

LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS
131 AIRLINE DRIVE, SUITE 301
METAIRIE, LOUISIANA 70001-6266
(504) 838-5791
FAX (504) 838-5279
www.lsbpne.com

In the matter of:

Marilyn Bailey - respondent
License #850581

This cause having come to be heard at a formal hearing conducted at the board office on March 21, 2014 upon the complaint filed in this matter.

FINDINGS OF FACT

During the formal hearing process, the following facts were confirmed:

1. The respondent was licensed as a practical nurse in Louisiana on 12/7/1985.
2. On 10/10/2013, the board received a report concerning an incident that occurred at LaSalle Nursing Home regarding the respondent's practice as a licensed practical nurse. On or about 10/3/13, the respondent was called to a resident's room because the resident was not breathing. The respondent assessed the resident and found he was not breathing and had no pulse. The respondent failed to check the code status of the resident, who was found in cardiac/respiratory arrest, and failed to initiate CPR. (Exhibit E1-2)
3. On 10/16/13, the board summarily suspended the practical nursing license of the respondent.
4. The board received additional information from LaSalle Nursing Home which indicated that the respondent received a number of employer counseling forms and corrective action forms during her employment as an LPN. On 5/5/11, she was counseled for inadequate documentation. From 3/24/11 to 4/23/11, the respondent failed to complete daily wound documentation. On 7/13/11, she was counseled for lack of concentration during her med pass. On 8/17/11, the respondent failed to code orders out or put diagnosis on new admit and failed to put medication on treatment MAR, which resulted in medication not being ordered. On 10/3/11, a resident had a UA ordered, which she failed to get done.

On 1/27/12, a resident fell and on 2/1/12, a bruise was noted to the resident's buttocks; however, there was no documentation regarding the fall. On 3/9/12, the respondent filled out an incident report regarding a resident with a skin tear to the arm, but failed to notify the doctor by fax and did not attempt to find the cause of the tear. On 5/9/12, a resident was found soaked in urine by a family member.

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The respondent was counseled regarding her responsibility to make sure the CNAs were making rounds on her wing. On 10/10/12, she failed to report a faulty bed alarm. The alarm was disconnected and she failed to address it immediately to ensure the resident's safety.

On 2/12/13, the respondent failed to check a resident's chart from hospital return. She was counseled for unsatisfactory performance and violations of company policies and procedures on 6/19/13. She failed to complete documentation on MAR/TAR by failing to initial. She also failed to follow doctor orders as written regarding medication and treatment administration, as well as failing to exhibit a professional attitude and work as a team member. From 9/27/13 to 9/30/13, the respondent was suspended for signing another nurse's name to a narcotic flow sheet and documented too early for administration; therefore, failing to follow doctor orders for proper administration regarding correct time.

JURISDICTION

The board has jurisdiction over the parties hereto and the subject matter hereof.

CONCLUSIONS OF LAW

Based on the facts set forth in the entire record and outlined herein above, the respondent is in violation of:

1. The Louisiana Revised Statutes of 1950, Title 37, Chapter 11, Part II, 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 provisions of this Part;

And 978 A (8) Violate any provisions of this Part and B.

2. The Louisiana Administrative Code, Title 46, Part XLVII, Subpart 1, Sections § 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;**

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- c. **failure to exercise technical competence in carrying out nursing care;**
- e. **performing procedures beyond the authorized scope of practical nursing;**
- g. **improper use of drugs, medical supplies, or patients' records;**
- h. **misappropriating personal items of an individual or the agency;**
- i. **falsifying records;**
- j. **intentionally committing any act that adversely affects the physical or psychosocial welfare of the patient;**
- p. **inappropriate, incomplete or improper documentation;**
- t. **violating any provisions of R.S. 37:961 et seq. (the practical nursing practice act), as amended or aiding or abetting therein.**

ORDER

The matter of **Marilyn Bailey, license #850581**, on **June 20, 2014** came on for final action by the Louisiana State Board of Practical Nurse Examiners.

NOW THEREFORE, IT IS ORDERED, that the license of the respondent, **Marilyn Bailey, license #850581** be

REVOKED AND

- A. The respondent is to be fined \$500.00, **payable by cashier's check or money order only**, for the violations detailed in the conclusions of law, payable within **90 days** of the date of the board order.
- B. The respondent is to be assessed a hearing assessment fee of \$500.00, **payable by cashier's check or money order only**, within **90 days** of the date of the board order.
- C. The respondent must pay any/all fines/fees owed to the board. Fines/fees are **payable by cashier's check or money order only**.
- D. The respondent shall not practice and/or attempt to practice practical nursing in this state involving the direct and/or indirect care of any persons. Revocation in the state of Louisiana is permanent and final.

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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.

Rendered this 20th day of June, 2014 and signed this 20th day of June, 2014 at Metairie, Louisiana.

Myron L. Collins LPN

MYRON COLLINS, LPN
CHAIRMAN OF THE BOARD

M. Lynn Ansardi RN

M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR

Mailed this 20th day of June, 2014, by U.S. postal service certified mail return receipt #7014 0150 0001 8287 9247 and regular mail to the following address:

Marilyn Bailey
660 Alonzo Road
Trout, LA 71371