LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS
3421 NORTH CAUSEWAY BOULEVARD, SUITE 505
METAIRIE, LOUISIANA 70002-3715
(504) 838-5791
FAX (504) 838-5279
www.lsbpne.com

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JUN 25 2013
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In the matter of: **Jana Ellis**
P.O. Box 1083
Waskom, TX 75692

License #20110497

Date offered: **June 17, 2013**

Date offer expires: **July 8, 2013**

CONSENT ORDER

The Louisiana State Board of Practical Nurse Examiners does hereby offer this consent order to Jana Ellis, license #20110497 based on the following:

> The board received information from Heritage Manor Stratmore that the respondent was terminated on 2/7/13 following an investigation. Reportedly, on 2/5/13, the respondent was assigned to care for resident, H. Richter. At about 2:30 a.m., the resident was found repeatedly attempting to get out of bed without assistance. The respondent administered another resident's Seroquel 300 mg to Mr. Richter. The resident was later found in a wheelchair at the nurses' station with his head down. He had a blood pressure reading of 94/37. The physician was notified and ordered the resident be sent to the emergency room. However, the resident's next blood pressure reading was 120/48. The resident was monitored and not sent to the emergency room. The respondent admitted to administering another resident's medication.

Based on the evidence submitted, the board has concluded that Ms. Ellis is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II. Practical Nurses, **Section 969 A. 4. (c) is unfit, or incompetent by reason of negligence habit, or other causes; (f) is guilty of unprofessional conduct; (g) has violated any provision of this part and §978 A. (8).**

As further defined in the Louisiana Administrative Code, Title 46, Part XLVII. Nurses, Subpart 1, Practical Nurses, Section 306, T.

3. being unfit, or incompetent by reason of negligence, habit or other causes;
8. being guilty of unprofessional conduct;
- **a. failure to practice practical nursing in accordance with the standards normally expected;**
- **b. failure to utilize appropriate judgment in administering nursing practice;**
- **c. failure to exercise technical competence in carrying out nursing care;**

J.E.
Jana Ellis

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g. **improper use of drugs, medical supplies, or patients' records;**
h. **misappropriating personal items of an individual or the agency;**
j. **intentionally committing any act that adversely affects the physical or psychosocial welfare of the patient;**
t. **violating any provisions of R.S. 37:961 et seq. (the practical nursing practice act), as amended or aiding or abetting therein.**

In lieu of a formal hearing in the matter, the respondent consents to accept and abide by the following orders of the board:

A. That the respondent's license be placed on probation for a period of **one (1) year** with the following stipulations:

1. **License:**

The license of the respondent will be stamped "**PROBATION**".

2. **Fines/Fees:**

A. The respondent is hereby fined $250.00, **payable by cashier's check or money order only**, for the violations detailed in the Conclusions of Law, and payable within thirty (30) days of the acceptance of this agreement.

B. The respondent is to submit a $500.00 annual probation monitoring fee, **payable by cashier's check or money order only.**

i. Due within three (3) months of receiving a probated license, and annually thereafter until the probation is satisfactorily completed

ii. Failure to pay this fee in the time allotted will result in the immediate suspension of the respondent's practical nursing license.

3. **Employment:**

A. The respondent must provide a copy of the entire board order/consent order to include the Findings of Facts and Conclusions of Law immediately to any/all current employer(s) and at the time of application to any/all prospective employer(s).

J.E.
Jana Ellis

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i. If the respondent is already employed as an LPN, then the current employer must submit the Letter of Hire to the board office within ten (10) days of the date of the board order/consent order.

ii. Upon obtaining new employment as an LPN, the respondent must have the prospective employer submit the Letter of Hire to the board office within ten (10) days of the date of hire.

B. All current and prospective employers must agree to monitor the respondent while on probation.

C. Probation will run concurrent with employment as an LPN.

D. The respondent must be employed a minimum of 80 hours per month.

E. The respondent shall notify the board, in writing, within ten (10) days of any change in personal address, telephone number, or employment. Changes in employment include accepting a new job, as well as resignation, or termination.

F. The probationary period will not commence or progress until and unless the respondent is employed and delivering direct patient care as a licensed practical nurse.

G. Failure to maintain stable employment may be grounds for termination of probation.

H. The respondent must practice under the supervision of a nurse (RN or LPN whose license is unencumbered) or physician and must provide direct patient care as follows:

i. The respondent must be supervised on a regular and consistent basis by his/her assigned supervisor. The supervisor must observe and work closely enough with the respondent to be able to give an informed evaluation of the respondent. The employer must be willing to allow this supervision and provide opportunities for the same supervisor to evaluate the performance of the respondent.

ii. It is the respondent's responsibility to ensure that his/her supervisor submits the evaluation reports quarterly.

J. E.
Jana Ellis

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a. Reports are due on or before the 10th day of January, April, July, and October of each year. (Note: these forms will be provided to the employer by the board)

b. Only the respondent's supervisor may complete the evaluations according to the observations made during the supervision.

I. The respondent is prohibited from working in temporary staffing, as an agency nurse, for a nursing pool and/or in the home health setting, or in any other similar setting including but not limited to working in a teaching capacity, as a travel nurse and/or on an "as needed" basis - PRN.

4. **Notify Board of Change of Address/Telephone Number/Employment:**

A. The respondent shall notify the board, in writing, within ten (10) days of any change in personal address, telephone number, or employment. Changes in employment include accepting a new job, as well as resignation, or termination.

5. **Courses:**

The respondent must take and satisfactorily complete board approved courses in the following areas:

- Assessment
- Ethics
- Preventing Medical Errors
- Critical Thinking

Evidence of completion of the course(s) is due in the board office prior to any reinstatement request.

Furthermore, the respondent is hereby notified and by **signature** Jana Ellis acknowledges and agrees that failure to comply with the orders of the board may result in any or all of the following:

J.E.
Jana Ellis

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Violations

a) immediate suspension of license, b) indefinite suspension of license, c) ineligibility for annual renewal of license, d) additional fines/penalties up to $500.00 per occurrence, e) increased probationary period, f) summary suspension and g) revocation.

Public Records

This order is public record. All disciplinary actions of the board will be reported to all required data banks and agencies as required by law.

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CONSENT ORDER ACCEPTANCE

I, Jana Ellis, the undersigned respondent, agree that the board has jurisdiction over the matter and specifically waive my right to contest these findings in any subsequent proceedings before the board. I understand that the consent agreement/ order shall constitute as public record and is disciplinary action by the board.

I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Practical Nurse Examiners in resolving this matter, and intend to comply with all stipulations of the order.

I voluntarily agree to sign and have witnessed the terms of the order for the purpose of avoiding a formal hearing with the Louisiana State Board of Practical Nurse Examiners.

I do say that I freely, knowingly and voluntarily enter into the order. I understand that I have a right to a hearing in the matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into the order.

I understand that the order is effective immediately upon signature of the executive director and will become an order of the board. It is understood that the order does not preclude the Board of Practical Nurse Examiners from requiring a formal hearing of my case. I further understand that should the consent order not be accepted by the board, I agree that presentation to and consideration of the consent order, the documenting evidence and information by the board shall not unfairly or illegally prejudice the board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding the respondent.

Signature of licensee Jana Ellis

Date 6/24/13

Signature of witness # 1 Jeffery Baker

Date 6/24/2013

Signature of witness # 2 Lenny B. Hill

Date 6/24/2013

M. Lynn Ansardi R N 6/26/13

M. LYNN ANSARDI **Date**
EXECUTIVE DIRECTOR

J.E.
Jana Ellis