



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.  
*Stephanie P. Johnson*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Registered Nurse License Number 878740 §  
issued to MITCHELL JUDE LARTIGUE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MITCHELL JUDE LARTIGUE, Registered Nurse License Number 878740, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in suspended status.
4. Respondent received an Associate Degree in Nursing from Louisiana State University-Alexandria, Alexandria, Louisiana, on May 23, 2002. Respondent was licensed to practice professional nursing in the State of Texas on June, 4, 2015.
5. Respondent's nursing employment history is unknown.
6. On or about February 26, 2018, Respondent's Louisiana Registered Nurse license was Summarily Suspended by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Louisiana Board of Nursing's Notice of Summary Suspension of License, dated February 26, 2018, is attached and incorporated, by reference, as part of this Order

7. Formal Charges were filed and Respondent's license to practice professional nursing in the State of Texas was temporarily suspended on March 30, 2018.
8. Formal Charges were mailed to Respondent on March 30, 2018.
9. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license(s) to practice nursing in the State of Texas.

#### 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 878740, heretofore issued to MITCHELL JUDE LARTIGUE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

#### TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 878740, heretofore issued to MITCHELL JUDE LARTIGUE, to practice nursing in the State of Texas, is accepted by the Texas Board of

Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least 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.

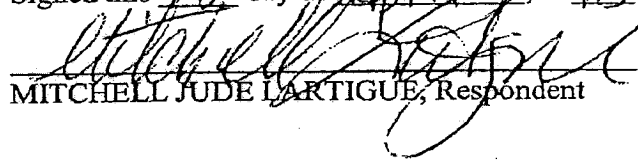
IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I ~~neither admit nor~~ deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 18 day of April, 2018.

  
MITCHELL JUDE LARTIGUE, Respondent

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept the voluntary surrender of Registered Nurse License Number 878740, previously issued to MITCHELL JUDE LARTIGUE.

Effective this 24th day of April, 2018.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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

# Louisiana State Board of Nursing

17373 Perkins Road

Baton Rouge, LA 70810

Telephone: (225) 755-7500 Fax: (225) 755-7582

<http://www.lsbn.state.la.us>

## Overnight/Email/Regular & Certified Mail/Return Receipt Requested

February 26, 2018

Mr. Mitchell Jude Lartigue  
18041 Legonier Access Road  
Lettsworth, LA 70753

Dear Mr. Lartigue:

It has come to the attention of the Louisiana State Board of Nursing that you have been involved with incidents which could affect patient safety, specifically:

1. On or about August 11, 2011, Patient S.P. filed a Sexual Battery Complaint with the Jefferson Parish Sheriff's Office. The Complainant stated that on or about August 4, 2011, he was admitted to Ochsner Medical Center in New Orleans, Louisiana, for a minor procedure (Endoscopy). Complainant stated that when he awoke in the recovery room he observed Respondent standing on the left side of his bed, with his hand inside of Complainant's pants fondling his genitals. Jefferson Parish Sheriff's Office attempted to follow up with Complainant and was unsuccessful. Due to the crime occurring in 2011, the statute of limitations has been met for this case.
2. On or about May 31, 2015, Respondent was arrested by the Los Angeles Police Department for Misdemeanor Driving Under the Influence (BAC .14g%). On June 25, 2015, in the Superior Court of California, County of Los Angeles, Respondent was charged with Count 1: Driving Under the Influence of Alcohol, Count 2: Driving Under the Influence with Blood Alcohol Content of .08 Percent or More and Count 3: Driving Without a License. On or about July 15, 2015, Respondent pled Nolo Contendere to Driving Under the Influence with Blood Alcohol Content of .08 Percent or More and was found guilty of said charge. Respondent's sentence was suspended and Respondent was placed on summary probation for a period of 36 months and ordered to pay a fine of \$390.00 and fees.
3. On or about June 8, 2017, Respondent received a Decision and Order from the Board of Registered Nursing, Department of Consumer Affairs, State of California, adopting the Stipulated Settlement and Disciplinary Order issued on December 28, 2016. The Stipulated Settlement and Disciplinary Order revoked Respondent's Registered Nurse license. The revocation was stayed, and Respondent was placed on probation for three (3) years with conditions.
4. On or about November 6, 2017, Patient B.P. filed a Sexual Battery Complaint with the Jefferson Parish Sheriff's Office. The Complainant stated that on or about November 3, 2017, he was admitted to Ochsner Medical Center in New Orleans, Louisiana, for an Endoscopy. The Complainant stated that he was awoken by pressure against his left upper thigh, followed by fondling of his penis and testicles, up to his abdomen and returning to his genitals. The Complainant stated that the recovery nurse was sitting beside him and was the only other person in the room. On or about November 16, 2017, the patient was shown a photographic lineup and identified Respondent as the individual who he observed reaching into his gown and fondling his genitals. On November 16, 2017, an Arrest Warrant was issued charging Respondent with Sexual Battery (Felony).

**LOUISIANA STATE BOARD OF NURSING**  
**Mitchell Jude Lartigue**  
**Notice of Summary Suspension of License**  
**February 26, 2018**

5. On or about November 8, 2017, Accountable Healthcare Staffing was notified by Ochsner Medical Center in New Orleans that they were ending Respondent's contract due to two (2) patient complaints alleging that Respondent touched the patients inappropriately. On or about November 10, 2017, Accountable Healthcare Staffing placed Respondent under clinical review pending review/solution of the investigation. Respondent is no longer eligible to work for Accountable Healthcare Staffing.
6. On or about January 9, 2018, Patient G.P. filed a complaint with LSBN stating that on or about October 24, 2017, he had Colonoscopy and Endoscopy procedures completed at Ochsner Medical Center in New Orleans, Louisiana. The Complainant stated that when he awoke from his anesthesia, he saw Respondent holding his Complainant's penis in one hand and pressing his pubic area with the other hand.

Grounds for disciplinary proceedings against a Registered Nurse are specified in La. R.S. 37:921 and authorizes the Board to probate, limit, restrict or revoke any license issued to Respondent on any of the following grounds:

- Respondent is convicted of a crime or offense which reflects the inability of the nurse to practice 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. La. R.S. 37:921 (2);
- Respondent has had a license to practice nursing or to practice as another health care provider denied, revoked, suspended, or otherwise restricted. La. R.S. 37:921 (7);
- Respondent failed to utilize appropriate judgment; L.A.C. 46:XLVII.3405 (c);
- Respondent demonstrated failure to act, or negligently or willfully committing any act that adversely affects the physical or psychosocial welfare of the patient...; L.A.C. 46:XLVII.3405 (k); and
- Respondent exceeded professional boundaries, including but not limited to sexual misconduct; L.A.C. 46:XLVII.3405 (i).

La. R.S. 37:925 authorizes the Board to impose a fine of up to \$5,000.00 for each count or separate offense and to assess all costs of the proceedings including but not limited to the costs of investigation and disciplinary proceedings.

The health, safety, and welfare of the citizens of Louisiana are threatened by this conduct. The seriousness of this conduct constitutes a threat to the safety of patients and to allow nursing practice in Louisiana to continue in light of the above would constitute a serious risk to the public's health, safety, and welfare. Since these allegations are directly related to safe patient care, the board has determined that summary suspension of your license to practice nursing in the state of Louisiana is in order.

**Therefore, your Louisiana Registered Nurse license is summarily suspended.**

Additionally, within 14 days, please submit the following to the Board office:

- A written statement that addresses the allegation(s) and provides information regarding the circumstances surrounding the incidents alleged; and
- A completed employment questionnaire (enclosed).

Pursuant to the Louisiana Administrative Procedures Act, R.S. 49:961.C:

If the agency finds that public health, safety, or welfare imperatively requires emergency action, and

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incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

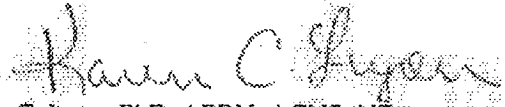
This will be reported to the National Practitioner Data Bank (NPDB) as D1: Sexual Misconduct, 19: Criminal Conviction, 39: License Revocation, Suspension or Other Disciplinary Action Taken by a Federal, State or Local Licensing Authority.

NPDB Narrative: Respondent's Registered Nurse license was summarily suspended on February 26, 2018 as the public health, safety, and welfare required emergency action after Respondent touched patients inappropriately and an arrest warrant was issued charging Respondent with Sexual Battery. Further, Respondent's California Registered Nurse License was probated for three (3) years with conditions.

The Board will file a formal complaint for further action and will schedule an administrative hearing on June 13, 2018, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana. At the administrative hearing, the Board Panel will also consider the matter of ratification of staff action to summarily suspend your license.

Should you have any questions, or you would like the opportunity to meet with Board staff to discuss this matter, you may contact Wanda Matthews, Chief Regulatory Officer at 225-755-7552.

LOUISIANA STATE BOARD OF NURSING

  
Karen C. Lyon, PhD, APRN, ACNS, NEA  
Executive Director

Enclosures

KCL/WM/lmt