

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: Renesha Brown
Last four digits S.S. #9175
D.O.B. 10/26/1981

This cause having come to be heard upon the complaint filed herein, the evidence and testimony entered before the undersigned hearing officer on **June 30, 2016**. The nature of the hearing was to determine eligibility for licensure in the state of Louisiana.

No witnesses were present for the board.

No witnesses were present for the respondent.

The respondent was present and did give sworn testimony.

1. Exhibits A1 through I and Respondent's Exhibits 1 through 9B were admitted into the record.
2. 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.

FINDINGS OF FACT

During the formal hearing process, the following facts were confirmed:

1. The board received the respondent's First Time Writers Application requesting that she be allowed to write the NCLEX-PN. Upon entrance into the practical nursing program, the respondent answered "yes" to question 19 on her Evaluation for Admission to a Practical Nursing Program, which asks:

"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**?"

The respondent reported the following arrests/charges:

- 6/24/2003 – Making Harassing Phone Calls
- 8/24/2004 - Failure to obey a police officer
- 8/27/2005 – Bank Larceny

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2. Although the respondent answered "yes" to question 19 and reported the above listed arrests, she failed to report the following arrests/charges as required upon applying to enter into the practical nursing program:
- 9/29/2003 – Accessory after the fact – charges refused on 10/16/2003
 - 12/08/2004 – Warrant
 - 02/4/2005 – 1) Filing or maintaining false public records; 2) Resisting an officer – Obstruction of court orders – charges refused on 2/16/2005
 - 04/19/2005 – Warrant
 - 2009 – 1) Disturbing the peace; 2) Battery – charges dismissed 1/13/2010
3. The respondent was arrested on June 24, 2003, for the charge of: Harassing Phone Calls. She reported that this was due to her child's father repeatedly bringing her to court during a child custody battle.

On 9/29/03, the respondent was arrested for the charge of Accessory After the Fact (Harbor). Police arrived at her apartment and asked her permission to check the apartment for her boyfriend, who was wanted for murder. She initially agreed, but then refused to allow the search. When the door to her apartment was opened, officers discovered the boyfriend inside and placed him under arrest. According to the police report, the respondent admitted upon questioning that she was aware the boyfriend was wanted for murder. The respondent testified that she believed she had reported this arrest to the board.

The respondent's boyfriend was involved in a car accident on 8/24/04. The respondent arrived at the scene and ran towards the vehicle. She caused a disturbance and was repeatedly ordered by officers to leave the scene. She was arrested for refusal to move on when ordered by the officer as well as for an outstanding warrant for failure to appear.

On 2/04/05, officers questioned the respondent's boyfriend, who was wanted on several warrants. He gave them a false name and date of birth. Officers interviewed the respondent, who also repeatedly gave them false information regarding the boyfriend's identity. She was arrested for obstruction of court orders and resisting an officer. The respondent testified that she believed she had reported this arrest to the board.

Following Hurricane Katrina in 2005, the respondent and her boyfriend relocated to Texas with the children and several family members. They discovered that both were able to withdraw \$200.00 at the ATM machine, although they were aware that the account only contained a little over \$200.00. They tried again the next day and were able to continue to withdraw money in \$200.00 increments. The respondent and her boyfriend eventually withdrew a total of \$8644.74 from this account.

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The respondent indicated that she expected to repay the money along with possibly a fine, but never expected to end up in a court room. She testified that she did not intend to inform the credit union unless she got caught. She pled guilty and has completed her court-ordered probation.

In 2009, the respondent was involved in an altercation at a nightclub. She was issued a summons for Disturbing the Peace and Battery. She did not tell the board about this because she did not know it was on her record.

4. On her Evaluation for Admission to a Practical Nursing Program, the respondent answered "no" to question 15 C, which asks:

"Have you ever taken an examination to obtain an occupational license or certification?"

However, the respondent did take the exam to obtain a security license. She held this license from 2000 until 2010, when it was denied due to her felony conviction.

5. The hearing officer finds that the respondent has consistently and repeatedly made poor decisions, despite her admission that she was aware her actions were wrong. She has easily justified her choices and has attempted to deceive law enforcement and corporate and regulatory entities. She has demonstrated a willingness to disobey the law, deceive others, and avoid her obligations. These traits could potentially place patients and the public at risk.

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 following:

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;**
 - (b) **is guilty of a crime;**
 - (f) **is guilty of unprofessional conduct;**
 - (g) **has violated any provisions of this Part;**

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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;**
 2. **being guilty of a crime;**
 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.**

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ORDER

The matter of **Renesha Brown, applicant for licensure, last four digits S. S. #9175 on July 29, 2016**, came on for final action by the Louisiana State Board of Practical Nurse Examiners.

NOW THEREFORE, IT IS ORDERED, that the respondent, **Renesha Brown**, is hereby **DENIED LICENSURE** as a practical nurse in the state of Louisiana and

- A. The respondent is to be assessed a hearing assessment fee of **\$500.00, payable by cashier's check or money order only**, within **90 days** of the date of this board 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.

Rendered this **29th** day of **July, 2016** and signed this **29th** day of **July, 2016** at Metairie, Louisiana.



MYRON COLLINS, LPN
CHAIRMAN OF THE BOARD



M. LYNN ANSARDI, RN
EXECUTIVE DIRECTOR

Mailed this **29th** day of **July, 2016** by U.S. postal service certified mail return receipt **#7014 0150 0001 8287 7670** and regular mail to the following address:

Renesha Brown
2509 Cascade Dr.
Marrero, LA 70072