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

RECEIVEI
AUG -7 2015
L.S.B.P.N.E

In the matter of: **Kimberly Busby**
42182 Pimlott St, Unit B
Ponchatoula, LA 70454

Applicant for Licensure, last four digits S.S. #2102

Date offered: **July 31, 2015**

Date offer expires: **August 20, 2015**

CONSENT AGREEMENT/ORDER

The Louisiana State Board of Practical Nurse Examiners does hereby offer this consent agreement/order to **Kimberly Busby, applicant for licensure**, based on the following:

FINDINGS OF FACT

The respondent entered into the practical nursing program at Delta College – Covington Campus on 8/16/11. At that time, she answered "no" to question #32 on her Evaluation for Admission to a Practical Nursing Program Application, which asks the following:

> "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 contendere plea or guilty plea) of any criminal misdemeanor and/or felony."

The respondent entered into the practical nursing program at Northshore Technical Community College – Florida Parishes Campus on 1/21/14. On the Evaluation for Admission to a Practical Nursing Program, which she submitted on 1/8/14, she answered "yes" to question #19, which asks the following:

> "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 **expunged/dismissed**

KB
Kimberly Busby

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

RECEIVED
AUG -7 2015
L.S.B.P.N.E.

and/or refused: or have you ever been convicted (including a nolo contendere plea or guilty plea) of any criminal **misdemeanor and/or felony**?"

She reported the following charge:

- 10/1/09 Misdemeanor Theft

The respondent has provided certified court documents which indicate that she pled guilty to a lesser charge, and the matter has been cleared with the court.

The respondent graduated from the program on 5/19/2015.

CONCLUSIONS OF LAW

Based on the evidence submitted, the board has concluded that **Ms. Busby** 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

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

1. being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;
8. being guilty of unprofessional conduct;
t. violating any provisions of R.S. 37:961 et seq. (the practical nursing practice act), as amended or aiding or abetting therein.

In lieu of a formal hearing on the matter, the respondent consents to accept and abide by the following orders of the board:

1. The respondent shall be issued a letter of reprimand as disciplinary action against the respondent's license for the violations of the Nurse Practice Act.

2. The respondent is hereby fined **$500.00** for the violations of the Nurse Practice Act, payable by **cashier's check or money order only**, due prior to being made eligible to take the NCLEX-PN.

KB
Kimberly Busby

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

RECEIVED
AUG -7 2015
L.S.B.P.N.E.

The respondent is hereby notified and by signature Kimberly Busby acknowledges and agrees that failure to comply with the orders of the board may result in any or all of the following:

VIOLATIONS

Failure to comply with any and/or all sections of this order may result in any and/or all of the following:

a) denial of licensure, b) immediate suspension of license, c) indefinite suspension of license, d) ineligibility for annual renewal of license, e) additional fines/penalties up to $500.00 per occurrence, f) increased probationary period, g) summary suspension and h) 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
131 AIRLINE DRIVE, SUITE 301
METAIRIE, LOUISIANA 70001-6266
(504) 838-5791
FAX (504) 838-5279
www.lsbpne.com

RECEIVED
AUG -7 2015
L.S.B.P.N.E.

LETTER OF REPRIMAND

In the matter of: **Kimberly Busby**
42182 Pimlott St, Unit B
Ponchatoula, LA 70454

Applicant for Licensure, last four digits S.S. #2102

Date offered: **July 31, 2015**

The Louisiana State Board of Practical Nurse Examiners hereby issues this letter of reprimand against **Kimberly Busby, applicant for licensure**, based on the following:

FINDINGS OF FACT

The respondent entered into the practical nursing program at Delta College – Covington Campus on 8/16/11. At that time, she answered "no" to question #32 on her Evaluation for Admission to a Practical Nursing Program Application, which asks the following:

> "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 contendere plea or guilty plea) of any criminal misdemeanor and/or felony."

The respondent entered into the practical nursing program at Northshore Technical Community College – Florida Parishes Campus on 1/21/14. On the Evaluation for Admission to a Practical Nursing Program, which she submitted on 1/8/14, she answered "yes" to question #19, which asks the following:

> "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 **expunged/dismissed and/or refused**: or have you ever been convicted (including a nolo contendere plea or guilty plea) of any criminal **misdemeanor and/or felony**?"

KB
Kimberly Busby

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

RECEIVED
AUG -7 2015
L.S.B.P.N.E.

She reported the following charge:

- 10/1/09 Misdemeanor Theft

The respondent has provided certified court documents which indicate that she pled guilty to a lesser charge, and the matter has been cleared with the court.

The respondent graduated from the program on 5/19/2015.

CONCLUSIONS OF LAW

Based on the evidence submitted, the board has concluded that **Ms. Busby** 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

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

1. being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;
8. being guilty of unprofessional conduct;
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 is hereby fined **$500.00** for the above violations. This fine is due prior to being made eligible to take the NCLEX-PN

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. This disciplinary action is reportable to all applicable state and federal agencies.

M Lynn Ansardi, RN

M. Lynn Ansardi
Executive Director

KB
Kimberly Busby

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

RECEIVED
AUG -7 2015
L.S.B.P.N.E.

CONSENT AGREEMENT/ORDER ACCEPTANCE

I, **Kimberly Busby,** the undersigned respondent, agree that the board has jurisdiction over the matter and specifically waive my right to contest these findings in any subsequent proceedings before the board. I understand that this agreement shall constitute as public record and is considered disciplinary action by the board. I also understand that this action will be reported as mandated to all state and federal agencies.

I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Practical Nurse Examiners in resolving this matter and intend to comply with all stipulations of this agreement.

I voluntarily agree to sign and have witnessed the terms of this agreement for the purpose of avoiding a formal hearing with the Louisiana State Board of Practical Nurse Examiners.

I do say that I freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in the matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I understand that this agreement must be accepted by the full board at its next scheduled board meeting, prior to me being make eligible to take the NCLEX-PN.

I understand that this agreement is effective immediately upon signature of the executive director and will become an order of the board. It is understood that this agreement does not preclude the Board of Practical Nurse Examiners from requiring a formal hearing of my case. I further understand that should this agreement not be accepted by the board, I agree that presentation to and consideration of this agreement, the documenting evidence and information obtained by the board shall not unfairly or illegally prejudice the board or any of its members from participation in hearings or other proceedings pertaining to these or other matters.

I further agree that if at any point during the execution of this agreement, I violate the stipulations set forth, my license will be suspended. In order for my license to be reinstated, I must demonstrate, to the satisfaction of the board that I pose no danger to the practice of nursing or to the public and that I can safely and competently perform the duties of a practical nurse. The board, in reinstating my license, will require a period of probation, along with supportive conditions or stipulations as outlined in this agreement to ensure that patients and the public are protected.

Kimberly Busby — 08/06/2015
Signature of licensee/applicant — **Date**

Carlos Jerson — 08/06/15
Signature of witness #1 — **Date**

Caleb Busby — 8/6/15
Signature of witness #2 — **Date**

M Lynn Ansardi, RN — 8/7/2015
M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR — **Date**

KB
Kimberly Busby