

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:

Lois Abner- Respondent
License #940564

This cause having come to be heard at a formal hearing conducted at the board office on **December 10, 2014 at 1:30 p.m. and January 23, 2015 at 10:30 a.m.** upon the complaint filed in this matter.

1. The respondent was present at both hearings, and did give sworn testimony.
2. The following witnesses were called by the board and provided testimony on January 23, 2015:
 - Corine H. Bowman, M.D.
 - Janie Hamilton Phillips, RN
 - Latoya Williams, LPN

The hearing officer found the witnesses to be credible.

3. Exhibits A-V, as well as the Respondent's exhibit, 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 issued a Louisiana practical nursing license on May 27, 1994.
2. A hearing was conducted on April 6, 2006, after which the respondent was issued a board order to place her license on probation for four years. The respondent's probation eventually began on March 24, 2010.
3. In June 2014, the respondent was not complying with her original board order. On numerous occasions, the respondent failed to timely submit her quarterly

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performance evaluations. The respondent was continuously late paying her annual probation monitoring fee. She failed to notify the board in a timely manner regarding employment and the turning in of the board order acknowledgment form. The respondent failed to give her employers a copy of the consent order prior to employment. The respondent was not supervised while working at the Fountain of Hope Center and was having her quarterly performance evaluations falsified.

4. Throughout the hearing, multiple inconsistencies were found in the testimony of the respondent. The hearing officer determined that the respondent was consistently non-compliant with the board's original order. The hearing officer found that the respondent falsified her testimony and the documentation provided to the board.

Mr. Sullivan, board attorney, asked the witness, Latoya Williams: "And, ma'am, am I correct in understanding that you did not observe or supervise Ms. Abner at any time from July 1st, 2013 through September 30th, 2013, prior to preparing this document; is that correct?"

Witness: "That is correct, yes, sir."

(Refer to testimony transcript volume II, p 214, lines 19-24)

Mr. Sullivan: "Ma'am, at any time from April 1st of 2014 through June 30th of 2014; you did not observe or supervise Ms. Abner at any time at the Fountain of Hope Center; is that correct?"

Witness: "Yes, sir, that is correct."

(Refer to testimony transcript volume II, p 216, lines 4-9)

Mr. Sullivan: "Am I correct in also understanding that as of June 30th, 2014, you had not still seen a consent order; is that correct?"

Witness: "Yes, sir, that is correct."

(Refer to testimony transcript volume II, p 216, lines 18-21)

JURISDICTION

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

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CONCLUSIONS OF LAW

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

The Louisiana Revised Statutes of 1950, 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;**
- (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**

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

As further defined in 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;**
- 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;**
 - h. misappropriating personal items of an individual or the agency;**
 - i. falsifying records;**
 - o. being guilty of moral turpitude;**
 - 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.**

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ORDER

The matter of Lois Abner, license #940564, 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, Lois Abner, license #940564 be **REVOKED** and

1. The respondent is hereby fined \$1000.00, **payable by money order or cashier's check only**, for the violations detailed in the conclusions of law, and due within **90 days** of the date of this order.
2. A hearing assessment fee of \$1000.00, **payable by money order or cashier's check only**, is to be submitted to the board within **90 days** of the date of this order.
3. The respondent shall return his/her current practical nursing license to the board office within **three (3) 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 31st day of July, 2015 and signed this 31st day of July, 2015 at Metairie, Louisiana.


MYRON COLLINS, LPN
CHAIRMAN OF THE BOARD


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 5688** and regular mail to the following address:

Lois Abner
4202 Ester St.
Shreveport, LA 71109