

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: Jerell King, S.S. # ending with 2353
Applicant for licensure**

The Louisiana State Board of Practical Nurse Examiners, at a hearing held on June 30, 2016, adopted the following findings of fact and conclusions of law.

The nature of the hearing regarding respondent Jerell King, Applicant for Licensure as a practical nurse in the State of Louisiana, was to determine if the applicant is eligible 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 F1 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

1. On October 13, 2014, the board received the respondent's student evaluation form for admission into the practical nursing program at Southern University at Shreveport Campus. On this form, the respondent answered "no" to question 19, 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**?"

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The respondent failed to report the following arrest, as required upon entering the practical nursing program:

- 7/14/2009 – Felony Theft
2. The respondent indicated to the board that the reason for her incorrect answer was that she did not completely read this question, and was under the impression that it only referred to criminal convictions. The respondent testified that she later had a conversation with a classmate, and learned she was to have reported her arrest. At that time, she reported the matter to her instructor. She submitted certified court documents to the school and was under the impression that the board had received those copies as well.
 3. At age 17, the respondent became involved in a relationship with a man who had a lengthy arrest record. He was the father of her young children. In 2009, at the age of 21, the respondent was employed at a department store. Her partner persuaded her to perform return transactions for merchandise he had not purchased. She did this on 3 occasions, for a total amount of \$806.28. She testified that she agreed to this because she had no one else to depend upon and was fearful of him. When her actions were discovered, she was arrested for theft. The respondent successfully completed a Pre-Trial Diversion Program, and the charge was dismissed.
 4. The hearing officer finds that the respondent has taken actions to correct her mistakes of the past. She has made restitution and seems remorseful for her lapse in judgment. The arrest of 2009 remains the one and only arrest of her lifetime. The hearing officer believes that this respondent's history should not prevent her from becoming a licensed practical nurse.

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)

- (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;**

And 978 A (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;**
- 2. being guilty of a crime;**
- 8. being guilty of unprofessional conduct;**
 - 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 **Jerell King, applicant for licensure, 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 applicant upon successfully writing the NCLEX-PN, be issued a practical nursing license and issued a Letter of Reprimand. In addition, the respondent shall:

- A. Submit a hearing assessment fee of **\$500.00, payable by money order/cashier's check only**, due within **ninety (90) days** of the date of this order.
- B. Submit a fine of **\$500.00, payable by money order or cashier's check only**, due within **ninety (90) days** of 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.

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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.

Rendered this 29th day of July, 2016 and signed this 29th day of July, 2016 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 29th day of July, 2016 by U.S. postal service certified mail return receipt #7007 2560 0001 8287 7687 and regular mail to the following address:

Jerell King
1004 Quail Creek Rd. Apt A
Shreveport, LA 71105