

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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JUL 12 2013
L.S.B.P.N.E

**In the matter of: Michael Bertrand, Jr.
900 Country Club Rd
Lake Charles, LA 70605**

Applicant for licensure, last four digits S.S. #9824

Date offered: June 24, 2013

Date offer expires: July 15, 2013

CONSENT ORDER

To facilitate a conclusion to the allegations against Michael Bertrand, Jr., applicant for licensure, the Louisiana State Board of Practical Nurse Examiners does hereby offer this Consent Agreement. The allegations include:

The board received the respondent's first time writer's application to write the NCLEX-PN. On the respondent's evaluation form for admission into the practical nursing program at Sowela Technical Community College, the respondent answered "YES" to question 32 which asks:

"Have you ever been indicted, charged with, summoned into court as a defendant in a criminal proceeding, arrested (even if you were not taken away in handcuffs or incarcerated), fined, imprisoned, placed on probation or ordered to deposit bail for the violation of any law, police regulation or ordinance, misdemeanor and/or felony offense (except for minor traffic violations) whether or not charges were dismissed and/or refused; or have you ever been convicted (including a nolo contendere plea or guilty plea) of any criminal misdemeanor and/or felony".

The respondent provided a narrative stating he was arrested and charged with Driving while intoxicated (1st offense) and No Headlights on 8/12/2004. The respondent's Louisiana State Background Record revealed additional arrests which the respondent failed to report to the board as required. On 3/10/2002, the respondent was charged with Possession, Distribution, Manufacture, Cultivation of Schedule I Drugs Possession of Marijuana; Possession, Use of and Sale of Drug Paraphernalia, both charges were dismissed. The board received the respondent's narrative statement explaining the drugs belonged to his roommate at the time and court documents related to all arrests. All matters with the courts are closed.

Based on the evidence submitted, the board has concluded that **Mr. Bertrand** is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II.

Michael Bertrand, Jr. *MBJ*

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Practical Nurses, Section 969 A. 4. **(b) is guilty of a crime; (f) is guilty of unprofessional conduct; (g) has violated any provisions of this Part; and §978 A. (8) Violate any provisions of this Part.** As further defined in the Louisiana Administrative Code, Title 46, Part XLVII. Nurses, Subpart 1, Practical Nurses, Section 306:

2. **being guilty of a crime;**
8. **being guilty of unprofessional conduct;**
 - i. **falsifying records;**
 - 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 on the matter, the respondent consents to accept and abide by the following orders of the board:

1. That he be issued a Letter of Reprimand as disciplinary action against his license for the violations of the Nurse Practice Act.
2. That he be fined **\$250.00, payable by cashier's check or money order only** for the violations of the Nurse Practice Act, payable prior to being made eligible to write the NCLEX-PN.
3. That upon receipt of fine payment, the respondent will be made eligible to write the NCLEX-PN and if successfully writes the exam, he will be issued a license to practice practical nursing in the State of Louisiana.

Furthermore, the respondent is hereby notified and by signature Michael J. Bertrand Jr acknowledges and agrees that failure to comply with the orders of the board may result in any or all of the following:

VIOLATIONS

Failure to comply with any and/or all sections of this order may result in any and/or all of the following: 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/or g) revocation.


Michael Bertrand, Jr.

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LETTER OF REPRIMAND

**In the matter of: Michael Bertrand, Jr.
900 Country Club Rd
Lake Charles, LA 70605**

Applicant for licensure, last four digits S.S. #9824

Date: June 24, 2013

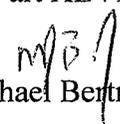
The Louisiana State Board of Practical Nurse Examiners hereby issues this Letter of Reprimand against **Michael Bertrand, Jr.**, applicant for licensure based on the following:

The board received the respondent's first time writer's application to write the NCLEX-PN. On the respondent's evaluation form for admission into the practical nursing program at Sowela Technical Community College, the respondent answered "YES" to question 32 which asks:

"Have you ever been indicted, charged with, summoned into court as a defendant in a criminal proceeding, arrested (even if you were not taken away in handcuffs or incarcerated), fined, imprisoned, placed on probation or ordered to deposit bail for the violation of any law, police regulation or ordinance, misdemeanor and/or felony offense (except for minor traffic violations) whether or not charges were dismissed and/or refused; or have you ever been convicted (including a nolo contendere plea or guilty plea) of any criminal misdemeanor and/or felony".

The respondent provided a narrative stating he was arrested and charged with Driving while intoxicated (1st offense) and No Headlights on 8/12/2004. The respondent's Louisiana State Background Record revealed additional arrests which the respondent failed to report to the board as required. On 3/10/2002, the respondent was charged with Possession, Distribution, Manufacture, Cultivation of Schedule I Drugs Possession of Marijuana; Possession, Use of and Sale of Drug Paraphernalia, both charges were dismissed. The board received the respondent's narrative statement explaining the drugs belonged to his roommate at the time and court documents related to all arrests. All matters with the courts are closed.

Based on the evidence submitted, the board has concluded that **Mr. Bertrand** is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II. Practical Nurses, Section 969 A. 4. **(b) is guilty of a crime; (f) is guilty of unprofessional conduct; (g) has violated any provisions of this Part; and §978 A. (8) Violate any provisions of this Part.** As further defined in the Louisiana Administrative Code, Title 46, Part XLVII. Nurses, Subpart 1, Practical Nurses, Section 306:


Michael Bertrand, Jr.

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- 2. **being guilty of a crime;**
- 8. **being guilty of unprofessional conduct;**
 - i. **falsifying records;**
 - 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 on the matter, the respondent consents to accept and abide by the following orders of the board:

- 1. That he be issued a Letter of Reprimand as disciplinary action against his license for the violations of the Nurse Practice Act.
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- 3. That upon receipt of fine payment, the respondent will be made eligible to write the NCLEX-PN and if successfully writes the exam, he will be issued a license to practice practical nursing in the State of Louisiana.

The board has jurisdiction over your license and hereby publicly reprimands you for violating the Nurse Practice Act. This letter of reprimand is considered disciplinary action by the Louisiana State Board of Practical Nurse Examiners. This disciplinary action is reportable to all applicable state and federal agencies.

M. Lynn Ansardi RN

M. Lynn Ansardi, RN
Executive Director

MBJ
Michael Bertrand, Jr.

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CONSENT AGREEMENT ACCEPTANCE

I, **Michael Bertrand, Jr.**, 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.

Michael Bertrand Jr 7-11-13
Signature of licensee Date

Alvin V. White 7/11/13
Signature of witness # 1 Date

Paul Hillman 7/11/13
Signature of witness # 2 Date

Date 7/18/13

Louisiana State Board of Practical Nurse Examiners
M Lynn Ansardi RN

**M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR**

mjb
Michael Bertrand, Jr.