

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:

**In the matter of: Jasmine Carhee**  
**Applicant for Licensure - S.S. # ending in 0194**  
**D.O.B. 08/07/1984**

This cause having come to be heard upon the formal hearing notice filed herein, the evidence and testimony entered before the undersigned hearing officer on May 9, 2014 at 11:00 a.m.. The nature of the hearing was to determine if the respondent is eligible for licensure in the state of Louisiana.

The respondent did appear at the scheduled hearing and did give sworn testimony.

- Mr. Harvey White testified on behalf of the respondent.

There were no witnesses called to give sworn testimony on the board's behalf.

The hearing officer, having reviewed all evidence and testimony and being fully advised in the premises, makes the following findings of fact and conclusions of law based on the entire record:

**FINDINGS OF FACT**

On May 24, 2012, the board received the respondent's student evaluation form for admission into the practical nursing program at the NWLTC - Natchitoches Campus. On this form 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 conendere plea or guilty plea) of any criminal (misdemeanor and/or felony)?"

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The respondent reported the following arrests:

- **9/27/2002 – Theft by shoplifting**

The respondent reported that while shopping at Stage Department Store, she purchased some items and had concealed a blouse in her handbag. She reported that she was given a citation to appear in court, pled guilty to the charge and was sentenced to unsupervised probation.

According to court documents received, the respondent pled guilty to the charge of theft by shoplifting and was sentenced to serve 60 days in jail. The jail sentence was suspended and she was placed on one (1) year supervised probation with special conditions.

- **6/21/2004 – Aggravated battery with a dangerous weapon**

The respondent reported that she had an altercation with the wife of her child's father and her son, who assaulted her. While trying to defend herself, she used a nail file that was attached to her keychain as a weapon. She reported that the charges were later reduced to disturbing the peace by fistic encounter, to which she pled guilty.

According to court documents received, the respondent pled guilty to the lesser charge of disturbing the peace/fistic encounter. She was sentenced to pay a fine/cost of \$200.00 by April 18, 2005, and in default be confined to the parish jail for ten (10) days.

The board received the respondent's F.B.I. criminal background records revealing an arrest on May 1, 2005, for the charge of possession of marijuana. However, the respondent failed to report this arrest as required upon enrollment into the practical nursing program.

According to the respondent's narrative statement concerning her arrest for possession of marijuana, she stated, "I honestly thought I could make it go away or somehow take care of it before I submitted my Federal Bureau background check." (Refer to Exhibit G-1 and pg. 14 through pg. 15 line 17 of the hearing transcript)

She later reported being arrested in the state of Georgia, for possession of marijuana. She reported that while riding around with a friend they engage in smoking pot. They were stopped by police and given a citation to appear in court. However, she failed to appear in court as required. She testified that she just recently paid the citation. To date, the respondent has failed to provide the board with the requested certified court documents related to this arrest. (Refer to pg. 14 lines 25 through page 14 line 5 of the hearing transcript)

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On January 31, 2014 through a subpoena duces tecum, the board received two (2) incident reports from the Many Police Department. This information contained two (2) complaints/citations that were issued to and against the respondent, one issued on November 25, 2010, for the charge of theft by shoplifting and the other on June 11, 2011, for violating an entry after forbidden notice.

These documents revealed the following:

On November 24, 2010, an officer of the Many Police Department was dispatched to the Family Dollar store in reference to a shoplifter. The store manager stated the subject, (the respondent) had already left the store. The manager requested a notice of being forbidden to enter into the Family Dollar Store be served on "JASMINE CARHEE".

Shortly after the officer left the store, the respondent went back to the store. The officer met up with her and advised her that she was being served with an official notice of being forbidden from entering the Family Dollar Store. She was advised to sign the form but refused. The officer informed her that the notice was still enforceable although she refused to sign.

On June 11, 2011, another complaint was reported to the Many Police Department indicating the respondent had returned to the Family Dollar Store. Prior to police arriving, the respondent had left the store. No other information was available.

However, the respondent failed to report the citation for entry after forbidden and the fact that she violated the citation/notice.

The board received the respondent's First Time Writers Application requesting that she be made eligible to take the NCLEX-PN to obtain her practical nursing license in the state of Louisiana.

### **JURISDICTION**

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

### **CONCLUSIONS OF LAW**

According to the Law related to the practice of practical nursing, Title 37, Chapter 11. Part II. §970, Qualifications of an Applicant, (1) An applicant for a license to practice as a practical nursing **shall** be of good moral character. The hearing officer feels the respondent lacks this quality.

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The respondent is guilty of fraud and deceit by not reporting her arrest in Georgia for possession of marijuana. Her excuse for not reporting this arrest was that she thought she could pay her fines/fees and make the arrest go away so she wouldn't have to report it to the board as required. The hearing officer finds this very deceitful and not of good moral character. The hearing officer feels that the respondent is very defiant and not willing to take responsibility for her own actions.

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

**(a) is guilty of fraud and deceit in procuring or attempting to procure a license to practice practical nursing; (b) is guilty of a crime; (c) is unfit, or incompetent by reason of negligence habit, or other causes; (d) is habitually intemperate or is addicted to the use of habit forming drugs; and (f) is guilty of unprofessional conduct; (g) has violated any provisions of this Part; and**

2. The Louisiana Administrative Code, Title 46, Part XLVII, Subpart 1, Sections 306 T.

1. **being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
2. **being guilty of a crime;**
3. **being unfit, or incompetent by reason of negligence, habit or other causes;**
4. **being habitually intemperate or is addicted to the use of habit forming drugs;**
8. **being guilty of unprofessional conduct;**
  - i. **falsifying records;**
  - n. **being convicted of a crime or offense which reflects the inability of the nurse to practice practical nursing with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding including, but not limited to, expungement or nonadjudication or pardon;**
  - t. **violating any provisions of R.S. 37:961 et seq. (the practical nursing practice act), as amended or aiding or abetting therein.**

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## ORDER

The matter of **Jasmine Carhee, last four digits S.S. #0194** on June 20, 2014, came on for final action by the Louisiana State Board of Practical Nurse Examiners.

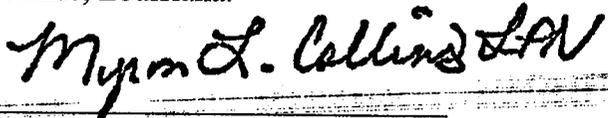
**NOW THEREFORE, IT IS ORDERED**, that the respondent, **Jasmine Carhee, last four digits S.S. #0194**, is hereby **DENIED LICENSURE** as a practical nurse in the state of Louisiana and

1. That the respondent is hereby fined \$500.00, **payable by money order/cashier's check only**, for the violations detailed in the conclusions of law, payable within 90 days of the date of this order.
2. That a hearing assessment fee of \$500.00, **payable by money order/cashier's check only**, is to be submitted to the Board within 90 days of the date of this order.

### 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 COLLINS, LLPN  
CHAIRMAN OF THE BOARD



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 6307 and regular mail to the following address:

**Jasmine Carhee**  
225 Day St.  
Many, LA 71449