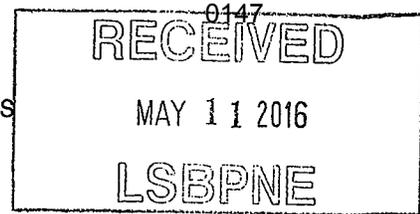


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In the matter of: **Michael Guerrero**
 684 Harry Jones Rd.
 Carriere, MS 39426

License #230416

Date offered: **April 1, 2016**

Date offer expires: **April 21, 2016**

CONSENT AGREEMENT/ORDER

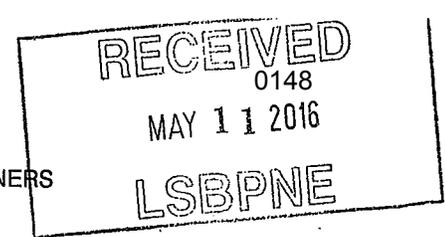
The Louisiana State Board of Practical Nurse Examiners does hereby offer this consent agreement/order to **Michael Guerrero, license #230416**, based on the following:

FINDINGS OF FACT

1. The respondent submitted his 2015 renewal application and answered "yes" to question #18.a. which asks: SINCE YOUR LAST RENEWAL, HAVE YOU: Been arrested, charged, convicted of, plead guilty, or no contest and/or nolo contendere or been sentenced for any criminal offense in any state? (NOTE: even though an arrest or conviction has been pardoned, EXPUNGED, dismissed or deferred and your civil rights have been restored, you must answer "YES" and attach a detailed written statement and certified copies of the criminal record(s)).
2. According to the documents he submitted to the board, he was charged with felony shoplifting on or about May 2, 2010. He pled guilty and was convicted on January 20, 2012. He was sentenced to serve 5 years in the Mississippi Department of Corrections. His sentence was suspended and he was placed on probation for a term of 5 years. According to a discharge order, his probation was terminated on November 6, 2014. The respondent failed to report this charge on his 2012 or 2013 renewal applications as required.


Michael Guerrero C.A.

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CONCLUSIONS OF LAW

Based on the evidence submitted, the board has concluded that **Mr. Guerrero** 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;**
- (b) **is guilty of a crime;**
- (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.

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

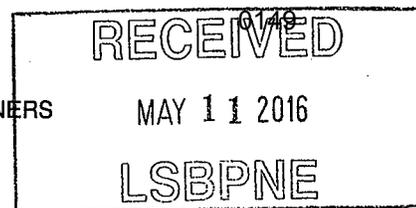
- 1. **being guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing;**
- 2. **being guilty of a crime;**
- 3. **being unfit, or incompetent by reason of negligence, habit or other causes;**
- 8. **being guilty of unprofessional conduct;**
 - i. **falsifying records;**
 - n. **being convicted of a crime or offense which reflects the inability of the nurse to practice practical nursing with due regard for the health and safety of clients or patients or enters a plea of guilty or nolo contendere to a criminal charge regardless of final disposition of the criminal proceeding including, but not limited to, expungement or nonadjudication or pardon;**
 - 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:

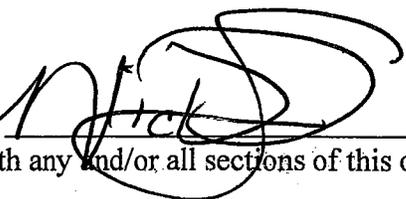
- 1. The respondent shall be issued a letter of reprimand as disciplinary action against the respondent's license for the violations of the Nurse Practice Act.


Michael Guerrero C.A.

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

The respondent is hereby notified and by signature  acknowledges and agrees that failure to comply with any and/or all sections of this order 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) 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/or g) revocation.

Michael Guerrero C.A.

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MAY 11 2016

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LETTER OF REPRIMAND

In the matter of: **Michael Guerrero**
 684 Harry Jones Rd.
 Carriere, MS 39426

License #230416

Date: **April 1, 2016**

The Louisiana State Board of Practical Nurse Examiners hereby issues this letter of reprimand against **Michael Guerrero, license #230416**, based on the following:

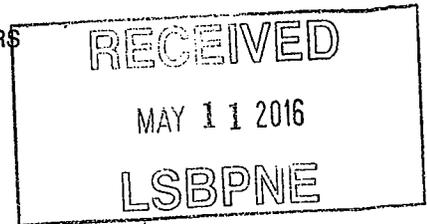
FINDINGS OF FACT

1. The respondent submitted his 2015 renewal application and answered "yes" to question #18.a. which asks: SINCE YOUR LAST RENEWAL, HAVE YOU: Been arrested, charged, convicted of, plead guilty, or no contest and/or nolo contendere or been sentenced for any criminal offense in any state? (NOTE: even though an arrest or conviction has been pardoned, EXPUNGED, dismissed or deferred and your civil rights have been restored, you must answer "YES" and attach a detailed written statement and certified copies of the criminal record(s)).
2. According to the documents he submitted to the board, he was charged with felony shoplifting on or about May 2, 2010. He pled guilty and was convicted on January 20, 2012. He was sentenced to serve 5 years in the Mississippi Department of Corrections. His sentence was suspended and he was placed on probation for a term of 5 years. According to a discharge order, his probation was terminated on November 6, 2014. The respondent failed to report this charge on his 2012 or 2013 renewal applications as required.



Michael Guerrero C.A.

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CONSENT AGREEMENT/ORDER ACCEPTANCE

I, **Michael Guerrero**, 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.

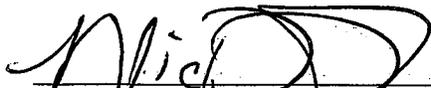
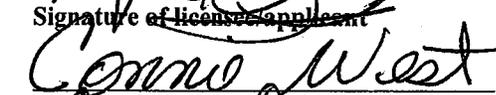
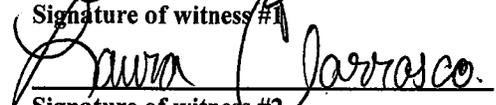
I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Practical Nurse Examiners in resolving this matter and intend to comply with all stipulations of this agreement.

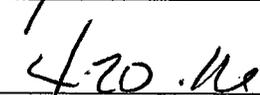
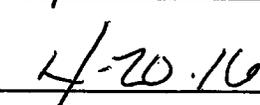
I voluntarily agree to sign and have witnessed the terms of this agreement for the purpose of avoiding a formal hearing with the Louisiana State Board of Practical Nurse Examiners.

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.

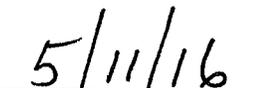
I understand that this agreement is effective immediately upon signature of the executive director and will become an order of the board. It is understood that this agreement does not preclude the Board of Practical Nurse Examiners from requiring a formal hearing of my case. I further understand that 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.


 Signature of licensee applicant

 Signature of witness #1

 Signature of witness #2


 Date

 Date

 Date


 M. LYNN ANSARDI, RN
 EXECUTIVE DIRECTOR


 Date


 Michael Guerrero C.A.