BEFORE THE TEXAS BOARD OF NURSING

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TEXAS BOARD OF NURSING
I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Executive Director of the Board

In the Matter of Vocational Nurse	§
License Number 207279	§
issued to CINDY GUIDRY LEBEOUF	§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 207279, issued to CINDY GUIDRY LEBEOUF, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing.

3. Respondent received a Certificate in Practical Nursing from South Louisiana Trade School, Houma, Louisiana, on June 26, 1986. Respondent was licensed to practice practical nursing in the State of Louisiana on December 7, 1986, and was licensed to practice vocational nursing in the State of Texas on November 2, 2006.

4. Respondent's nursing employment history includes:

12/1986 - 01/1990	Unknown	
02/1990 - 01/1997	Staff Nurse	Plaquemine Caring, LLC Plaquemine, Louisiana
07/1996 - 02/1990	Staff Nurse	Leonard J. Chabert Medical Center Houma, Louisiana

Respondent's nursing employment history continued:

02/1997 - 01/2002	Staff Nurse	Terrebonne General Medical Center Houma, Louisiana
01/2000 - 11/2004	Staff Nurse	Bayou Pediatric Associates Houma, Louisiana
01/2002 - 06/2002	Field Nurse	Pediatric Services of America Houma, Louisiana
11/2004 - 04/2006	Staff Nurse	Southeast Neuroscience Center Houma, Louisiana
06/2006 - 10/2006	Field Nurse	Terrebonne Home Health Houma, Louisiana
10/2006 - 03/2007	Office Nurse	Austin Diagnostic Clinic Austin, Texas
03/2007 - 05/2007	Staff Nurse	Austin Home Health Austin, Texas
05/2007 - Unknown	Field Nurse	Hallmark Lifeway Home Health/Encompass Home Health Austin, Texas

5. On or about May 14, 2010, Respondent was provided a proposed Agreed Order with a sanction of Warning with Stipulations and which included, in relevant part, the following Findings of Fact:

   That, on or about February 27, 2008, while employed as a Field Nurse with Hallmark Lifeway Home Health, Austin, Texas, Respondent failed to provide care for Patient JM, whose diagnoses included Congestive Heart Failure (CHF) and Diabetes, as ordered by the physician, including accurate assessments and interventions, as follows:

   - Respondent failed to weigh the patient;
   - Respondent failed to accurately assess the patient's left foot, which was discolored, as previously noted by the patient's family members prior to the visit;
   - Respondent failed to observe the patient take morning medications, and when she later learned that the patient had not taken the medications, failed to notify the physician; and
   - Respondent failed to administer the PM dose of Insulin, or obtain an order when she decided to hold the Insulin. The physician had only ordered Insulin to be held if the blood sugar was under 80mg/dL; the PM blood sugar was 119mg/dL. Respondent documented in the late entry narrative note, "Insulin held due to being sent to hospital."

The patient was not transferred to the hospital until the latter part of Respondent's afternoon visit, where it was revealed that she had sustained a fracture of her foot. Respondent's conduct was likely to injure the patient from undetected progression of adverse clinical conditions and may have deprived the patient of timely medical interventions, which could have resulted in further complications; and

That, on or about February 27, 2008, while employed as a Home Health Nurse with Hallmark Lifeway Home Health, Austin, Texas, Respondent failed to timely and accurately document in the medical record of Patient JM and also falsely documented in the patient's medical record, as follows:

- Respondent failed to timely document that the patient had not taken morning medications on February 27, 2008, and instead documented that the patient had missed taking the medications in a late entry Narrative Note on March 2, 2008;
- Respondent documented in her PM Skilled Visit Note that the blood sugar reading of 119mg/dL was fasting even though in her late entry narrative note she documented that it was a random blood sugar (i.e., not fasting);
- Respondent documented in her PM Skilled Visit Note that the patient had 3+ edema, but in the late entry narrative note documented that the edema was 2+;
- Respondent falsely documented in the PM late entry Narrative Note that Patient JM had eaten 100% of breakfast consisting of toast, ½ banana, and a glass of milk; however, there was no food in the house except jello cups; and
- Respondent falsely documented "no recent falls reported" in her PM Skilled Visit Note even though the patient had sustained multiple falls during the early morning hours preceding the visit on February 27, 2008.

Respondent's conduct was deceptive and resulted in an inaccurate, incomplete medical record.

6. On or about June 4, 2010, Respondent telephonically communicated to the Board her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

7. On June 25, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in the State of Texas. A copy of Respondent's notarized statement, dated June 21, 2010, is attached and incorporated herein by reference as part of this Order.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M),(1)(P)&(2)(A) and 217.12 (1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 207279, heretofore issued to CINDY GUIDRY LEBEOUF, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Effective this 25th day of June, 2010.

TEXAS BOARD OF NURSING

By: Katherine A. Thomas

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board

Cindy Guidry Lebeouf
204 Glynn Avenue
Houma, Lousiana, 703
Texas LVN License #207279

Voluntary Surrender Statement

June 7, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Cindy Guidry LeBeouf

Date 6-21-2010

Texas Nursing License Number 207279

The State of Texas

Before me, the undersigned authority, on this date personally appeared Cindy Guidry Lebeouf who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 21st day of June, 2010.

SEAL

Cheryl A. LeBoeuf

Notary Public in and for the State of Louisiana

Cheryl A. LeBoeuf #18917