

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

April 3, 2014

Amy Irvin-Deprez
933 Pine Hill Road
Shreveport, LA 71107

FILE

Dear Ms. Irvin-Deprez,

The Louisiana State Board of Practical Nurse Examiners hereby notifies you that your probation is now terminated and your license to practice Practical Nursing in the State of Louisiana is no longer encumbered.

We exhort you to cherish the privilege of Nursing which your license represents and wish you the best in your career.

Enclosed, please find your duplicate unencumbered 2013 practical nursing license.

CONGRATULATIONS!

**LOUISIANA STATE BOARD OF
PRACTICAL NURSE EXAMINERS**

M Lynn Ansardi RN

M. Lynn Ansardi, RN
Executive Director

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7001 2510 0009 3556 9967

Amy Irvin
961 Pinehill Rd
Shreveport, LA 71107

License #230287
D.O.B. 05/22/1981

The matter of license #230287 came on for final action by the Louisiana State Board of Practical Nurse Examiners on the 25TH day of June, 2004

FINDINGS OF FACT

On July 21, 2003 the board received a report from Willis-Knighton Health System indicating that the respondent had been terminated from their facility on July 11, 2003 for violation of their substance abuse and testing policy. The board subpoenaed additional information which was received on August 22, 2003. This information explains that the respondent was hired to work for Willis-Knighton on June 11, 2003 and on July 2, 2003, as part of the pre-employment processing, she submitted to a urine drug screen. The respondent began orientation on July 7, 2003. It was also on this date that the facility received notice that the respondent's drug screen was positive for marijuana. The respondent was informed that due to her positive drug screen she was ineligible for employment at that time and the results would be reported to the board. A copy of the respondent's drug screen was provided to the board and shows a positive result for marijuana.

On August 22, 2003 the board sent the respondent a letter informing her that the board had received notice that she had tested positive for marijuana on a pre-employment drug screen. She was instructed to submit a narrative response within 10 days and was advised that should she have a substance abuse problem she should immediately cease practice and seek appropriate care. It was also suggested she obtain a comprehensive chemical addiction assessment.

A narrative response was received on September 22, 2003. The respondent begins by apologizing for the delay in her response, stating that she had not received the board's letter until September 7, 2003. She states that there is no excuse for her decision to smoke marijuana and that she was out of town when she was "offered the drug and made the worst decision of my life." She continues, "I do not know why I made such a horrible decision to take such a horrible drug, and I am very sorry. I promise to you, I will never submit myself to an illegal substance again. I am sorry for making the wrong decision to try an illegal substance. I do not have a substance abuse problem, I just made a very bad choice one night."

She further states that her nursing license is the "most valuable and precious thing" she has ever earned, that she is "ready to accept the consequences for my actions" and "will take drug screenings, at my own expense, every day, week, month, or whatever it will take to keep my license." She asks that the board not take her license away from her and that she be given "another chance to prove to you, as well as myself that I can and will be a great nurse."

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On November 3, 2003 the board sent the respondent a consent agreement offering to resolve her case informally. She was instructed to return either the acceptance form or the "Do Not Accept" form indicating that she would like the matter to be remanded to a formal hearing. She was given 20 days to submit a response.

As of the date of the formal complaint, there has been no response, nor any further correspondence, from the respondent. Her practical nursing license expired January 31, 2004.

CONCLUSIONS OF LAW

Based on the findings, the Board makes the following Conclusion of Law:

1. The Board has jurisdiction over the parties hereto and the subject matter hereof.
2. Based on the above findings, the respondent is in violation of the Louisiana Revised Statute, Title 37, Chapter 11 Nurses, Part II Practical Nurses, Section 969 A.(4)(f) is guilty of unprofessional conduct, and the Louisiana Administrative Code, Title 46, Part XLVII. Nurses, Subpart 1, Practical Nurses, Section 306, T.8.q. use of or being under the influence of alcoholic beverages, illegal drugs or drugs which impair judgement while on duty, to include making application for employment, T.8.o. being guilty of moral turpitude.

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ORDER

NOW THEREFORE, IT IS ORDERED that the license of the respondent, Amy Irvin, license #230287, be placed on probation for a minimum period of two years with stipulations as outlined below, and:

1. That the respondent be fined \$500.00 for the violations detailed in the Conclusions of Law payable within 90 days of receipt of this notice or in increments acceptable to the Board.
2. That a hearing assessment fee of \$500.00 be submitted to the Board within 90 days of receipt of this notice or in increments acceptable to the Board.

PROBATION STIPULATIONS:

- 1) **PROBATION MONITORING FEE:** that licensee is to submit a \$250.00 probation monitoring fee, prior to issuance of probationary license.
- 2) **PROBATIONARY LICENSE:** practical nursing license will be on probationary status for at least 2 years to run concurrent with employment as a Licensed Practical Nurse. License must be stamped **PROBATION**. Licensee must be employed a minimum of 10 days per month to be considered employed as a Licensed Practical Nurse.
- 3) **NOTIFICATION OF CHANGES:** shall notify the Board in writing **immediately** (within 5 days) of any change in name, address, telephone number or employment. Licensee must provide the Board immediately with current address and telephone number.
- 4) **DIRECT SUPERVISION:** will provide patient care only under direct supervision of a nurse, (RN or LPN), or physician.
- 5) **EMPLOYER REPORTS:** upon obtaining employment as a Licensed Practical Nurse, licensee must request employer to submit a letter of hire **within 5 days of hire date**. If licensee is already employed at a facility at time of signature of agreement employer is to submit the enclosed form indicating facility is aware of probation and will agree to monitor respondent while on probation. Employer must submit evaluative reports quarterly. If unemployed or not employed as an LPN, the respondent must send a letter to the Board **monthly** stating the respondent's current employment status. Reports are due on or before the 10th day of January, April, July and October of each year.
- 6) **PROHIBITED PRACTICE:** prohibited from working in temporary staffing or any other unsupervised setting such as staffing/agency/pool or home health setting.
- 7) **INFORM EMPLOYER:** must provide a copy of this order to each employer immediately.

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8) **DRUG SCREENS:** must submit to and pay for random urine drug screens. Urine screens will be managed by a drug testing firm selected by the Board. You will receive information from the selected firm and drug screens begin as soon as your "name" selection is mandated on a random day of the month. Refusal to furnish a urine specimen, positive screen, failure to follow requested procedure in obtaining a specimen or failure to submit a specimen on date name is called will be considered non-compliance with the Board Order and grounds for further disciplinary action as stated in this order.

9) **VERIFICATION OF COMPLIANCE WITH TREATMENT PLAN:**

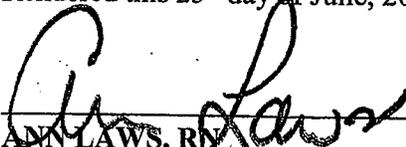
must submit evidence of continued compliance with treatment plan/ continued counseling. Psychologist/psychiatrist/counselor is to submit to the Board a minimum of quarterly evaluations of compliance with treatment plan. Upon discharge from treatment counselor is to submit to the Board a discharge summary to include any future recommendations. Licensee must sign the enclosed release of information form and submit it to his treatment center, counselor/practitioner of record, giving the Board the authority to discuss treatment recommendations and compliance with treatment plan at all times.

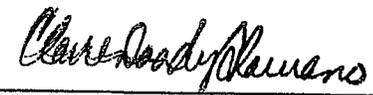
10) **MOOD ALTERING CHEMICALS:** Respondent must abstain at all times from the use of controlled or abuse potential substances, including alcohol, except as prescribed by a licensed practitioner from whom he/she seeks medical attention. Should the respondent obtain a prescription from a licensed practitioner he/she shall submit a copy of the prescription to the Board within 48 hours. Respondent shall inform all licensed practitioners who authorize prescriptions of controlled or abuse potential substances, of his/her dependency on controlled or abuse potential substances, and respondent shall cause all such licensed practitioners to submit a written report identifying the medication, dosage, and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioners within ten (10) days of the date of the prescription. If prescription drugs are refilled the Board must also have a letter from the prescribing practitioner to the continued need for the medication

11) **NEW REPORTS:** that receipt of any new verifiable reports of any violation(s) of the Nurse Practice Act will result in his license being immediately suspended for 2 years without an appearance before the Board.

12) **VIOLATIONS:** failure to comply with Order may result in the following: a) indefinite suspension of license, b) ineligibility for annual renewal of license, c) additional fines, cost and penalties up to \$500.00 per occurrence, d) increased probationary period if applicable, e) summary suspension and/or f) revocation.

Rendered this 25th day of June, 2004 and signed this 29th day of June, 2004 at Metairie, Louisiana.


ANN LAWS, RN
CHAIRMAN OF THE BOARD


CLAIRE GLAVIANO, RN, BSN, MN
EXECUTIVE DIRECTOR