

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)

v.

**Batrena Farve (respondent), LPN, license #230133
P.O. Box 949, Glenmora, LA 71433**

On **July 28, 2015**, a formal complaint/notice of hearing (attachment A) was mailed to the last known address of the respondent. The respondent denied the allegations and waived her right to a formal hearing according to the LAC 46:XLVII.306.I. 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 license to practice practical nursing in the state of Louisiana on January 30, 2003.
2. The respondent indicated on her 2015 renewal application that she was actively employed part-time as a licensed practical nurse for The Guardian House in Lake Charles, Cabrini Hospital and Rapides Hospital and that she last practiced as an LPN in May of 2014. However, she has not held a current license to practice practical nursing since January 31, 2014.
3. The board received the respondent's narrative statement indicating that she incorrectly indicated that she was employed as an LPN in May of 2014. She indicated that she last worked as an LPN at The Guardian House in January of 2014; however, verification information from The Guardian House indicated that she last worked as a nurse on 7/19/12. Additionally, the respondent listed on her application that she was also employed by Cabrini Hospital and Rapides Hospital. According to information from Rapides Hospital and Cabrini Hospital, they had no record of her employment. The

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respondent admitted in her statement to the board that she had not worked at Cabrini or Rapides, but "knew people that worked there". The respondent falsified her renewal application by indicating employers that did not employ her.

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 (8) Violate any provisions of this Part.

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;**
- 8. **being guilty of unprofessional conduct;**
 - a. **failure to practice practical nursing in accordance with the standards normally expected;**
 - 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, **Batrena Farve, license #230133** is hereby issued a letter of reprimand as disciplinary action against his/her license for the violations of the Nurse Practice Act.

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Furthermore, the respondent must abide by the following orders of the board:

1. 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 within **ninety (90) days** from 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.

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: Batrena Farve
 P.O. Box 949
 Glenmora, LA 71433**

The Louisiana State Board of Practical Nurse Examiners hereby issues this letter of reprimand against **Batrena Farve, license #230133** based on following:

FINDINGS OF FACT

1. The respondent was issued a license to practice practical nursing in the state of Louisiana on January 30, 2003.
2. The respondent indicated on her 2015 renewal application that she was actively employed part-time as a licensed practical nurse for The Guardian House in Lake Charles, Cabrini Hospital and Rapides Hospital and that she last practiced as an LPN in May of 2014. However, she has not held a current license to practice practical nursing since January 31, 2014.
3. The board received the respondent's narrative statement indicating that she incorrectly indicated that she was employed as an LPN in May of 2014. She indicated that she last worked as an LPN at The Guardian House in January of 2014; however, verification information from The Guardian House indicated that she last worked as a nurse on 7/19/12. Additionally, the respondent listed on her application that she was also employed by Cabrini Hospital and Rapides Hospital. According to information from Rapides Hospital and Cabrini Hospital, they had no record of her employment. The respondent admitted in her statement to the board that she had not worked at Cabrini or Rapides, but "knew people that worked there". The respondent falsified her renewal application by indicating employers that did not employ her.

CONCLUSIONS OF LAW

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

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(g) has violated any provisions of this Part;

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

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;**
- 8. being guilty of unprofessional conduct;**
 - a. failure to practice practical nursing in accordance with the standards normally expected;**
 - 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 abide by the following orders of the board:

- 1. 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 within ninety (90) days from the date of this order.**

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.

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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.

LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS

M Lynn Ansardi RN

M. Lynn Ansardi, RN
Executive Director

8/18/15

Date

Rendered this 18th day of August, 2015 and mailed this 18th day of August, 2015, by U.S. postal service certified mail return receipt #7015 0920 0001 4574 6043 and regular mail to the following address:

**Batrena Farve
P.O. Box 949
Glenmora, LA 71433**

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July 28, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7015 0920 0001 4574 5701

Batrena Farve
P.O. Box 949
Glenmora, LA 71433

LICENSE #230133
D.O.B. 8/2/1976

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, 2015

Time: 8:00 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.
Batrena Farve

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

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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);
 - (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 (8) Violate any provisions of this Part and B.

2. 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;**
 8. **being guilty of unprofessional conduct;**
 - a. **failure to practice practical nursing in accordance with the standards normally expected;**
 - 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.**

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

1. The respondent was issued a license to practice practical nursing in the state of Louisiana on January 30, 2003.
2. The respondent indicated on her 2015 renewal application that she was actively employed part-time as a licensed practical nurse for The Guardian House in Lake Charles, Cabrini Hospital and Rapides Hospital and that she last practiced as an LPN in May of 2014. However, she has not held a current license to practice practical nursing since January 31, 2014.
3. The board received the respondent's narrative statement indicating that she incorrectly indicated that she was employed as an LPN in May of 2014. She indicated that she last worked as an LPN at The Guardian House in January of 2014; however, verification information from The Guardian House indicated that she last worked as a nurse on 7/19/12. Additionally, the respondent listed on her application that she was also

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employed by Cabrini Hospital and Rapides Hospital. According to information from Rapides Hospital and Cabrini Hospital, they had no record of her employment. The respondent admitted in her statement to the board that she had not worked at Cabrini or Rapides, but "knew people that worked there". The respondent falsified her renewal application by indicating employers that did not employ her.

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

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July 28, 2015

Please sign, date and return to the board office at 131 Airline Dr., Ste. 301, Metairie, LA 70001.

_____ **I admit** to the allegations contained in the notice of complaint and **will appear** for the scheduled formal hearing.

_____ **I deny** the allegations contained in the notice of complaint and **will appear** for the scheduled formal hearing.

_____ **I admit** to the allegations and **hereby waive my rights** to a formal hearing in the matter. **I will not appear** for the scheduled formal hearing and understand that in doing so my case may either be heard without my appearance, or the Board may issue an order by default.

_____ **I deny** the allegations and **hereby waive my rights** to a formal hearing in the matter. **I will not appear** for the scheduled formal hearing and understand that in doing so my case may either be heard without my appearance, or the Board may issue an order by default.

_____ I enclose my written response to the allegation(s) contained in the notice of complaint and **will not appear** for the scheduled formal hearing. I understand that in doing so my case will be heard without my appearance.

NAME: _____

ADDRESS: _____

PHONE#: _____

DATE: _____

SIGNATURE: _____