

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:

Tonia Freeman - respondent
License #270909

This cause having come to be heard at a formal hearing conducted at the board office on July 8, 2015 at 1:30 p.m. upon the complaint filed in this matter.

1. The respondent was present and did give sworn testimony. The respondent was represented by Ronald Richard, Esq., who was present at the hearing.
2. The following witnesses were called to testify by the board:
 - Irish Washington Taylor, LPN
 - Rebecca J. Sink, RN
 - Brenda L. DeBarge, LPN
 - Jodi L. Stickney
 - Brian Heinen, M.D., MRO (Via telephone)

The hearing officer found the witnesses to be credible.

3. Exhibits A through T, including Respondent's exhibits 1 through 2J, 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:

The hearing officer took into account the reason the respondent tested positive for cocaine on a pre-employment urine drug screen; and had to separate it from the respondent's defective practice issues. The respondent has had multiple jobs in which her nursing practice has been consistently defective. Examples of the respondent's defective practice issues were: No/poor documentation, carelessness, not following physician's

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orders, insubordination, signing that she had administered a medication and flushed a patient's peg tube when the syringe had never been open, and sleeping on duty. It was proven that the respondent gave multiple untruths as to her reasons for leaving her prior employments. She would either be terminated or quit on the spot. She even denied her criminal background to one employer.

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 Louisiana Revised Statutes of 1950, Title 37, Chapter 11, Nurses, Part II, Practical Nurses, Section 969 A. (4):

- (c) is unfit, or incompetent by reason of negligence habit, or other causes;**
- (d) is habitually intemperate or is addicted to the use of habit forming drugs;**
- (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.

As further defined in 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;**
- 4. being habitually intemperate or addicted to the use of habit-forming drugs;**
- 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;**
 - c. failure to exercise technical competence in carrying out nursing care;**
 - g. improper use of drugs, medical supplies, or patients' records;**
 - i. falsifying records;**

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- j. intentionally committing any act that adversely affects the physical or psychosocial welfare of the patient;
- l. leaving a nursing assignment without properly notifying appropriate personnel;
- p. inappropriate, incomplete or improper documentation;
- q. using or being under the influence of alcohol, while on duty, and/or while making application for employment, or using or being under the influence of drugs which impair judgment while on duty, or using or being under the influence of illegal drugs whether on or off duty;
- 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 **Tonia Freeman, license #270909**, on **November 6, 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, **Tonia Freeman, license #270909** be **REVOKED**. Revocation is permanent. The licensee can never again practice as a practical nurse in the state of Louisiana.

1. The respondent is hereby fined \$500.00, **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 \$500.00, **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 **ten (10) 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.

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Rendered this 6th day of November, 2015 and signed this 6th day of November, 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 6th day of November, 2015, by U.S. postal service certified mail return receipt #7015 1730 0001 8796 8652 and regular mail to the following address:

Tonia Freeman
P.O. Box 374
Lake Charles, LA 70602