

Covenant School of Nursing
Disciplinary Action Summary Assignment
Instructional Module 2

Student Name: Rory Foutz

Date: 1/14/2023

DAS Assignment # 1

Name of the defendant: Lartigue, Mitchell Jude

License number of the defendant: 878740

Date action was taken against the license: 4/24/2018

Type of action taken against the license: Voluntary Surrender

Use the space below to describe the events which led to the action(s) taken against the license. If multiple charges were in play, be sure and cite them, e.g. drug diversion, HIPAA violation, abandonment, forfeiture on student loans, etc.

1. Defendant was accused by 3 separate male patients in a Louisiana hospital of waking to find Defendant fondling their genitals.
2. Defendant was formally charged for some but not all of those instances.
3. Defendant had his license to practice nursing in Louisiana suspended.
4. Defendant was convicted of Driving while intoxicated in California and his California license was put on a 3-year probation with stipulations

Defendant came to the attention of TXBON after having his license suspended in LA and having said suspension reported to the Nurse Practitioner Data Bank. TXBON then temporarily suspended Defendant's license before a full administrative hearing on the grounds of protecting public safety. A final hearing did not take place as defendant voluntarily relinquished his license.

Use the space below to provide a description of measures you think could have prevented any action being taken against the license and/or would have prevented harm to the patient, if harm occurred.

The first reported case of Sexual Battery occurred in 2011 and no charges were ever filed with the statute of limitations finally being reached preventing the filing of charges. The last 2 instances of reported sexual battery occurred in 2017 and should never have occurred. There is no doubt that a failing on the part of our criminal justice system occurred as well as by the hospital. I do not understand why the first report of sexual battery was not conveyed to the TXBON. There are no actions that could have prevented actions being taken against this person's license once the crime was committed. Furthermore, I believe that for patient safety, patients under anesthesia or unconscious should either be monitored by video or hospitals should enact a policy that requires the presence of 2 employees.

Identify which universal competencies were violated and explain how.

1. Safety and Security (Physical) – Patients were physically and sexually violated

2. Safety and Security (Emotional) – Patients were emotionally damaged due to their sexual battery and violated
3. Human Care – For the same reasons as Safety and Security (Emotional)

Use the space below to describe what action you think a prudent nurse would take as the first to person to discover the event described, in other words, you are the one who discovers the patient has been harmed by the nurse or you have discovered the impairment or criminal activity cited in the disciplinary action.

I would immediately call the police and also report what I saw to multiple persons of management at the hospital. I would probably also physically prevent the nursing from continuing patient care until the hospital removed them from the premises.