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

MINUTES OF THE HEARING PANEL HELD ON WEDNESDAY, JULY 19, 2023

Call to Order:	The Hearing Panel of the Louisiana State Board of Nursing was called to order at 9:08 a.m. by J. Manning, Alternate Officer, and Presiding Officer, on Wednesday July 19, 2023, 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, and Presiding Officer Teresita McNabb, RN, MHA Mimi Primeaux, MS, BSN, CRNA Denise Bottcher Deborah Spann, MSN, RN-BC,CEN, FAEN Michelle Collins, Ph.D., CNM, RNC-EFM, FACNM, FAAN, FNAP <u>The following staff members were in attendance</u> : Karen C. Lyon, PhD, MBA, APRN-CNS, NEA, Executive Director/CEO Carrie LeBlanc Jones, JD, MBA, Chief Legal Officer/General Counsel Lauren Papillion, JD, Chief Compliance Officer Urhonda Beckwith, MSN, APRN, FNP-BC, RNP Director Geneva Carter, MSN, APRN, FNP, RN Compliance Officer Team Lead Jelesia Sellars, RN Compliance Officer Nicole Battle, Compliance Investigator Team Lead Chancelor Fontenot, RN Compliance Officer Caroline Tomeny, JD, Board Attorney Donald Bowman, JD, Director of Hearings/Prosecuting Attorney Alicia Wheeler, JD, Hearing Officer Suzanne C. Armand, CCR, CVR, Court Reporter

Ms. Jones stated there was one change to the Agenda. There was a late Consent Order received to settle the Amie Chambers case. Mr. David Aden, the attorney for Ms. Chambers, was available virtually to ask the Board to accept the Consent Order since it was submitted after the deadline.

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-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.
- Motion: by T. McNabb, 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; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Amie Parrot Chambers

Charges Filed: 05/03/2023.

The matter was called at 9:10 a.m. Ms. Chambers was not present. Mr. David Aden, attorney for Ms. Chambers, was present (virtually).

Ms. Jones stated that Mr. Aden was present virtually in case the Board did not accept the Consent Order and to address why it was submitted late.

Mr. Aden stated that after discussion and reviewing the evidence, Ms. Chambers accepted the Consent Order that was presented.

Mr. Aden apologized for the lateness.

Ms. Jones requested that a motion be made to accept the Consent Order for the Board's review and then be added to the list of cases for ratification at the end of the day because the Board has not had a chance to review the Consent Order.

Motion: by T. McNabb, seconded, to accept the signed Consent Order of Ms. Chambers for the Board to review.

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Sharon Husser Lavigne

Charges Filed: 4/28/2023.

Ms. Lavigne entered the hearing room at 9:15 a.m. and was not represented by counsel.

Ms. Caroline Tomeny served as the Prosecuting Attorney for the Board. Ms. Jelesia Sellars, RN Compliance Officer, was sworn in and testified as a witness.

Ms. Asley Marks, RN, was sworn in and testified as a witness.

Mr. Jason Gouedy, RN, was sworn in and testified as a witness.

Mr. Charles Abrams, RN, was sworn in and testified as a witness.

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

Twenty-one (21) exhibits were entered into evidence labeled Board Exhibit 1 through 21.

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

Claudia McKinney Neyland

Charges Filed: 09/16/2022. Continued from: 02/16/2023.

The hearing started at 11:24 a.m. Ms. Neyland was not present and was not. represented by counsel.

Ms. Jones served as the Prosecuting Attorney for the Board.

Mr. Chancelor Fontenot, RN Compliance Officer, was sworn in and testified as a witness.

Ms. Jamie Malone, RN, was sworn in and testified as a witness.

Twenty-seven (27) exhibits were entered into evidence labeled Board Exhibit 1 through 27.

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

<u>Dustin Michael Parra</u>

Charges Filed: 05/04/2023.

The hearing began at 1:20 p.m. Mr. Parra was present virtually and was not represented by counsel.

Ms. Caroline Tomeny served as the Prosecuting Attorney for the Board.

Nicole Battle, Compliance Investigator Team Lead, was sworn in and testified as a witness.

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

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

CONSENT ORDERS

The following Consent Orders went on record as presented:

Nurse Practice Act Violations John-Paul Houston Bourn **Amanda Cooper Bruce** Lauren Wactor Callis **Amie Parrot Chambers Monica Hogue Derouen Peggy Nicole Fontenot** Holden Gerard Hoerner Zenesha Mesha Joseph Nita Thompson Krehbiel Ashley Unowitz Loiacono Kelly Anne McGee Cody James Naquin Karen Elyse Rosenow Marla Virginia Sigrest **Ashley Ethel Smith Howard Paul Suire**

<u>Reinstatement</u> Crystal Dauzat Grant Dane Gyarfas Bonnie Joffrion Peltier Shannon Leonnie Youngblood

<u>Students</u> Cynthia Neomie Marie Brown

RATIFICATION OF AUTOMATIC SUSPENSIONS

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

Lauren Elizabeth Ernst Paul Jeffery Fabre Pat Kip Ferrell Julie Joellen Glover Rachel Berg Hollander Misty Richard Ramirez

RATIFICATION OF DELAY/DENIAL BY STAFF

The following delay/denials by staff were presented to the Board for ratification:

Megan Currey Deaton Deyonta O. Williams

CEASE AND DESIST PRIVILEGE TO PRACTICE

The following Cease and Desist Privilege to Practice by staff action was presented to the Board for ratification:

Bradley Face

Jennifer Hackler Cataldie

Summary Suspension: 3/14/2023. Charges Filed: 3/14/2023. Continued from: 5/17/2023.

Mr. Bowman served as the Prosecuting Attorney and presented a Stipulated Agreement to the Board wherein the parties agreed to the continued summary suspension of Respondent's Louisiana RN license and further agreed to continue the hearing on the merits without date.

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Jennifer Hackler Cataldie

Motion: by D. Spann, seconded, to accept the Stipulated Agreement.

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Sharon Husser Lavigne

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

On Page 2 of 4, delete the first paragraph and the three bullets that follow:

"On March 7, 2020, the Patient JG, who was not assigned to her care and who was a comfort measures patient."

- Respondent administered a narcotic, Dilaudid.
- Respondent reportedly offered to help the assigned nurse with giving Patient JG meds by alternating administration between the primary nurse and herself.
- When approached by administration concerning her actions, Respondent stated that she was just trying to help the primary nurse.

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Motion: by T. McNabb, seconded, that the Board accept the Conclusions of Law as presented by the Prosecuting Attorney with the following changes.

On page 2 of 4, delete the first clear bullet that says:

• *"Respondent failed to practice nursing in accordance with the legal standards of nursing practice; LAC 46:XLVII.3405(a).*

And on Page 3 of 4, delete the first clear bullet that says:

 Respondent has violated a rule adopted by the Board, an order of the Board, or a state or federal law relating to the practice of professional nursing or a state or federal narcotics or controlled substance law: LAC 46:XLVII.3405(0).

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion: by T. McNabb, second, that the Board adopt the following Board Order as presented by the Prosecuting Attorney with the following changes:

Number 10, "No fine, so submit 0 dollars as a fine to the Board."

Number 11, "Within 12 months, submit a payment of \$2,002.50 to the Board as legal fees."

Number 12, "Within 12 months, submit a payment of \$1,200 to the Board as cost of hearing."

Under **Reporting**, the following changes were made:

Delete "H6: Inappropriate Acquisition or Diversion of Controlled Substances"

Under NPDB Narrative, the following changes were made:

delete "behaviors indicative of drug diversion and"

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Claudia McKinney Neyland

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Motion: by M. Primeaux, second, that the Board adopt the following Board Order as presented by the Prosecuting Attorney with the following changes:

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

Number 16, "Within 6 months, submit payment of \$600 to the Board as cost of hearing."

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Dustin Michael Parra

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

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

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

Motion: by T. McNabb, second, that the Board adopt the following 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 permanently revoked, and Respondent is not eligible to practice nursing in Louisiana or to submit a reinstatement application.

"Within 12 months, submit a payment of \$1,500 to the Board as a fine."

"Within 12 months, submit a payment of \$1,012.50 to the Board as legal fees."

"Within 12 months, submit a payment of \$600 to the Board as cost of hearing."

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

CONSENT ORDERS

There were twenty-one (21) matters considered by the Board as Consent Orders.

Motion: By M. Collins, seconded, that the Board accept the Consent Orders for the following individuals:

Nurse Practice Act Violations John-Paul Houston Bourn Amanda Cooper Bruce Lauren Wactor Callis **Amie Parrot Chambers Monica Hogue Derouen Peggy Nicole Fontenot Holden Gerard Hoerner** (Accepted as written but with choice of a second evaluator.) Zenesha Mesha Joseph Nita Thompson Krehbiel Ashley Unowitz Loiacono Kelly Anne McGee **Cody James Naquin** Karen Elyse Rosenow Marla Virginia Sigrest **Ashley Ethel Smith Howard Paul Suire**

<u>Reinstatement</u> Crystal Dauzat Grant Dane Gyarfas Bonnie Joffrion Peltier Shannon Leonnie Youngblood

<u>Students</u> Cynthia Noemie Marie Brown

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

RATIFICATION OF AUTOMATIC SUSPENSIONS:

There were six (6) matters considered by the Board as ratification of Automatic Suspension by Board staff. L. Papillion's affidavits were introduced to support the position that these automatic suspensions were in order:

Motion: by M. Primeaux, seconded, that the Board ratify the Automatic Suspension on the following individuals:

Lauren Elizabeth Ernst Paul Jeffery Fabre Pat Kip Ferrell Julie Joellen Glover Rachel Berg Hollander Misty Richard Ramirez

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There were two (2) 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 D. Bottcher, seconded, that the Board ratify the Delay/Denial by staff action on the following individuals:

Megan Currey Deaton Deyonta O. Williams

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

CEASE AND DESIST PRIVILEGE TO PRACTICE

There was one (1) Cease and Desist Privilege to Practice letter by staff action considered by the Board for ratification for the following individual. C. Jones' affidavit was introduced to support the position that the Cease and Desist Privilege to Practice letter was in order.

Motion: by D. Spann, seconded, that the Board ratify the Cease and Desist Privilege to Practice letter by staff action for the following individuals:

Bradley Face

Voice Vote: J. Manning-yes; T. McNabb-yes; M. Primeaux-yes; D. Bottcher-yes; D. Spann-yes; M. Collins-yes

Motion Carried

ADJOURNMENT:

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

The Hearing Panel adjourned at 3:00 p.m.

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