented:

Nurse Practice Act

Marian Urelaine Bell
Alison Margaret Burgess
Trent Michael Carpenter
Elizabeth Ann Carrington
Ashley Nicole Christensen
Wilfred Clark
Christine Hebert Guidry
Heather Elizabeth Humble
Donna Richard Levy
Russell Leon McKinney
Gretchen Giraud Russell
Kristin Cannon Segura
Rachel Gardner Simmons
Chenelle Joseph Small
Pamela Watson Smith
Kelly Howell Way
Kacee Devin Woodard
Ray A. Young

Reinstatement of Licensure

Brian Anthony Canale
Kimberly Lafleur
Kelly Jude Vincent

Students

Mireya Garcia Gammage
Tiara Lontay Johnson

**Emily Elizabeth Nosacka
Casside Yvonne Parfait**

REPORT OF AUTOMATIC SUSPENSIONS

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

Michelle Nicole Zornes

REPORT OF DELAY/DENIAL BY STAFF

The following delay/denial by staff was presented to the Board for ratification:

Jessica Marie Henry

REPORT OF MULTIPLE ACTIONS

The following ratification of Multiple Actions was presented to the Board for ratification:

Danielle McCarthy Sutherland

Motion: by M. Primeaux, seconded, to return to Open Session.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;
M. Primeaux-yes; T. McNabb-yes.

Joseph Michael Brown

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

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;
M. Primeaux-yes; T. McNabb-yes.

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

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;
M. Primeaux-yes; T. McNabb-yes.

Motion: by W. Palermo, second, that the Board adopt the following Board Order:

Option 1:

It is **ORDERED, ADJUDGED, AND DECREED**, that the Registered Nurse license of this Respondent is revoked, and Respondent may not apply for reinstatement until five (5) years from the date of this Order, receipt of approval from Board staff, and submission to the reinstatement process.

Reporting: This will be reported to the National Practitioner Data Bank (NPDB) as F2: Unable to Practice Safely by Reason of Alcohol or Other Substance Abuse and 1110: Revocation of License.

NPDB Narrative: By Final Order, Respondent's license is revoked for a minimum of five (5) years following Respondent's third non-compliance.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Amanda L. Mills

Motion: by M. Primeaux, seconded, that the Board accept the Findings of Fact as presented by the Prosecuting Attorney.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Motion: by M. Primeaux, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Motion: by M. Primeaux, seconded, that the Board adopt the following Board Order:

It is **ORDERED, ADJUDGED AND DECREED** that a Letter of Reprimand is issued and becomes a part of this Respondent's permanent file.

Delete Numbers 1 through 5.

Reporting: This will be reported to the National Practitioner Data Bank (NPDB). Failure to Disclose and 99: Other-Not Classified, Alcohol Related Arrest.

NPDB Narrative: By Final Order, Respondent is issued a Formal Reprimand after Respondent was arrested for Driving Under the Influence and failed to disclose the arrest on her Application for Licensure as Registered Nurse (RN) by Endorsement.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Michael Wallace

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

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-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: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

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

It is **ORDERED, ADJUDGED, AND DECREED** that the Registered Nurse license of this Respondent is suspended, with a stay of the said suspension, and that the license is probated for two (2) years, with the following stipulations:

Respondent shall:

Within thirty (30) days, submit to a forensic outpatient evaluation at Respondent's expense with either Thomas Carl Fain, PhD (225-387-3325) or Brandon P. Romano, Psy. D., M.S.C.P., (225-769-2533), which Evaluation shall include an anger management evaluation and/or other testing deemed appropriate by the qualified evaluator based on Respondent's history. Respondent shall further authorize and cause a written report of the Evaluation to be submitted to the Board. The Evaluation report shall include diagnosis, course of treatment, prescribed and/or recommended treatment, prognosis, and/or professional opinion as to Respondent's capability of practicing nursing with reasonable skill and safety to patients.

Submit all pages of this Findings of Fact, Conclusions of Law, and Order to each qualified evaluator prior to the start of the Evaluation for the Evaluation to be deemed valid.

Immediately submit to all recommendation(s) of the qualified evaluator and provide evidence of continued compliance with all recommendation(s) made by the qualified evaluator. Respondent shall meet with the Board or Board staff if the Evaluation results in any treatment, recommendation(s), or finding that warrants concern for patient safety. In any such event, Respondent shall demonstrate to the reasonable satisfaction of the Board that Respondent poses no danger either to the practice of nursing or the public and that Respondent is able to safely and competently perform the duties of a registered nurse.

Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Respondent is responsible to submit a copy of all pages of this Findings of Fact, Conclusions of Law, and Order to each employer and nursing supervisor.

Prior to beginning or returning to work, cause all employers to submit to the Board a signed Employer's Agreement from each employer.

Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July, and October.

Work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an onsite registered nurse or other healthcare professional that is higher on the organizational chart than Respondent. Not be employed in agency/pool/staffing, home health services, or nursing homes.

Immediately (within 72 hours) inform the Board in writing of any change in address.

Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.

If unemployed, inform the Board in writing on a quarterly basis.

Shall engage in the practice of professional nursing in Louisiana for a minimum of twenty-four (24) hours per week for a minimum twelve (12) consecutive months.

On or before Friday, January 20, 2023, submit payment of \$1,000.00 to the Board as a fine.

On or before Friday, January 20, 2023, submit payment of \$600.00 to the Board as cost of this hearing.

By the first of each month, submit a monthly probation fee of twenty-five dollars (\$25.00) to the Board, beginning September 1, 2022.

Not have any further misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.

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 the immediate suspension of Respondent's license. This suspension can be imposed by action of the Executive Director subject to the discretionary review of the Board.

Reporting: This will be reported to the National Practitioner Data Bank (NPDB) as 14: Patient Abuse and F7: Substandard or Inadequate Skill Level.

NPDB: Narrative: By Final Order, Respondent's Registered Nurse license is suspended with stay and probated for two (2) years with stipulations after Respondent failed to use proper CPI de-escalation techniques and engaged in a physical altercation with a person.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Jessica Delate Dufrene

Motion: by J. Manning, seconded, that the Board adopt the following Board Order:

Option 1

It is **Ordered, Adjudged, and Decreed** that Petitioner's Petition for Reconsideration is DENIED and the denial of Petitioner's application to enroll in clinical nursing courses in Louisiana, ratified by the Board on June 16, 2022, is affirmed.

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

Melissa Smith

Motion: by T. McNabb, seconded, that the Board adopt the following Board Order:

Option 1

It is **Ordered, Adjudged, and Decreed** that the Petitioner's Petition for Reconsideration is DENIED, and the suspension of the Petitioner's license to practice as a Registered Nurse in Louisiana, ratified by the Board on May 18, 2022, is affirmed.

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

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

CONSENT ORDERS

There were thirty-five (25) matters considered by the Board as Consent Orders.

Motion: By J. Manning, seconded, that the Board accept the Consent Order for:

Nurse Practice Act

Marian Urelaine Bell

**Alison Margaret Burgess
Trent Michael Carpenter
Elizabeth Ann Carrington
Ashley Nicole Christensen
Wilfred Clark
Christine Hebert Guidry
Heather Elizabeth Humble
Donna Richard Levy
Russell Leon McKinney
Gretchen Giraud Russell
Kristin Cannon Segura
Rachel Gardner Simmons
Chenelle Joseph Small
Pamela Watson Smith
Kelly Howell Way
Kacee Devin Woodard
Ray A. Young**

Reinstatement of Licensure

**Brian Anthony Canale
Kimberly Lafleur
Kelly Jude Vincent**

Students

**Mireya Garcia Gammage
Tiara Lontay Johnson
Emily Elizabeth Nosacka
Casside Yvonne Parfait**

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;
M. Primeaux-yes; T. McNabb-yes.

RATIFICATION OF AUTOMATIC SUSPENSIONS:

There was one (1) matter considered by the Board as ratification of Automatic Suspension by Board staff. W. Matthews' affidavit was introduced to support the position that this automatic suspension was in order:

Motion: by, M. Primeaux, seconded, that the Board ratify the Automatic Suspensions on the following individual:

Michelle Nicole Zornes

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes;

M. Primeaux-yes; T. McNabb-yes.

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There was one (1) matter considered by the Board as Ratification of Delay/Denial by staff action. C. Jones' affidavit was introduced to support the position that this Delay/Denials was in order:

Motion: by T. McNabb, seconded, that the Board ratify the Delay/Denial by staff action on the following individual:

Jessica Marie Henry

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

RATIFICATION OF MULTIPLE ACTIONS

There was one (1) matter considered by the Board as a Report of Multiple Actions.

Motion: by W. Palermo, seconded, that the Board ratify the following multiple actions:


Danielle McCarthy Sutherland

Voice Vote: T. Moffatt-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes; M. Primeaux-yes; T. McNabb-yes.

ADJOURNMENT:

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

The Hearing Panel adjourned at 2:45 p.m.



**T. MOFFATT, VICE PRESIDENT, AND PRESIDING OFFICER
LOUISIANA STATE BOARD OF NURSING**