

## **DEFAULT ORDER**

### **IN THE MATTER OF**

**The Louisiana State Board of Practical Nurse Examiners (Board)**

**v.**

**Sandra Brown (respondent), LPN, license #820056  
P.O. Box 343, Clarks, LA 71415**

On **July 21, 2014**, a formal complaint/notice of hearing (attachment A) was mailed to the last known address of the respondent. The respondent replied to the complaint/notice of hearing, as required by the LAC 46: XLVII. 306.I and admitted to the allegations and waived the right to a formal hearing. In accordance with the LAC 46: XLVII. 306.J, this order is issued by default.

### **LEGAL AUTHORITY AND JURISDICTION**

The board's legal authority and jurisdiction, in adjudication proceedings, are provided for in:

1. The Louisiana Revised Statutes of 1950, Title 37, Chapter 11, Part II, Section 961 et seq., as amended; and
2. The Louisiana Administrative Code, Title 46, Part XLVII, Subpart 1, Section 101 et seq., as amended; and
3. The Louisiana Administrative Procedure Act, Title 49, Chapter 13, Section 950 et seq., as amended.

### **FINDINGS OF FACT**

1. The respondent was licensed as a practical nurse in the state of Louisiana on 6/5/1982.
2. The board received a report from the Louisiana Department of Justice indicating that on 2/5/14, the respondent pled guilty to one count of Medicaid fraud. The respondent presented false claims to Louisiana's Medicaid program for payment. She indicated that she had provided sitting services, when she had not. The respondent was placed on active, supervised probation for two years with additional special stipulations.
3. On 6/24/2014, the board suspended the respondent's practical nursing license for failing to respond to the board's request for information.
4. To date, the respondent's practical nursing license remains suspended.

## **CONCLUSIONS OF LAW**

Based on the facts set forth in the entire record and outlined herein above, the respondent is in violation of the following provisions of Louisiana Revised Statutes, Title 37, Chapter 11. Nurses, Part II. Practical Nurses, §969 A. (4):

- (b) is guilty of a crime;
- (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.**

As further defined in the Louisiana Administrative Code, Title 46, Part XLVII, Subpart 1, §306. T.

- 2. being guilty of a crime;
- 8. being guilty of unprofessional conduct;
  - 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;
  - 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;
  - 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**

In view of the above findings of fact and conclusions of law, the board issues the following order by default:

The license of the respondent, **Sandra Brown, license #820056** is hereby **revoked**, effectively immediately upon execution of this order. Revocation is permanent in the state of Louisiana.

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

**Furthermore, the respondent must:**

- A. Return his/her current practical nursing license to the board office within **five (5) days** of the date of this order.
- B. Shall not practice as a practical nurse in the state of Louisiana.
- C. Submit a fine of **\$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 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.

LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS

*M. Lynn Ansardi RN*

M. Lynn Ansardi, RN  
Executive Director

8/19/14  
Date

Rendered this 19<sup>th</sup> day of August, 2014, and mailed this 19<sup>th</sup> day of August, 2014, by U.S. postal service certified mail return receipt #7014 1200 0000 2313 6240 and regular mail to the following address:

**Sandra Brown  
P.O. Box 343  
Clarks, LA 71415**

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July 21, 2014

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7014 0150 0001 8287 9544**

**Sandra Brown  
P.O. Box 343  
Clarks, LA 71415**

**LICENSE #820056  
D.O.B. 07/28/1950**

**FORMAL COMPLAINT**

The Louisiana State Board of Practical Nurse Examiners, hereinafter called the board, files this formal complaint against the respondent. This serves as notice required by the Administrative Procedure Act R.S. 49:955(B).

A hearing will be conducted at the offices of the board on the date and at the time specified here:

Date: **August 28, 2014**  
Time: **9:00 a.m.**  
Place: **131 Airline Dr., Suite 301, Metairie, LA 70001**

The nature of the hearing is prosecution of the matter:

The Louisiana State Board of Practical Nurse Examiners  
v.  
**Sandra Brown**

The board's legal authority and jurisdiction, in this process of adjudication, are provided for in:

1. The Louisiana Revised Statutes of 1950, Title 37, Chapter 11, Part II, Section 961 et seq., as amended; and
2. The Louisiana Administrative Code, Title 46, Part XLVII, Subpart 1, Section 101 et seq., as amended; and
3. The Louisiana Administrative Procedure Act, Title 49, Chapter 13, Section 950 et seq., as amended.

**ATTACHMENT**  
**A**

LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS  
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The hearing concerns alleged violations of the following sections of the statutes/rules:

1. The Louisiana Revised Statutes of 1950, Title 37, Chapter 11, Part II, Section 969 A. (4);
  - (b) is guilty of a crime;**
  - (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.

2. **being guilty of a crime;**
8. **being guilty of unprofessional conduct;**
  - 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;**
  - 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;**
  - 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.**

The major issues involved include, but are not limited to the following:

1. The respondent was licensed as a practical nurse in the state of Louisiana on 6/5/1982.
2. The board received a report from the Louisiana Department of Justice indicating that on 2/5/14, the respondent pled guilty to one count of Medicaid fraud. The respondent presented false claims to Louisiana's Medicaid program for payment. She indicated that she had provided sitting services, when she had not. The respondent was placed on active, supervised probation for two years with additional special stipulations.

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3. On 6/24/2014, the board suspended the respondent's practical nursing license for failing to respond to the board's request for information.
4. To date, the respondent's practical nursing license remains suspended.

You have ten (10) days prior to the date fixed for the hearing to respond (response form enclosed) to this complaint. If you fail to respond, in writing, within this time, you will be deemed to have waived the right to a hearing and action may be taken on this complaint by default, or the hearing may proceed in your absence.

Please find enclosed, a copy of rules related to the formal hearing process.

**RIGHT TO PETITION FOR REHEARING/APPEAL/JUDICIAL REVIEW**

A decision issued by the board, after the hearing in this matter, may be appealed. LRS 37:976 provides: "Appeals from decisions of the board shall be to the Civil District Court of Jefferson Parish..." The petition for appeal must be filed within thirty days of the date of the mailing of the notice of the board's final decision; copies of the petition must be served on the board and all parties of record (LRS 49:964). A request may also be made to the board for rehearing, re-opening or reconsideration of the board's order. This request must be filed within ten days from the date of the board order and set forth legally sufficient reasons for granting the requests. (LRS 49:959 and LAC 46:XLVII.306.S).

By: \_\_\_\_\_

*M Lynn Ansardi RN*

M. Lynn Ansardi, RN

Executive Director