

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:

Veruschka Ogden-respondent
License #940619

This cause having come to be heard at a formal hearing conducted at the board office on **April 9, 2015 at 10:30 a.m.** upon the complaint filed in this matter.

1. The respondent presented to the hearing at 11:30 a.m., approximately one hour after the hearing was scheduled to begin, and did give sworn testimony.
2. Gwen Parks was called to testify by the board and the hearing officer found her to be a credible witness.
3. Exhibits A-K were admitted into evidence at the hearing. The hearing officer fully reviewed and considered all exhibits.
4. The hearing officer fully reviewed and considered the transcript of the hearing as prepared and certified by the court reporter, Dawn H. Hymel, CCR, who was present and recorded the hearing.

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

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

1. The respondent was licensed as a practical nurse in the state of Louisiana on 6/8/1994.
2. The Louisiana Department of Health and Hospitals reported that Princeton Place substantiated a report of emotional abuse by the respondent while she was employed there as a licensed practical nurse. On 8/12/13, the respondent argued with resident, P. Durbin, about her medication. She admitted that she had cursed at the resident. The respondent's employment was terminated.

During the respondent's testimony, she admitted to telling the resident to stop acting like a bitch. **(Refer to exhibit C3 - C4, and transcript p. 56, lines 18-20)**

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3. Landmark Nursing and Rehab Center terminated the respondent's employment on 6/20/11 for not following proper company policy and procedure. On 6/19/11, she gave a resident his nighttime medication at 5pm. His family reported that he appeared very sleepy and confused. The respondent admitted that she gave his nighttime medication early because he had eloped twice previously and she was trying to stop him from going out again because he didn't have a wander guard. On 6/9/11, the respondent admitted to performing Accu checks in the hallway, which was against the privacy policy.

The respondent admitted in her testimony to stepping out of her scope of practice by administering nighttime medication earlier than she should have without a physician's order. (Refer to transcript p. 42, line 12 to p. 43, line 24 and p. 48, lines 7-12)

4. The respondent was employed by Lincare from 8/31/2009 to 9/29/2009. She was terminated for failing her probationary period. (Refer to exhibit H-3 and transcript p. 53, line 6 through p. 55, line 1)

The hearing officer found that the respondent admitted to all allegations. The respondent also admitted to stepping out of her scope of practice and being overwhelmed with her patient load.

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 the following:

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.

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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;**
 - g. **improper use of drugs, medical supplies, or patients' records;**
 - j. **intentionally committing any act that adversely affects the physical or psychosocial welfare of the patient;**
 - 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 **Veruschka Ogden, License #940619** on **July 31, 2015** 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, **Veruschka Ogden, License #940619**, be placed on **PROBATION** for no less than **one (1) year** with the following stipulations:

1. **License:**
 - A. The license of the respondent will be stamped "PROBATION".
 - B. The respondent shall return his/her current practical nursing license to the board office within **ten (10) days** of the date of this order, so that the license can be stamped with the mandatory probation stamp.
2. **Obey all laws:**
 - A. The respondent shall obey all laws/rules governing the practice of practical nursing in this state and obey all federal, state, and local laws.
 - B. The respondent shall report to the board within **ten (10) days** any misdemeanor and/or felony arrest(s) or conviction(s).

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3. **Fines/Fees:**

- A. The respondent is hereby fined \$250.00, **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.
- B. The respondent is hereby assessed a hearing assessment fee of \$250.00, **payable by cashier's check or money order only**, within **90 days** of the date of this order.
- C. The respondent is to submit a \$500.00 annual probation monitoring fee, **payable by cashier's check or money order only**.
- D. The probation monitoring fee is due within **three (3) months** of receiving a probated license, and annually thereafter until the probation is satisfactorily completed.
- E. Failure to pay these fine/fees in the time allotted will result in the immediate suspension of the respondent's practical nursing license.

4. **Notify board of change of address/telephone number/employment:**

- A. The respondent shall notify the board in writing within **ten (10) days** of any change in personal address, telephone number, or employment. Changes in employment include accepting a new job, as well as resignation, or termination.

5. **Employment:**

- A. The respondent shall provide a copy of the entire board order/consent order including the findings of fact and conclusions of law immediately to any/all current employer(s) and at the time of application to any/all prospective employer(s).
 - i. If the respondent is already employed as an lpn, the respondent and the current employer shall enter into the board's **Employer's Agreement** (form(s) issued by board). The signed form(s) shall be submitted to the board office within **ten (10) days** of the date of this order.

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- ii. Upon obtaining new employment as an lpn, the respondent shall enter into the board's **Employer's Agreement** (form(s) issued by board) with the prospective employer. The signed form(s) shall be submitted to the board office within **ten (10) days** of the date of hire.
- B. All current and prospective employers must agree to allow the respondent's direct supervisor to monitor the respondent while on probation as well as timely submission of evaluations.
 - C. Probation will run concurrent with employment as an lpn.
 - D. The respondent must be employed a minimum of 80 hours per month.
 - E. The probationary period will not commence or progress until and unless the respondent is employed and delivering direct patient care as a licensed practical nurse.
 - F. Failure to maintain stable employment may be grounds for termination of probation.
 - G. The respondent must practice under the supervision of a nurse (rn or lpn) or physician whose license is unencumbered and must provide direct patient care as follows:
 - i. The respondent must be supervised on a regular and consistent basis by his/her assigned supervisor. The supervisor must observe and work closely enough with the respondent to be able to give an informed evaluation of the respondent. The employer must be willing to allow this supervision and provide opportunities for the same supervisor to evaluate the performance of the respondent.
 - ii. It is the respondent's responsibility to ensure that his/her supervisor submits the evaluation reports quarterly.
 - a. Reports are due on or before the 10th day of January, April, July, and October of each year. (Note: these forms will be provided to the employer)

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b. Only the respondent's direct supervisor may complete the evaluations according to the observations made during the supervision.

H. The respondent is prohibited from working in temporary staffing, as an agency nurse, for a nursing pool and/or in the home health setting, or in any other similar setting including but not limited to working in a teaching capacity, as a travel nurse and/or on an "as needed" basis - prn.

6. **Courses:**

The respondent must take and satisfactorily complete board approved courses in the following areas:

- **Patient Advocacy and Ethical Nursing Practice (minimum 8 credit hours)**
- **Communication Skills for Nursing (minimum 30 credit hours)**
- **Managing Difficult Patients (minimum 30 credit hours)**
- **Medication Errors and How to Avoid Them (minimum 15 credit hours)**

Evidence of completion of the course(s) is due in the board office **within 90 days** of the date of this order.

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.

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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 31st day of July, 2015 and signed this 31st day of July, 2015 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 31st day of July, 2015, by U.S. postal service certified mail return receipt #7015 0920 0001 4574 5640 and regular mail to the following address:

Veruschka Ogden
6975 Hwy. 33
Farmerville, LA 71241