

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

## **DEFAULT ORDER**

IN THE MATTER OF

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

**Cynthia Shiffer (respondent), LPN, license #840382  
3013 Palmisano Blvd., Chalmette, LA 70043**

On **November 13, 2014**, a formal complaint/notice of hearing (attachment A) was mailed to the last known address of the respondent. The respondent did not reply to the complaint/notice of hearing, as required by the LAC 46:XLVII.306.I and therefore, the respondent waived the right to a 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 issued a practical nursing license in the state of Louisiana on 06/02/1984.
2. On the respondent's 2014 renewal application, she indicated that she was working in nursing as a volunteer in obstetrics and that she last practiced as an LPN on 8/5/14. However, her practical nursing license expired on 1/31/2014. Thus, she worked without a current license to do so.
3. The board received the respondent's statement regarding the allegations that she worked without a current, valid practical nursing license. The respondent stated that she did not work in the capacity of a nurse; however, according to her renewal application she indicated that she last worked as an LPN as of 8/5/14. The respondent also indicated that she performed direct care and her last employer was Metropolitan Hospice. The respondent's practical nursing license expired 1/31/2014; therefore, she worked without a current license to do so.

4. The respondent's practical nursing license was suspended on October 17, 2014 for failing to respond to the board's request for information.
5. 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)

- (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:

- (3) **Practice practical nursing unless duly licensed to do so under the provisions of this Part;**
- (4) **Use in connections with his name any designation tending to imply that he is a practical nurse, unless licensed to practice under the provisions of this Part;**
- (5) **Practice practical nursing during the time his license has lapsed because of his intentional failure to renew the license;**
- (8) **Violate any provisions of this Part; and B.**

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

1. **being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
6. **practicing practical nursing without being duly licensed to do so by the board;**
7. **using in connection with his/her name any designation tending to imply that he/she is a practical nurse without being duly licensed to practice by the board;**
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.**

## **ORDER**

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

The respondent, **Cynthia Shiffer, license #840382** is hereby issued a letter of reprimand as disciplinary action against his/her license for the violations of the Nurse Practice Act.

### **Furthermore, the respondent must:**

1. The respondent is hereby fined **\$500.00, payable by cashier's check or money order only**, for the violations detailed in the conclusions of law, due within **ninety (90) days** of the date of this order.
2. The respondent is to submit a request for reinstatement and a reinstatement fee, payable by cashier's check or money order only.

## **Violations**

The respondent is hereby notified that failure to comply with any stipulations of this order of the board may result in any 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 g) revocation.

## **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.

## LETTER OF REPRIMAND

**In the matter of:     Cynthia Shiffer  
                              3013 Palmisano Blvd.  
                              Chalmette, LA 70043**

The Louisiana State Board of Practical Nurse Examiners hereby issues this letter of reprimand against **Cynthia Shiffer, license #840382** based on following:

### **FINDINGS OF FACT**

1. The respondent was issued a practical nursing license in the state of Louisiana on 06/02/1984.
2. On the respondent's 2014 renewal application, she indicated that she was working in nursing as a volunteer in obstetrics and that she last practiced as an LPN on 8/5/14. However, her practical nursing license expired on 1/31/2014. Thus, she worked without a current license to do so.
3. The board received the respondent's statement regarding the allegations that she worked without a current, valid practical nursing license. The respondent stated that she did not work in the capacity of a nurse; however, according to her renewal application she indicated that she last worked as an LPN as of 8/5/14. The respondent also indicated that she performed direct care and her last employer was Metropolitan Hospice. The respondent's practical nursing license expired 1/31/2014; therefore, she worked without a current license to do so.
4. The respondent's practical nursing license was suspended on October 17, 2014 for failing to respond to the board's request for information.
5. To date, the respondent's practical nursing license remains suspended.

## **CONCLUSIONS OF LAW**

Based on the facts set forth in the entire record, the board has concluded that **Ms. Shiffer** 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:

- (3) Practice practical nursing unless duly licensed to do so under the provisions of this Part;**
- (4) Use in connections with his name any designation tending to imply that he is a practical nurse, unless licensed to practice under the provisions of this Part;**
- (5) Practice practical nursing during the time his license has lapsed because of his intentional failure to renew the license;**
- (8) Violate any provisions of this Part; and B.**

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

- 1. being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
- 6. practicing practical nursing without being duly licensed to do so by the board;**
- 7. using in connection with his/her name any designation tending to imply that he/she is a practical nurse without being duly licensed to practice by the board;**
- 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 must:**

- 1. The respondent is hereby fined \$500.00, payable by cashier's check or money order only, for the violations detailed in the conclusions of law, due within ninety (90) days of the date of this order.**

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2. The respondent is to submit a request for reinstatement and a reinstatement fee, payable by cashier's check or money order only.

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.

### Violations

The respondent is hereby notified that failure to comply with any stipulations of this order of the board may result in any 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 g) revocation.

### 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

Date

*12/2/14*

Rendered this 2nd day of December, 2014, and mailed this 2nd day of December, 2014, by U.S. postal service certified mail return receipt #7014 2120 0004 1219 0626 and regular mail to the following address:

Cynthia Shiffer  
3013 Palmisano Blvd.  
Chalmette, LA 70043