

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

November 6, 2015

Adrian Robinson
3926 Highway 28 East Apt 307
Pineville, LA 71360

Dear Mr. Robinson:

Enclosed you will find your Board Order with the stipulations set forth which you **must follow** throughout your Suspension and/or Probation period.

Please read the entire Order **completely and carefully**. Failure to follow **all** stipulations set forth may result in further disciplinary action being taken against your practical nursing license, which may include additional fines, an extended probation period, suspension, revocation and/or denial of licensure.

You may also go to the Board's website at www.lsbpne.com at any time to review the Administrative Code pertaining to practical nurses, including the Rules and Adjudication, License Suspension and Revocation Proceedings, §306. This information was also included with your Formal Complaint.

If you have any questions or concerns you should submit them in writing to the board office, please include your current address and telephone number with your request.

**LOUISIANA STATE BOARD OF
PRACTICAL NURSE EXAMINERS**

M Lynn Ansardi RN

M. Lynn Ansardi, RN
Executive Director

MLA/kg

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In the matter of:

Adrian Robinson - respondent
License #290424

This cause having come to be heard at a formal hearing conducted at the board office on **August 7, 2015 at 1:00 p.m. and concluding on September 11, 2015 at 1:00 p.m.** upon the complaint filed in this matter.

1. The respondent was present and gave sworn testimony.
2. The following witnesses were present and gave sworn testimony:

- Pamela B. Gleason, RN
- George H. Jacks, RN
- Melissa D. McKinney, LMSW
- Barry R. Mangham, LAC
- Cherie Franks, RN

The hearing officer found the witnesses to be credible.

3. Exhibits A1-N36 were admitted into the record.
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. It was proven that, while employed with Edgefield Recovery Center, from February 20, 2014, until his termination on April 9, 2014, the respondent made inappropriate sexual remarks to female clients making them uncomfortable. Several employees and clients reported that the respondent would be on his cell phone and on his personal laptop viewing dating websites during his shifts. The respondent violated the facility

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policy and contacted a client only days after she was discharged from the facility, asking her to go out to a bar. (Exhibits B1-25)

2. The respondent, while on assignment as an agency nurse at Christus St. Frances Cabrini Hospital, during his shift of March 24, 2011, failed to follow standard nursing practice in the following ways:

- Failed to complete a chart check prior to administering medications which resulted in a patient receiving the incorrect medication of Abilify instead of Aricept.
(Page 88 lines 18-25 through page 90 lines 1-4)
- Failed to conduct vital signs on residents on a renal unit, during the shift when facility policy required vitals to be taken every four hours.
(Page 92 lines 15-17, Page 93 line 23 through Page 94 lines 1-21; Page 97-99; Page 107 lines 2-14; Page 108, line 25 through Page 10- line 19; Page 123 lines 21 through 125 line 4; Exhibits I323, I324, I356, I357, I492, I494, I495, I503)
- Failed to administer a dose of Vancomycin at 4:00a.m. failed to assess the site of a resident who had a thoracentesis performed the previous shift, resulting in the patient being discovered with soiled sheets and blood located on the back and bedding
(Page 123 lines 7-20; Page 128 lines 10 through Page 129 line 24)

The respondent stated that the reason he did not chart vital signs was due to the computer system being down. However, according to the testimony of Ms. Gleason, the computer system was down 10 minutes in the daytime and the respondent did not work the day shift.
(Exhibit H-3, Testimony, page 95 line 12-24 and page 185, line 22 – page 187 line 7)

The respondent was prohibited from working at the facility as an agency nurse due to his unsafe nursing practice of failing to document vital signs, and assessments, making a medication errors, and complaints that he brought a personal laptop on the unit.
(Page 99 line 23-25, Page 100 through Page 101 line 2)

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3. The respondent admitted that he has PTSD and cannot work on a med-surg unit or go back to school to become an RN. Medical records received on August 18, 2015, confirmed the respondent's diagnoses of Depression and PTSD.

The respondent testified that he is being prescribed Bupropion, but is not compliant with his medication. He admits that his PTSD creates problems when he works on a med-surg unit or similar setting.
(Testimony page 168 line 15 – page 169 line 5)

He testified that his PTSD limits his ability to practice practical nursing in the following ways:

- “If I am having to deal with patients who constantly – If they don’t understand the fact of I’m there to provide medical care for them and get better, instead of baby-sitting them and doing things that’s not really – things that they can do for themselves and, but because they are in the hospital and they believe that the nurse is supposed to do it....like if they can pick up a cup of water, then you should do it instead of having the nurse do it for you just because you don’t want to do it.”
- He admits that compassion is one of his problems as a result of his PTSD.
- He admits that some patients cause him to get depressed and have a lack of energy.
- He admits that it aggravates him to deal with patients he considers needy as he promotes independence instead of dependence and believes the more the patient can do on their own the less time they have to stay in the hospital dependent upon their condition.
- He admits the best type of nursing for him is one where he has limited interaction with patients and patient care.

(Testimony, page 170 line 1 – page 172 line 24 and page 174, line 2 – page 175 line 12)

JURISDICTION

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

CONCLUSIONS OF LAW

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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;**
- (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.

- 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;**
 - d. violating the confidentiality of information or knowledge concerning a patient;**
 - 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;**
 - o. being guilty of moral turpitude;**
 - r. possess a physical or psychological impairment which interferes with the judgment, skills or abilities required for the practice of practical nursing;**
 - 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 **Adrian Robinson**, 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, **Adrian Robinson #290424** be **SUSPENDED** until the following stipulations are met:

1. **Return license to the board office:**

- A. The respondent shall return his/her current practical nursing license to the board office within **ten (10) days** of the date of this order.
- B. The respondent shall not practice nursing during the period that his/her license is suspended.

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).

3. **Notify board of change of address/telephone number:**

- A. The respondent shall notify the board in writing within **ten (10) days** of any change in personal address or telephone number.

4. **Obtain the following evaluation(s):**

Psychological

- A. Within **thirty (30) days** of the date of this order, the respondent shall undergo the above ordered evaluation(s). The evaluation(s) shall be conducted by a licensed certified psychologist/psychiatrist/addictionologist of the respondent's choice. The evaluation(s) shall be conducted using both objective and subjective assessment tools.

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- B. Prior to the evaluation(s), the respondent shall furnish the evaluator with a copy of the board order/consent order to include the findings of fact, conclusions of law, and the **Board Order Acknowledgement Form**. The evaluator shall verify receipt and review of these documents in the evaluation(s) of the respondent.
 - C. The respondent shall execute the **Release of Information Form** to allow the evaluator to communicate with and supply information to the board.
 - D. The respondent shall direct the evaluator to submit directly to the office of the board the **Release of Information Form, the Board Order Acknowledgement Form** and the evaluative report(s).
 - E. The report of the evaluation(s) shall include, but not be limited to, the following:
 - i. history of chemical use
 - ii. past and present treatment and/or recovery activities
 - iii. results of any testing conducted
 - iv. a summary of the findings
 - v. treatment plan, if applicable
 - vi. list of medications prescribed, if applicable
 - vii. an assessment as to respondent's ability to practice safely as a practical nurse
 - F. The respondent shall satisfactorily complete any and all recommendations made by the evaluator. If treatment or therapy is recommended, the respondent shall, within **thirty (30) days** of the evaluator's report, initiate all treatment and/or therapeutic activities. If treatment or therapy is recommended, the respondent shall submit to the board the name and credentials of the therapists and/or the name and address of the treatment facilities.
 - G. The respondent shall undergo subsequent evaluations by a board approved psychologist/psychiatrist/addictionologist if requested by the board following a relapse or for other related causes.
5. **Participate in any and all treatment/aftercare programs as prescribed:**
- A. The respondent shall enroll and participate in board approved treatment/aftercare programs as prescribed or recommended by the chemical

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addiction/psychological evaluator.

- B. The respondent shall have the aftercare counselor submit to the board office proof of the respondent's entry into an appropriate facility, inpatient program, outpatient program, halfway house, residential long-term treatment, and/or a combination thereof.
- C. The respondent shall execute the **Release of Information Form** to allow the treatment facility/center/counselor/practitioner of record to communicate with and supply information to the board.
- D. The respondent shall submit evidence of **continued compliance with the treatment plan/counseling**. Treatment/aftercare compliance must be maintained throughout the duration of this order or until treatment is deemed complete.
- E. The respondent shall cause the aftercare counselor to submit quarterly to the board office progress reports indicating compliance with treatment recommendations. Reports are due on or before the 10th day of January, April, July, and October of each year until treatment is deemed complete.
- F. Upon completion of the treatment/aftercare program(s), the respondent shall have the aftercare counselor provide the board with documentation indicating the respondent's successful completion of the program.

6. **Courses:**

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

- Ethical Nursing Practice-8 CEU's
- Communication Skills for Nursing-30 CEU's
- Charting/Documentation-30 CEU's
- Medication Administration-30 CEU's

Evidence of completion of the course(s) is due in the board office prior to any reinstatement request.

7. **Fines/Fees:**

- A. The respondent is hereby fined \$1,000.00, **payable by cashier's check or**

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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 \$1,000.00, **payable by cashier's check or money order only**, within **90 days** of the date of this order.
- C. The respondent must pay any/all fines/fees owed to the board, including a reinstatement fee, if/when applicable. Fines/fees are **payable by cashier's check or money order only**.

8. **Reinstatement requirements:**

- A. All stipulations of the suspension must be successfully fulfilled prior to a request for reinstatement.
- B. The respondent is to submit a written request for reinstatement to the board office.
- C. If a chemical and/or psychological assessment was stipulated before reinstatement can be considered, the provider who conducted the original assessment must submit a letter to the board office indicating that he/she feels the respondent can safely return to the practice of practical nursing and under what conditions (i.e., recommendations for on-going treatment and a list of medications being prescribed). If the assessment includes a treatment plan, evidence of compliance with this plan must also be submitted to the board.

Upon favorable review of the reinstatement request, the license of the respondent may then be placed on probation for a minimum period of **two (2) years**. During this probationary period the respondent shall follow **stipulations #2, 3 and 5 as stipulated above and the following stipulations as stipulated below:**

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, so the license can be stamped with the mandatory probation stamp.

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2. **Fines/Fees:**

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

3. **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 the board order/consent order.
 - 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

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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)
 - 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.
- I. The respondent shall notify the board in writing within **ten (10) days** of any change in employment. Changes in employment include accepting a new job, as well as resignation, or termination.
- J. Upon obtaining a prescription for controlled/abuse potential substance(s) while holding a probated license, the respondent is responsible for informing his/her employer within **three (3) days** from the date of the prescription(s).

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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:

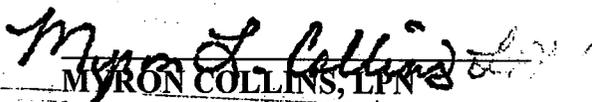
a) immediate suspension of license, b) indefinite suspension of license, c) ineligibility for annual renewal of license, d) additional fines/penalties up to \$500.00 per occurrence, e) increased probationary period, f) summary suspension and g) revocation.

FAILURE TO COMPLY WITH ANY SECTION OF THIS ORDER RELATED TO DRUG SCREENS, TREATMENT PLANS, AND/OR REGARDING PERSONAL SUBSTANCE ABUSE WHETHER PRESCRIPTION DRUGS OR ILLEGAL DRUGS MAY RESULT IN SUSPENSION OF UP TO A FOUR (4) YEAR PERIOD WITHOUT A HEARING BEFORE THE BOARD. During the period of suspension, if related to substance abuse, appropriate consistent treatment must be obtained, and the respondent must show evidence of **two (2) consecutive years** of being drug/alcohol free immediately prior to the respondent's initiation of a reinstatement request. If during the **two (2) consecutive years** of sobriety the respondent relapses, the **two (2) consecutive years** of sobriety will re-start on the date of the relapse occurrence, provided that the respondent is in treatment.

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 **6th** day of **November, 2015** and signed this **6th** day of **November, 2015** at Metairie, Louisiana.


MYRON COLLINS, LPN
CHAIRMAN OF THE BOARD


M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR

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Mailed this 6th day of November, 2015, by U.S. postal service certified mail return receipt #7015 1730 0001 8796 7075 and regular mail to the following address:

Adrian Robinson
3926 Hwy 28 East Apt 307
Pineville, LA 71360