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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L.S.B.P.N.E.

In the matter of: **Shari Ervin**
122 Chicory Lane
Lafayette, LA 70506

License #951126

Date offered: **February 13, 2014**

Date offer expires: **March 13, 2014**

CONSENT AGREEMENT/ORDER

The Louisiana State Board of Practical Nurse Examiners does hereby offer this consent agreement/order to **Shari Ervin, license #951126**, based on the following:

FINDINGS OF FACT

1. The board received the respondent's FBI background check results which revealed misdemeanor charges for the following:

    - Violation of Vehicle Registration Law 4/7/10
    - Driving while License S/R/C 4/7/10
    - Violation of Financial Law 4/7/10

    Although these charges were nolle prossed, the respondent failed to report them to the board as required. According to her Delinquent/Inactive Form, signed and dated by the respondent on 11/7/13, she indicated "NO" to question #8, which asks: "Have you ever been arrested, charged, convicted, pled no contest, entered into a District Attorney Intervention program, or are charges pending against you for a crime (misdemeanor or felony) in any state?"

CONCLUSIONS OF LAW

Based on the evidence submitted, the board has concluded that **Ms. Ervin** is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II. Practical Nurses, Section 969 A. (4):

(a) is guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;

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Shari Ervin C.A.

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(f) is guilty of unprofessional conduct;
(g) has violated any provisions of this Part; and §978 A.

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

1. **being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
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. The respondent shall be issued a letter of reprimand as disciplinary action against the respondent's license for the violations of the Nurse Practice Act.

2. The respondent is hereby fined **$250.00** for the violations of the Nurse Practice Act, payable by **cashier's check or money order only**, due within **ninety (90) days** from the date of this order.

The respondent is hereby notified and by signature Shari Ervin 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.

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Shari Ervin C.A.

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LETTER OF REPRIMAND

In the matter of: **Shari Ervin**
122 Chicory Lane
Lafayette, LA 70506

License #951126

Date: **February 13, 2014**

The Louisiana State Board of Practical Nurse Examiners hereby issues this letter of reprimand against **Shari Ervin, license #951126**, based on the following:

FINDINGS OF FACT

1. The board received the respondent's FBI background check results which revealed misdemeanor charges for the following:

   - Violation of Vehicle Registration Law 4/7/10
   - Driving while License S/R/C 4/7/10
   - Violation of Financial Law 4/7/10

   Although these charges were nolle prossed, the respondent failed to report them to the board as required. According to her Delinquent/Inactive Form, signed and dated by the respondent on 11/7/13, she indicated "NO" to question #8, which asks: "Have you ever been arrested, charged, convicted, pled no contest, entered into a District Attorney Intervention program, or are charges pending against you for a crime (misdemeanor or felony) in any state?"

CONCLUSIONS OF LAW

Based on the evidence submitted, the board has concluded that **Ms. Ervin** is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II. Practical Nurses, Section 969 A.(4):

(a) **is guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
(f) **is guilty of unprofessional conduct;**
(g) **has violated any provisions of this Part; and §978 A.**

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

1. **being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
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.**

Furthermore, the respondent is hereby fined **$250.00** for the above violations, due within **ninety (90) days** of the date of this order and complete any/all stipulations as agreed.

The board has jurisdiction over the respondent's license and hereby publicly reprimands the respondent 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
Executive Director

SL
Shari Ervin C.A.

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CONSENT AGREEMENT/ORDER ACCEPTANCE

I, **Shari Ervin,** 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 this agreement shall constitute as public record and is considered disciplinary action by the board. I also understand that this action will be reported as mandated to all state and federal agencies.

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 this agreement.

I voluntarily agree to sign and have witnessed the terms of this agreement 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 this agreement. 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 this agreement.

I understand that this agreement is effective immediately upon signature of the executive director and will become an order of the board. It is understood that this agreement does not preclude the Board of Practical Nurse Examiners from requiring a formal hearing of my case. I further understand that should this agreement not be accepted by the board, I agree that presentation to and consideration of this agreement, the documenting evidence and information obtained 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.

I further agree that if at any point during the execution of this agreement, I violate the stipulations set forth, my license will be suspended. In order for my license to be reinstated, I must demonstrate, to the satisfaction of the board that I pose no danger to the practice of nursing or to the public and that I can safely and competently perform the duties of a practical nurse. The board, in reinstating my license, will require a period of probation, along with supportive conditions or stipulations as outlined in this agreement to ensure that patients and the public are protected.

Shari Ervin — 2-25-14
Signature of licensee/applicant — **Date**

Anne R. Wolfe — 2-25-14
Signature of witness #1 — **Date**

[illegible] — 2/25/14
Signature of witness #2 — **Date**

M. Lynn Ansardi RN — 3/3/14
M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR — **Date**

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Shari Ervin C.A.