



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### **REGULAR MEETING OF THE BOARD JANUARY 21-22, 2010**

The regular meeting of the Ohio Board of Nursing (Board) was held on January 21-22, 2010 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, January 21, at 8:34 a.m., President Bertha Lovelace called the Board meeting to order. On Friday, January 22, at 8:35 a.m., President Bertha Lovelace called the Board meeting to order. Vice-President Patricia Protopapa read the Board mission each day and B. Lovelace recognized students, welcomed the gallery, and requested that Board Members introduce themselves.

#### **BOARD MEMBERS**

Bertha Lovelace, RN, President

Patricia Protopapa, LPN, Vice-President

Anne Barnett, RN, Board Supervising Member for Disciplinary Matters

Janet L. Boeckman, RN

Patricia Burns, LPN

Judith Church, RN

Kathleen Driscoll, RN

Delphenia Gilbert, RN (Absent before 1:00 p.m. Thursday)

Lisa Klenke, RN

Johnnie Maier, Consumer Member (Absent before 2:30 p.m. Thursday)

J. Jane McFee, LPN

Melissa Meyer, LPN

Eric Yoon, RN (Absent Thursday and Friday)

Unless noted in these minutes as exhibits, all written reports submitted to the Board are maintained in the Board office according to the Board record retention schedule.

#### **ADMINISTRATIVE MATTERS**

##### **Board Meeting Overview**

On Thursday, the Board Reception was held at 8:00 a.m. Executive Session was held at 2:00 p.m. with deliberations following Executive Session. Open Forum was 10:00 a.m. on Thursday and Friday.

### **Minutes of November 19-20, 2009 Board Meeting**

**Action:** It was moved by Judith Church, seconded by J. Jane McFee that the Board accept the minutes of the November 19-20, 2009 Board meeting as amended. Motion adopted by unanimous vote of the Board members.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- Staff were recognized for their state service: Debbie Fulk, 20 years; Karen Scott, 25 years; and Ebony Turner, 10 years.
- Lisa Emrich attended a Mid-Ohio Regional Planning Commission meeting on December 10, 2009. The purpose of the meeting was to collect data for a State of the Region Report that will draw connections between health and aspects of everyday life for regional planning efforts.
- NCSBN representatives will visit the Board in February to discuss compact licensure questions posed previously to NCSBN by the Board.
- Disciplinary complaints for calendar year 2009 will be over 6,200.
- The new procedure to reduce processing time for licensure by examination is successful, and applicants are being made eligible to test within 10-15 business days of receipt of a completed application. Janet Boeckman complimented the staff on the reduction in processing time.

### **Legislative Status Report**

Tom Dilling provided the legislative report and highlighted the following bills:

- House Bill 314, pronouncement of death, moved out of committee to the full House. Associations representing physicians and hospitals testified with concerns and an amendment was accepted to address the expressed concerns. The amendment limited the number of settings in which a registered would be permitted to pronounce death.
- Senate Bill 89, establishing requirements for advanced practice nurses who hold prescriptive authority in another state, passed and was signed by the Governor. Betsy Houchen attended the bill signing on behalf of the Board at the request of Senator Morano. The bill becomes effective on March 29, 2010.
- House Bill 62, military experience, was amended to allow for recognition of policies and rules that permit education programs to consider relevant military experience and provide advanced academic standing.
- Substitute House Bill 215, Dental Board, was voted out of the House Health Committee. Concerns with various aspects of the bill have been expressed by this and other professional licensing boards, and interested party meetings were held.
- Senate Bill 200, CRNAs. B. Lovelace provided a history of CRNA certification and practice relevant to this bill.

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that discussion on this topic be extended fifteen minutes. Motion adopted by unanimous vote of the Board members.

T. Dilling responded to questions about House Bill 127, professional licensing; House Bill 198, medical homes; and bills regarding consolidation and other governmental budget and reform related legislation.

### **Fiscal Report**

Kathy King provided the report for the second quarter of fiscal year 2010. K. King noted that the Board expenditures are within appropriations.

## **APPROVALS**

### **Nursing Education Program – Approval of New Programs**

#### Ohio American Health Care Inc., PN Program

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to Ohio American Health Care Inc., Practical Nursing Program. It was further moved that the program submit progress reports to the Board on or before April 8, 2010 and September 10, 2010. Motion adopted by majority vote of the Board members with Janet Boeckman and Anne Barnett abstaining.

#### Ohio American Health Care Inc., RN Program

**Action:** It was moved by Lisa Klenke, seconded by Kathleen Driscoll, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to Ohio American Health Care Inc., Registered Nursing Program. It was further moved that the program submit progress reports to the Board on or before April 8, 2010 and September 10, 2010. Judith Church and Kathleen Driscoll opposed the motion. Motion adopted by majority vote of the Board members with Janet Boeckman and Anne Barnett abstaining.

#### American Institute of Alternative Medicine Registered Nursing Program

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to American Institute of Alternative Medicine Registered Nursing Education Program. It was further moved that the program submit progress reports to the Board on or before May 14, 2010 and August 27, 2010. Motion adopted by unanimous vote of the Board members.

### **Nursing Education – Determination of Approval Status**

#### Franciscan University Steubenville Department of Nursing

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board grant full approval in accordance with Rule 4723-5-04, OAC, to Franciscan University Steubenville Department of Nursing for a period of five years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

#### Upper Valley Joint Vocational School of Practical Nursing

**Action:** It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board continue, in accordance with Rule 4723-5-04(B)(3), OAC, Upper Valley

Joint Vocational School of Practical Nursing on provisional approval for a period of one year effective January 21, 2010, after fully considering the survey visit report and the response to the report which demonstrate the program failed to meet and maintain the requirements established in Rule 4723-5-14(C)(4), OAC. Motion adopted by unanimous vote of the Board members.

Washington State Community College Associate Degree Nursing Program

**Action:** It was moved by Lisa Klenke, seconded by Patricia Protopapa, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Washington State Community College Associate Degree Nursing Program for a period of five years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

Washington State Community College Practical Nursing Program

**Action:** It was moved by Anne Barnett, seconded by J. Jane McFee, that the Board place Washington State Community College Practical Nursing Program on provisional approval for a period of one year effective January 21, 2010, after fully considering the survey visit report and the response to the report which demonstrate the program failed to meet and maintain the requirements established in Rules 4723-5-14(D) and 4723-5-15, OAC. Motion adopted by unanimous vote of the Board members.

Southern State Community College Practical Nursing Program

**Action:** It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Southern State Community College Practical Nursing Program for a period of five years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

Southern State Community College Associate Degree Nursing Program

**Action:** It was moved by Judith Church, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, to Southern State Community College Associate Degree Nursing Program for a period of five years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

ETI Technical College Practical Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to ETI Technical College Practical Nursing Program for a period of five years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

**Nursing Education Programs – Status Report**

The Board discussed the effects of Owens Community College losing its accreditation from the National League for Nursing Accrediting Commission (NLNAC). It was determined that although the Program was not meeting the NLNAC accreditation requirement, the Program continued to meet the requirements specified in Rule 4723-5-10, OAC. The Board discussed having the

authority to place programs that lose accreditation on Provisional Approval for a specified period of time. The Provisional Approval status would provide closer monitoring of the program through progress reports and additional survey visits, and it would also provide notification to the public of the Board's heightened monitoring. The Board agreed with this revision and will consider this change when the Board conducts the administrative rule review.

#### **Dialysis Clinic Inc., Steubenville – Re-approval**

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board reapprove Dialysis Clinic, Inc., Steubenville, in accordance with Rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

#### **D&S Medication Aide Training Program – Approval**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board approve D&S Medication Aide Training Program, in accordance with Rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective January 21, 2010. Motion adopted by unanimous vote of the Board members.

#### **Retroactive Approvals for Licensees and Certificate Holders**

**Action:** It was moved by Anne Barnett, seconded by Patricia Protopapa, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board of Nursing November 1, 2009 through December 31, 2009 to the following: registered nurses, licensed practical nurses, certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists, all certificates to prescribe (CTP and CTP-externship), Ohio certified dialysis technicians, community health workers, and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

#### **Executive Session**

On Thursday January 21, 2010:

**Action:** It was moved by Patricia Protopapa that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Following Executive Session the Board meeting was adjourned and the Board deliberated on cases pending before the Board.

#### **ADJUDICATION AND COMPLIANCE**

##### **Board Actions**

On Friday, January 22, 2010, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

### **NOTICES OF OPPORTUNITY FOR HEARING**

On Friday, January 22, 2010, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

**Action:** It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Boyd, Karen, S. R.N. 144428 (CASE #09-3908); Zimmer, Emily, I. P.N. 121470 (CASE #09-4322); Bert, Renee, L. R.N. 265667 (CASE #09-2321); Guerra, Linda, Lee R.N. 128677 (CASE #09-1002); Wright, Kimberly, B. R.N. 256230 (CASE #09-4689); Noel, Lorie, A. P.N. 104254 (CASE #09-4880); Serra, Mariles, M. R.N. 319579 (CASE #09-6209); Melott, Tasha, M. P.N. 124757 (CASE #09-3692); Gorby, Barbara, J. R.N. 262415, COA 02097 (CASE #09-4522); Evans, Cathy, A. R.N. 258731 (CASE #09-2362); Brengartner, Kimberly, S. P.N. 104333 (CASE #09-5246); Watson, Kim, R. R.N. 304007 (CASE #09-3172); Raines, Eva, M. P.N. 069151 (CASE #09-1166); Meier, April, M. P.N. 112736 (CASE #09-5067); McMahan, Cynthia, A. P.N. 054834 (CASE #09-4968); Johnson, Sandra, E. R.N. 310193, COA 07738 (CASE #09-6213); Hostetler, Sarah, J. P.N. 126281 (CASE #08-3070); Nastal, Miranda, S. P.N. 119364 (CASE #09-0698); Ralston, David, R. R.N. 338472 (CASE #09-3443); and Frazier, Don, C. P.N. 094565 (CASE #09-0703).

Melissa Meyer abstained from voting on Nastal, Miranda, S. P.N. 119364 (CASE #09-0698) only. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2010 Board meeting.

### **WITHDRAWAL OF NOTICE OF OPPORTUNITY FOR HEARING & ACCEPTANCE OF THE VOLUNTARY AGREEMENT FOR ADDITIONAL EDUCATION**

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on January 18, 2008 for Lynn, Amy, L. R.N. 212063 (CASE #06-2722) and to accept the Voluntary Agreement to Obtain Continuing Education.

### **IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY**

**Action:** It was moved by Kathleen Driscoll, seconded by J. Jane McFee, that the Board issue a Notice of Immediate Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Clark, Robert "Tom", T. P.N. 128487 (CASE #09-3903); Mack, Charlotte, A. P.N. 113267 (CASE #09-5594); Spirhanzl, Heather, L. P.N. 128502 (CASE #09-2771); Stansell, Catherine, M. R.N. 275777 (CASE #08-2105); Riegel,

Roxanna, R.N. 292675 (CASE #08-4489); Massey (Hinkle), Karen, L. P.N. 101133 (CASE #09-1692); Lange, Heather, R. P.N. 117298 (CASE #09-4703); Adams, Stephen, L. P.N. 113194 (CASE #09-2732); Daugherty, Kayce, D. R.N. 327499 (CASE #09-3124); and Doyle, Michael, W. R.N. 297217 (CASE #09-5256).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2010 Board meeting.

#### **AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY**

**Action:** It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the Board issue a Notice of Automatic Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Cherney, Kay, L. P.N. 041299 (CASE #10-0010); Anderson, Kimberly, S. R.N. 168707 (CASE #09-5764); Green, Ramona, D. TC 1 03234 (CASE #09-4254); Ashton, Lora, D. R.N. 256620 (CASE #09-5870); Killian, Corie, L. R.N. 311590 (CASE #09-5722); Heck, Sindi, S. R.N. 282100 (CASE #10-0014); Sears, Dawn, M. P.N. 134777 (CASE #09-5723); McCreary, Kari, A. R.N. 320317 (CASE #09-5589); Efaw, Angela, K. P.N. 113980 (CASE #09-4046); Smathers, Flynt, J. R.N. 342798 (CASE #09-6252); and Siehl, Tammy, L. R.N. 201297 (CASE #09-5876).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2010 Board meeting.

#### **WITHDRAWAL OF NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board withdraw the Notice of Automatic Suspension and Opportunity for Hearing that was issued by the Board, pursuant to Section 4723.281 (C), ORC, on November 20, 2009, for Thompson, Ashford, L. P.N. 120964 (CASE #09-1435) as the Board has been notified that Mr. Thompson withdrew his guilty pleas to two (2) felony counts of Aggravated murder in violation of Section 2903.01 ORC. It was further moved that the board withdraw the allegations in paragraph 1. of the November 2009 Notice of Opportunity for Hearing as the Board has been notified that Mr. Thompson withdrew his guilty pleas to all criminal charges set forth in paragraph 1. of the November 2009 Notice of

Opportunity for Hearing. The allegation in paragraph 2. of the November 2009 Notice of Opportunity for Hearing shall remain. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

## **SURRENDERS**

### **Permanent Voluntary Surrender**

**Action:** It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Simon, Callie, J. R.N. 282316 (CASE #09-5798); Kosir, Patricia, J. P.N. 051907 (CASE #08-4495); McNear, Austin, J. P.N. 134774 (CASE #09-0451); Chetwood, Linda, J. R.N. 110345 (CASE #05-1620); Melvin, Rella, E. R.N. 249466, COA 05724 (CASE #08-3330); Harrison, Monica, J. R.N. 286541 (CASE #09-5080); Claywell, Alicia, J. R.N. 275793 (CASE #10-0004); and Rickey, William, A. R.N. 174408 (CASE #09-1175).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the January 2010 Board meeting.

### **Voluntary Non-Permanent Withdrawal of Application for Renewal**

**Action:** It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the Board accept the Voluntary Non-permanent withdrawal of Application for RN renewal for Miller, Michael, K. R.N. 257094 (CASE #09-4557). Motion adopted by majority vote of the board members with Anne Barnett abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Application for Renewal shall be maintained in the exhibit book for the January 2010 Board meeting.

## **VOLUNTARY RETIREMENTS**

**Action:** It was moved by Delphenia Gilbert, seconded by Judith Church, that the board accept the permanent voluntary retirement from the practice of nursing for the following case(s):

Lewis, Linda, L. R.N. 337778 (CASE #09-3896) and Stankorb, Cherrill, S. P.N. 079971 (CASE #09-3230).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.



## **CONSENT AGREEMENTS**

On Friday, January 22, 2010, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

**Action:** It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board and the following cases:

Mitchell IV, John, R. P.N. 104775 (CASE #08-1448); Beauchamp, Amy, L. R.N. 333010 (CASE #09-0899); Bitler, Amber, D. R.N. 333675 (CASE #09-1031); Calloway, Shilonda, Q. P.N. NCLEX (CASE #09-4891); Nickelson, Erica, L. R.N. NCLEX (CASE #09-1314); Smith, Danene, N. P.N. NCLEX (CASE #09-4650); Vomacka, Virginia, L. P.N. 082028 (CASE #09-5322); Wells, Diane, K. R.N. 236777 (CASE #07-1304); Vonier, Ronda, L. R.N. 261952 (CASE #09-3931); Slusser, Linda, A. P.N. 109083 (CASE #06-3275); Cunningham, Delphine, W. R.N. 166790 (CASE #01-1093); Rader, Krista, M. P.N. 106861 (CASE #09-0013); Cronin, James, C. R.N. 331276 (CASE #08-1585); Young, Christopher, M. P.N. 122557 (CASE #08-2432); Leatherbarrow, Jennifer, M. R.N. 275436 (CASE #09-5078); Harouff, Roberta, A. P.N. 079615 (CASE #09-0507); Evans, Valerie, D. P.N. 042361 (CASE #09-0508); Corbin, Linda, S. R.N. endorse (CASE #09-6041); Padilla, Esteban, R.N. endorse (CASE #09-4897); Salaam, Jamilah, L. P.N. NCLEX (CASE #09-4801); Aikin, Michael, E. P.N. 106071 (CASE #09-3025); Youngless, Theresa, L. P.N. NCLEX (CASE #09-5820); Vanfossan, Amie, L. P.N. NCLEX (CASE #09-0269); Schlegel, Colin, R. P.N. NCLEX (CASE #09-5829); Fitzpatrick, Zane, P.N. NCLEX (CASE #09-5081); Dandridge, Thomas, A. R.N. 219500 (CASE #09-4609); Ford, Marquita, L. P.N. 084206 (CASE #09-5720); Sommer, Saara, M. R.N. endorse (CASE #09-4619); Carroll, Clista, L. R.N. 329975 (CASE #09-3757); Holl, Melissa, F. R.N. 180727 (CASE #09-3994); Pelter, Kelly, M. R.N. 263906 (CASE #09-1906); Ivie, Melinda, P.N. 113615 (CASE #09-5241); Shumard, Jenny, R. R.N. 290338 (CASE #09-0907); Ruzicka, Linda, T. P.N. 084204 (CASE #09-0467); Wallis, Johnny, L. R.N. 322827 (CASE #08-2615); Logan, Courtney, A. R.N. 328430 (CASE #09-5721); Davis, La Dawn, R. R.N. 260437 (CASE #09-5593); Wheeler, April, D. P.N. 106625 (CASE #08-1555); Burch, Craig, T. R.N. 216747 (CASE #09-3883); Benford, Gwendolyn, M. P.N. 125001 (CASE #09-5899); Faw, Cindy, L. R.N. 238043 (CASE #09-2471); Stofko, Rosemarie, R.N. 260576 (CASE #09-5871); Kahle, Rachael, R.N. 323001 (CASE #09-3546); Perry, Tania, R.N. 192428 (CASE #09-3897); Dodd, Brenda, L. R.N. 215442 (CASE #08-3278); Bruce, Kyla, L. R.N. NCLEX (CASE #09-4904); Filson, Mackenzie, P. P.N. NCLEX (CASE #09-2623); Peugh, Christopher, R.N. 302645 (CASE #09-4792); Smith, Monica, V. P.N. 099300 (CASE #06-1953); Prianti, Fabiola, P.N. NCLEX (CASE #09-3218); Loeffler, Christina, R.N. 298049 (CASE #09-4791); Dombrowski, Mary, A. R.N. 279958, COA 06160 (CASE #09-4064); Burns Tanessa, D. IR 947222 (CASE #09-3747); Weigman, John, R.N. 267592 (CASE #08-3055); Thiel, Ronda, R. R.N. 184978 (CASE #09-1170); Lancione, Tara, R.N. 158867 (CASE #09-5591); Williams, Chauteya, L. P.N. endorse (CASE #09-6179); Shoemaker, Deann, R. R.N. 328446 (CASE #08-0864); Veiock, Connie, S. R.N. 257998 (CASE

#07-1195); Roush, Cassandra, J. R.N. 340498 (CASE #08-3063); Black, Angela, L. P.N. 112025 (CASE #09-2613); Alexander, Damea, S. P.N. 096773 (CASE #09-0162); Sanders, Jami, B. R.N. 311587 (CASE #08-3904); Nelson, Abby, L. P.N. 073589 (CASE #09-0357); Gill, Gurkiran, K. R.N. 337034 (CASE #09-2655); Jones, Robert, E. R.N. 329378 (CASE #08-3594); Moss, Marsha, L. R.N. 274505 (CASE #09-5592); Turshon, Dawn, R.N. 216875 (CASE #09-5347); Brown, Charmelle, M. P.N. 118177, R.N. 356996 (CASE #09-2913); Taylor, Debbie, R. D.T. 00463 (CASE #10-0003); Wilson, Catherine, H. R.N. 285876 (CASE #09-6016); Roudebush, Cori, A. P.N. NCLEX (CASE #09-3359); Borden, Michele, C. R.N. 133030 (CASE #09-5257); Patterson, Tameka, T. P.N. 110311 (CASE #07-0233); Samas, Kim, G. R.N. NCLEX (CASE #09-4812); Romans, Dara, L. R.N. 192133 (CASE #07-2651); McElroy, Jeff, W. R.N. 250454 (CASE #10-0008); McGinister, Stacy, L. P.N. 120672 (CASE #08-0123); Lawson, Cindy, M. R.N. 263545 (CASE #09-2541); Kendell, Jennie, S. P.N. 115765 (CASE #09-0767); Daugherty, Lisa, L. P.N. 126156 (CASE #09-3706); Clark, Tara, L. P.N. NCLEX (CASE #09-3960); Rike, Brittany, A. P.N. NCLEX (CASE #09-4813); Teuschler, Jessica, W. P.N. NCLEX (CASE #09-5535); Porter, Marcus, S. P.N. NCLEX (CASE #09-5233); Logsdon, Melissa, D. R.N. 337121 (CASE #09-0165); Kilcorse, Michael, R.N. 316740 (CASE #09-0913); Lovelace, Demetrius, J. D.T. applicant (CASE #08-3777); Markovich, Peter, R.N. 222650 (CASE #09-4559); Weaver, Ashley, E. P.N. NCLEX (CASE #09-2148); Lozier, Carolyn, K. P.N. 101760 (CASE #09-4697); Chu, Janice, R.N. 152969, COA 01618 (CASE #08-0998); Wolfe-Medovic, Janet, A. R.N. 260006 (CASE #09-5672); Davidson, Clark, R.N. 250655 (CASE #09-5765); Johnson, Margaret, A. R.N. 336191 (CASE #09-4441); and Parsons, Sandra, L. P.N. 094423 (CASE #09-6586).

Anne Barnett abstained from voting on all cases. Judith Church abstained on Shumard, Jenny, R. R.N. 290338 (CASE #09-0907) only. Delphenia Gilbert abstained on Bruce, Kyla, L. R.N. NCLEX (CASE #09-4904) only. Lisa Klenke abstained on Clark, Tara, L. P.N. NCLEX (CASE #09-3960) only. J. Jane Mcfee, abstained on Kilcorse, Michael, R.N. 316740 (CASE #09-0913) only. Janet Boeckman voted no on Rike, Brittany, A. P.N. NCLEX (CASE #09-4813) only. Patricia Burns voted no on the following cases only: Young, Christopher, M. P.N. 122557 (CASE #08-2432); Leatherbarrow, Jennifer, M. R.N. 275436 (CASE #09-5078); Evans, Valerie, D. P.N. 042361 (CASE #09-0508); Vanfossan, Amie, L. P.N. NCLEX (CASE #09-0269); Kahle, Rachael, R.N. 323001 (CASE #09-3546); Dodd, Brenda, L. R.N. 215442 (CASE #08-3278); Bruce, Kyla, L. R.N. NCLEX (CASE #09-4904); and Prianti, Fabiola, P.N. NCLEX (CASE #09-3218). Judith Church voted no on the following cases only: Bitler, Amber, D. R.N. 333675 (CASE #09-1031); Slusser, Linda, A. P.N. 109083 (CASE #06-3275); Cronin, James, C. R.N. 331276 (CASE #08-1585); Leatherbarrow, Jennifer, M. R.N. 275436 (CASE #09-5078); Harouff, Roberta, A. P.N. 079615 (CASE #09-0507); Evans, Valerie, D. P.N. 042361 (CASE #09-0508); Corbin, Linda, S. R.N. endorse (CASE #09-6041); Padilla, Esteban, R.N. endorse (CASE #09-4897); Youngless, Theresa, L. P.N. NCLEX (CASE #09-5820); Dandridge, Thomas, A. R.N. 219500 (CASE #09-4609); Sommer, Saara, M. R.N. endorse (CASE #09-4619); Pelter, Kelly, M. R.N. 263906

(CASE #09-1906); Ivie, Melinda, P.N. 113615 (CASE #09-5241); Ruzicka, Linda, T. P.N. 084204 (CASE #09-0467); Wallis, Johnny, L. R.N. 322827 (CASE #08-2615); Davis, La Dawn, R. R.N. 260437 (CASE #09-5593); Faw, Cindy, L. R.N. 238043 (CASE #09-2471); Stofko, Rosemarie, R.N. 260576 (CASE #09-5871); Peugh, Christopher, R.N. 302645 (CASE #09-4792); Smith, Monica, V. P.N. 099300 (CASE #06-1953); Loeffler, Christina, R.N. 298049 (CASE #09-4791); Burns Tanessa, D. IR 947222 (CASE #09-3747); Weigman, John, R.N. 267592 (CASE #08-3055); Lancione, Tara, R.N. 158867 (CASE #09-5591); Williams, Chauteya, L. P.N. endorse (CASE #09-6179); Shoemaker, Deann, R. R.N. 328446 (CASE #08-0864); Veiock, Connie, S. R.N. 257998 (CASE #07-1195); Roush, Cassandra, J. R.N. 340498 (CASE #08-3063); Nelson, Abby, L. P.N. 073589 (CASE #09-0357); Gill, Gurkiran, K. R.N. 337034 (CASE #09-2655); Moss, Marsha, L. R.N. 274505 (CASE #09-5592); Turshon, Dawn, R.N. 216875 (CASE #09-5347); McElroy, Jeff, W. R.N. 250454 (CASE #10-0008); Logsdon, Melissa, D. R.N. 337121 (CASE #09-0165); Lovelace, Demetrius, J. D.T. applicant (CASE #08-3777); Markovich, Peter, R.N. 222650 (CASE #09-4559); Wolfe-Medovic, Janet, A. R.N. 260006 (CASE #09-5672); Johnson, Margaret, A. R.N. 336191 (CASE #09-4441); and Parsons, Sandra, L. P.N. 094423 (CASE #09-6586). Kathleen Driscoll voted no on the following cases only: Harouff, Roberta, A. P.N. 079615 (CASE #09-0507); Evans, Valerie, D. P.N. 042361 (CASE #09-0508); Ruzicka, Linda, T. P.N. 084204 (CASE #09-0467); Logan, Courtney, A. R.N. 328430 (CASE #09-5721); Kahle, Rachael, R.N. 323001 (CASE #09-3546); and Weigman, John, R.N. 267592 (CASE #08-3055). Johnnie Maier voted no on Rike, Brittany, A. P.N. NCLEX (CASE #09-4813) only. J. Jane McFee voted no on the following cases only: Slusser, Linda, A. P.N. 109083 (CASE #06-3275); Kahle, Rachael, R.N. 323001 (CASE #09-3546); Dombrowski, Mary, A. R.N. 279958 (CASE #09-4064); Borden, Michele, C. R.N. 133030 (CASE #09-5257); Rike, Brittany, A. P.N. NCLEX (CASE #09-4813) and Chu, Janice, R.N. 152969 (CASE #08-0998).

Motion adopted by majority vote of the Board.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the January 2010 Board meeting.

**Action: Action:** It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board and the following cases:

Henry, Keith, D. R.N. NCLEX (CASE #09-5374); and Lewis, Catherine, L. R.N. NCLEX (CASE #09-5187).

Anne Barnett and Kathleen Driscoll abstained from voting on both cases. Patricia Burns abstained on Henry, Keith, D. R.N. NCLEX (CASE #09-5374) only.

Motion adopted by majority vote of the Board members.

### **CORRECTION TO ADJUDICATION ORDER**

**Action:** It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the Board adopt the Correction to the Adjudication Order of June 6, 1991 in reference to Brenner, Michelle, P.N. 073907 (CASE #90-0236). Motion adopted by majority vote of the Board member with Anne Barnett abstaining.

### **DEFAULT ORDER**

Fende, Nicole, M P.N. NCLEX (CASE #09-2442)

**Action:** It was moved J. Jane McFee, seconded by Judith Church, that upon consideration of the allegations contained in the July 28, 2009 examination order and the findings contained in the September 2009 Default Order, the Board finds that **MS. FENDE** has committed acts in violation of the Nurse Practice Act, as set forth in the September 2009 Default Order, and the Board orders that **MS. FENDE's** application for a license to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, as of September 25, 2009, with conditions for reapplication set forth in the September 2009 Default Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

### **HEARING EXAMINER REPORT AND RECOMMENDATION**

Bentley, Amanda, R. R.N. 328207 (CASE #07-0289):

**Action:** It was moved by Lisa Klenke, seconded by Janet Boeckman, that in the matter of Amanda Bentley, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that **AMANDA R. BENTLEY's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BENTLEY** shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

The rationale for this modification is based on **MS. BENTLEY's** failure to accept responsibility for her conduct and the many inconsistencies in her statements.

### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. BENTLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTLEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BENTLEY** shall comply with the terms and conditions of community control imposed in Scioto County Court of Common Pleas Case Number 08-CR-000710. **Prior to seeking reinstatement by the Board, MS. BENTLEY** shall submit satisfactory documentation that she has complied with all terms and conditions of the aforementioned community control.
4. **Prior to seeking reinstatement by the Board, MS. BENTLEY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Critical Thinking and ten (10) hours of Ethics.

#### **Monitoring**

5. **MS. BENTLEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history. **MS. BENTLEY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. BENTLEY** shall abstain completely from the use of alcohol.
7. **Prior to seeking reinstatement by the Board, MS. BENTLEY** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BENTLEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BENTLEY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BENTLEY's** license, and a statement as to whether **MS. BENTLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. BENTLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and

conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BENTLEY's** license.

9. **Upon request by the Board or its designee and prior to seeking reinstatement by the Board, MS. BENTLEY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BENTLEY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENTLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history.
10. Within thirty (30) days prior to **MS. BENTLEY** initiating drug screening, **MS. BENTLEY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BENTLEY**.
11. After initiating drug screening, **MS. BENTLEY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. BENTLEY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **Upon request by the Board or its designee and prior to seeking reinstatement by the Board, MS. BENTLEY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BENTLEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to seeking reinstatement by the Board, MS. BENTLEY** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. BENTLEY** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary

for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BENTLEY's** license, and a statement as to whether **MS. BENTLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. **MS. BENTLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BENTLEY's** license.

#### **Reporting Requirements of MS. BENTLEY**

15. **MS. BENTLEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
16. **MS. BENTLEY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
17. **MS. BENTLEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. **MS. BENTLEY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
19. **MS. BENTLEY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
20. **MS. BENTLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. BENTLEY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
22. **MS. BENTLEY** shall submit to a BCI criminal records check.

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS.**

**BENTLEY** submits a written request for reinstatement; (2) the Board determines that **MS. BENTLEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. BENTLEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BENTLEY** and review of the documentation specified in this Order.

**Following reinstatement, MS. BENTLEY shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. BENTLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTLEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. BENTLEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history. **MS. BENTLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BENTLEY** shall abstain completely from the use of alcohol.
5. **Upon request by the Board or its designee and within forty-five (45) days of that request, MS. BENTLEY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENTLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history.
6. **Upon request by the Board or its designee and within fourteen (14) days of that request, MS. BENTLEY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BENTLEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

#### **Treating Practitioners and Reporting**



7. Within sixty (60) days of the execution of the probationary period, **MS. BENTLEY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. BENTLEY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. BENTLEY** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BENTLEY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BENTLEY** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. BENTLEY** shall notify the Board.
11. **MS. BENTLEY** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BENTLEY** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BENTLEY** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. BENTLEY**

12. **MS. BENTLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. BENTLEY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. BENTLEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the

Board or to employers or potential employers.

15. **MS. BENTLEY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. BENTLEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. BENTLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. BENTLEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Upon request by the Board or its designee, prior to working as a nurse, **MS. BENTLEY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. BENTLEY** shall not administer, have access to, or possess (except as prescribed for **MS. BENTLEY's** use by another so authorized by law who has full knowledge of **MS. BENTLEY's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. BENTLEY** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. BENTLEY** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MS. BENTLEY** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. BENTLEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. BENTLEY** shall not function in a position or employment where the job duties or requirements involve management of

nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

**The stay of MS. BENTLEY's suspension shall be lifted and MS. BENTLEY's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BENTLEY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BENTLEY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BENTLEY** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. BENTLEY** has complied with all aspects of this Order; and (2) the Board determines that **MS. BENTLEY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BENTLEY** and review of the reports as required herein. Any period during which **MS. BENTLEY** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

### **Ryan, Heather, L. P.N. 101576 (CASE #08-1475)**

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that in the matter of Heather Ryan, the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **HEATHER L. RYAN's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED.**

The Board further Orders **HEATHER L. RYAN** to surrender her licensed practical nurse license, P.N. #101576, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

ATS Institute of Technology , ADN Education Program (CASE #08-4687)

**Action:** It was moved by Lisa Klenke, seconded Patricia Protopapa, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **ATS INSTITUTE OF TECHNOLOGY, ASSOCIATE OF APPLIED SCIENCE DEGREE IN NURSING PROGRAM (ATS)** shall remain on provisional approval status for a minimum period of two (2) years from the date of the January 2009 Notice of Automatic Placement on Provisional Approval Status, until January 21, 2011, at which time **ATS's** status will be reviewed by the Board, pursuant to Section 4723.06(A)(6), ORC.

**ATS is subject to the following terms, conditions, and limitations:**

1. **ATS** shall comply with all of the requirements established in Chapter 4723, ORC, and Chapter 4723-5, OAC, for nursing education programs.
2. **ATS** shall not expand its operations to any new locations prior to January 21, 2011.
3. At least one (1) survey visit of **ATS** will be conducted, no later than October 15, 2010, in accordance with Rule 4723-5-06, OAC, prior to the Board's consideration of **ATS's** program approval status at the January 2011 Board meeting. **ATS** agrees that representatives from the Board may conduct announced or unannounced survey visits, including but not limited to, auditing student records, to determine if **ATS** is complying with the terms and conditions of this Order meeting in addition to meeting and maintaining the requirements of Chapter 4723-5, OAC. **ATS** agrees to cooperate with all survey visits and ensure that all materials are timely made available to the Board or its representative.
4. **By February 15, 2010, ATS** shall provide a copy of this Order to all faculty members. **By March 1, 2010, ATS** shall submit documentation to the Board signed by each faculty member verifying that he or she has received a copy of this Order.
5. **ATS** is under a continuing duty to provide a copy of this Order to any new faculty members.

6. **By February 15, 2010, ATS** shall provide written notification to all students that a copy of this Order is available upon request. Such notification shall be displayed in a prominent manner in a common area, such as a student bulletin board. Upon request from a student, **ATS** shall provide a copy of this Order. Further, **by March 1, 2010, ATS** shall submit documentation to the Board explaining how it provided written notification to all students and attesting that, when requested, **ATS** has provided a copy of this Order.
7. **ATS** is under a continuing duty to provide written notification to all new students that a copy of this Order is available upon request.
8. **By March 1, 2010, ATS** shall submit to the Board, for review and approval, a draft of notification to every facility with whom it has an affiliation agreement securing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC. The notification shall inform the facility that **ATS's** provisional approval status is subject to the terms and conditions of this Order and that this Order is available on the Board's website or will be provided by **ATS** upon the facility's request. **Within thirty (30) days of receiving Board approval of the notification, ATS** shall provide the notification to every facility. Further, **within thirty (30) days of providing the notification to every facility, ATS** shall submit documentation to the Board identifying each facility that has received the Board-approved notification; identifying each facility that requested a copy of this Order; and attesting that, when requested, **ATS** has provided a copy of this Order to the requestor.
9. **ATS** is under a continuing duty to provide notification and, upon request, a copy of this Order to any new facility providing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC.
10. **ATS**, through its administrator, shall submit written progress reports to the Board on or before the following dates: **March 1, 2010, June 1, 2010, September 1, 2010, and December 1, 2010**. The progress reports shall identify any change in the implementation of the program and its effective date, explain the rationale for enacting the change, and describe how the change was implemented. Along with each quarterly report, **ATS** shall attest that the program is complying with the terms and conditions of this Order in addition to complying with the requirements of Chapter 4723-5, OAC.

11. **ATS** and its administrator shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to its staff, its students, its applicants for admission, or to the Board or its representatives.
12. **ATS** shall submit the reports and documentation required by this Order or any other documents required by the Board in order to determine the program's compliance with Chapter 4723-5, OAC, to the attention of the Education Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
13. **ATS** shall verify that the reports and documentation required by this Order are received in the Board office.
14. In addition to the requirements set forth in Rule 4723-5-09(D)(1), OAC, **ATS** shall inform the Board within ten (10) business days, in writing, of any change in its administrator.

#### **FAILURE TO COMPLY**

If it appears that **ATS** has violated or breached any terms and conditions of this Order prior to January 21, 2011, the Board may issue a Notice of Opportunity for Hearing and propose to withdraw **ATS's** provisional approval status and deny full approval status in accordance with Chapter 119, ORC. The Board shall notify **ATS** via certified mail of the specific nature of the charges and the opportunity to request a hearing on the charges.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Janet Boeckman abstaining.

Bowman , Jannette, S P.N. 084142 (CASE #08-1930)

**Action:** It was moved by Judith Church, seconded J. Jane McFee, that the board accept all of the Findings of Fact, conclusions of Law, and the Recommendation in the hearing Examiner's Report and Recommendation and that **JANNETTE S. BOWMAN's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended and that the suspension is stayed subject to the probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Narcotic Restrictions and Temporary Practice Restrictions set forth below.

**MS. BOWMAN shall be subject to the following probationary terms, conditions, and limitations:**

1. **MS. BOWMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOWMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. BOWMAN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BOWMAN's** history. **MS. BOWMAN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BOWMAN** shall abstain completely from the use of alcohol.
5. **For one (1) month immediately prior to working as a nursing and continuing throughout the probationary period, MS. BOWMAN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BOWMAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BOWMAN's** history.

### **Treating Practitioners and Reporting**

6. **Prior to MS. BOWMAN initiating drug screening, MS. BOWMAN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BOWMAN**.
7. **After initiating drug screening, MS. BOWMAN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. BOWMAN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

### **Employment Conditions**

8. **MS. BOWMAN** shall notify the Board, in writing, of the name and address of any employer prior to accepting employment.
9. **MS. BOWMAN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BOWMAN** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BOWMAN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. BOWMAN**

10. **MS. BOWMAN** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. **MS. BOWMAN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
12. **MS. BOWMAN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. **MS. BOWMAN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
14. **MS. BOWMAN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
15. **MS. BOWMAN** shall verify that the reports and documentation required by this Order are received in the Board office.
16. **MS. BOWMAN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

**MS. BOWMAN** shall not administer, have access to, or possess



(except as prescribed for **MS. BOWMAN's** use by another so authorized by law who has full knowledge of **MS. BOWMAN's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. BOWMAN** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. BOWMAN** shall not call in or order prescriptions or prescription refills.

### **Temporary Practice Restrictions**

**MS. BOWMAN** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. BOWMAN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. BOWMAN** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

The stay of **MS. BOWMAN's** suspension shall be lifted and **MS. BOWMAN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BOWMAN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BOWMAN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BOWMAN** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. BOWMAN** has complied with all aspects of this Order; and (2) the Board determines that **MS. BOWMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BOWMAN** and review of the reports as required herein. Any period during which **MS. BOWMAN** does not work in a position for which a nursing license is required shall not count

toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett Abstaining.

Coffer, Judy , E. P.N. 100272 (CASE #08-0348)

**Action:** It was moved by Melissa Meyer, seconded by Patricia Burns, that in the matter of Judy Coffer the Board grant the State's Motion to Strike in part Respondent's Objections to the Report and Recommendation.

It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **JUDY E. COFFER's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time but not less than the probationary period in Lucas County Court of Common Pleas Case No. G-4801-CR-0200502675-000, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COFFER** shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Permanent Practice Restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. COFFER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COFFER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. COFFER** shall successfully comply with all conditions imposed in Lucas County Court of Common Pleas Case No. G-4801-CR-0200502675-000. **Prior to seeking reinstatement by the Board, MS. COFFER** shall submit satisfactory documentation of completion of probation in Lucas County Court of Common Pleas Case No. G-4801-CR-0200502675-000.

#### **Monitoring**

4. Prior to seeking reinstatement by the Board, **MS. COFFER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. COFFER** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing

- and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. COFFER's** license, and a statement as to whether **MS. COFFER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. COFFER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. COFFER's** license.

### **Reporting Requirements of MS. COFFER**

6. **MS. COFFER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. COFFER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. COFFER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. COFFER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. COFFER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. COFFER** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. COFFER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. COFFER** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS.**

**COFFER** submits a written request for reinstatement; (2) the Board determines that **MS. COFFER** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. COFFER** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. COFFER** and review of the documentation specified in this Order.

**Following reinstatement, MS. COFFER shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. COFFER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COFFER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. COFFER** shall notify the Board.
4. **MS. COFFER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. COFFER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. COFFER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. COFFER**

5. **MS. COFFER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. COFFER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
7. **MS. COFFER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. COFFER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications

required by this Order shall be made to the Compliance Unit of the Board.

9. **MS. COFFER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. COFFER** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. COFFER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. COFFER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Practice Restrictions**

**MS. COFFER** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. COFFER** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. COFFER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

**MS. COFFER** shall not be involved in financial activities or supervise financial activities.

#### **FAILURE TO COMPLY**

**The stay of MS. COFFER's suspension shall be lifted and MS. COFFER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that MS. COFFER has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify MS. COFFER via certified mail of the specific**

nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. COFFER** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. COFFER** has complied with all aspects of this Order; and (2) the Board determines that **MS. COFFER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. COFFER** and review of the reports as required herein. Any period during which **MS. COFFER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **JUDY E. COFFER** to surrender her licensed practical nurse license, P.N. #100272, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.'

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

### **BOARD HEARING COMMITTEE REPORT AND RECOMMENDATION**

Tucker, Timothy, M R.N. 195183 (CASE #08-2448)

**Action:** It was moved by Delphenia Gilbert, seconded by Judith Church, that in the matter of Timothy M. Tucker, the Board grant Mr. Tucker's motion to admit late objections to the Report and Recommendation. It was further moved that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee and the Recommendation in the Board hearing Committee's report and Recommendation and ORDERED that **TIMOTHY M. TUCKER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, until at least April 30, 2011, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. TUCKER** shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. TUCKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. TUCKER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

3. **MR. TUCKER** shall comply with the terms, conditions, and limitations imposed on **MR. TUCKER's** nursing license by the 2007 and 2008 Consent Agreements with the Michigan Board of Nursing (Michigan Consent Agreements). **Prior to seeking reinstatement by the Board, MR. TUCKER** shall submit satisfactory documentation of compliance with the Michigan Consent Agreements.

### **Monitoring**

4. **MR. TUCKER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TUCKER's** history. **MR. TUCKER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. TUCKER** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MR. TUCKER** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. TUCKER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. TUCKER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. TUCKER's** license, and a statement as to whether **MR. TUCKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. TUCKER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. TUCKER's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. TUCKER** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. TUCKER's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a

- daily call-in process. The specimens submitted by **MR. TUCKER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TUCKER's** history.
9. Within thirty (30) days prior to **MR. TUCKER** initiating drug screening, **MR. TUCKER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. TUCKER**.
  10. After initiating drug screening, **MR. TUCKER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. TUCKER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. TUCKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. TUCKER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. TUCKER**

12. **MR. TUCKER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MR. TUCKER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MR. TUCKER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MR. TUCKER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. TUCKER** shall submit the reports and documentation required by this



Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

17. **MR. TUCKER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. TUCKER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
19. **MR. TUCKER** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MR. TUCKER** submits a written request for reinstatement; (2) the Board determines that **MR. TUCKER** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. TUCKER** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. TUCKER** and review of the documentation specified in this Order.

**Following reinstatement, MR. TUCKER shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MR. TUCKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. TUCKER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MR. TUCKER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TUCKER's** history. **MR. TUCKER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. TUCKER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. TUCKER** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall

require a daily call-in process. The specimens submitted by **MR. TUCKER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TUCKER's** history.

6. **MR. TUCKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. TUCKER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

#### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MR. TUCKER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. TUCKER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. TUCKER** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. TUCKER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. TUCKER** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MR. TUCKER** shall notify the Board.
11. **MR. TUCKER** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. TUCKER** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. TUCKER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MR. TUCKER**

12. **MR. TUCKER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. TUCKER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MR. TUCKER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MR. TUCKER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. TUCKER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MR. TUCKER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. TUCKER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, upon request by the Board or its designee, **MR. TUCKER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MR. TUCKER** shall not administer, have access to, or possess (except as prescribed for **MR. TUCKER's** use by another so authorized by law who has full knowledge of **MR. TUCKER's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MR. TUCKER** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. TUCKER** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MR. TUCKER** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care

and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MR. TUCKER** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MR. TUCKER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

**The stay of MR. TUCKER's suspension shall be lifted and MR. TUCKER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. TUCKER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. TUCKER** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. TUCKER** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. TUCKER** has complied with all aspects of this Order; and (2) the Board determines that **MR. TUCKER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. TUCKER** and review of the reports as required herein. Any period during which **MR. TUCKER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **TIMOTHY M. TUCKER** to surrender his registered nurse license, R.N. # 195183, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Lisa Klenke, Johnnie Maier, and J. Jane McFee abstaining.

### **NO REQUEST FOR HEARING**

Leatherman, Christine , A. R.N. 228575 (CASE #09-4434)

**Action:** It was moved by Kathleen Driscoll, seconded by J. Jane McFee, that upon consideration of the charges stated against **CHRISTINE ANNE**

**LEATHERMAN** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LEATHERMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. LEATHERMAN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LEATHERMAN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years with PERMANENT PRACTICE and TEMPORARY NARCOTIC RESTRICTIONS set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. LEATHERMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEATHERMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. LEATHERMAN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEATHERMAN's** history. **MS. LEATHERMAN** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. LEATHERMAN** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. LEATHERMAN** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. LEATHERMAN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. LEATHERMAN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LEATHERMAN's** license, and a statement as to whether **MS. LEATHERMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. LEATHERMAN** shall provide the Board with satisfactory

- documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. LEATHERMAN's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. LEATHERMAN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. LEATHERMAN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. LEATHERMAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEATHERMAN's** history.
  8. Within thirty (30) days prior to **MS. LEATHERMAN** initiating drug screening, **MS. LEATHERMAN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. LEATHERMAN**.
  9. After initiating drug screening, **MS. LEATHERMAN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. LEATHERMAN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. LEATHERMAN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. LEATHERMAN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. LEATHERMAN**

11. **MS. LEATHERMAN** shall sign release of information forms allowing

health professionals and other organizations to submit requested documentation or information directly to the Board.

12. **MS. LEATHERMAN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. LEATHERMAN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. LEATHERMAN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. LEATHERMAN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. LEATHERMAN** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. LEATHERMAN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. LEATHERMAN** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. LEATHERMAN** submits a written request for reinstatement; (2) the Board determines that **MS. LEATHERMAN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LEATHERMAN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LEATHERMAN** and review of the documentation specified in this Order.

**Following reinstatement, MS. LEATHERMAN shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. LEATHERMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEATHERMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. LEATHERMAN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEATHERMAN's** history. **MS. LEATHERMAN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. LEATHERMAN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. LEATHERMAN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. LEATHERMAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEATHERMAN's** history.
6. **MS. LEATHERMAN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. LEATHERMAN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. LEATHERMAN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. LEATHERMAN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. LEATHERMAN** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. LEATHERMAN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LEATHERMAN** shall notify the Board of any and all



medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. LEATHERMAN** shall notify the Board.
11. **MS. LEATHERMAN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. LEATHERMAN** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. LEATHERMAN** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. LEATHERMAN**

12. **MS. LEATHERMAN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. LEATHERMAN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. LEATHERMAN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. LEATHERMAN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. LEATHERMAN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. LEATHERMAN** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. LEATHERMAN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in

residential or home address or telephone number.

19. Prior to working as a nurse, if requested by the Board or its designee, **MS. LEATHERMAN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. LEATHERMAN** shall not administer, have access to, or possess (except as prescribed for **MS. LEATHERMAN's** use by another so authorized by law who has full knowledge of **MS. LEATHERMAN's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. LEATHERMAN** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. LEATHERMAN** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

**Unless otherwise approved in advance by the Board, MS. LEATHERMAN** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. LEATHERMAN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance by the Board, MS. LEATHERMAN** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MS. LEATHERMAN's suspension shall be lifted and MS. LEATHERMAN's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LEATHERMAN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LEATHERMAN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LEATHERMAN** may request a hearing regarding the charges.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. LEATHERMAN** has complied with all aspects of this Order; and (2) the Board determines that **MS. LEATHERMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LEATHERMAN** and review of the reports as required herein. Any period during which **MS. LEATHERMAN** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Sims, Beverly, A. P.N. 087340 (CASE #09-2436)

**Action:** It was moved by Patricia Burns, seconded by J. Jane McFee, that upon consideration of the charges stated against **BEVERLY ANN SIMS** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SIMS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. SIMS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **BEVERLY ANN SIMS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #087340, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Shelton, Angelia, D. P.N. 115139 (CASE #09-2421)

**Action:** It was moved by Johnnie Maier, seconded by Lisa Klenke, that upon consideration of the charges stated against **ANGELIA DENISE SHELTON** in the July 24, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SHELTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. SHELTON'S**

license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SHELTON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years with permanent practice restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. SHELTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SHELTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. SHELTON** shall in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Ethics.
4. Prior to seeking reinstatement by the Board, **MS. SHELTON** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SHELTON** shall provide the psychiatrist with a copy of this Order and the July 2009 Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SHELTON's** license, and whether **MS. SHELTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. Prior to seeking reinstatement by the Board, **MS. SHELTON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SHELTON's** license.

#### **Reporting Requirements of MS. SHELTON**

6. **MS. SHELTON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. SHELTON** shall submit any and all information that the Board may

request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.

8. **MS. SHELTON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. SHELTON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. SHELTON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. SHELTON** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. SHELTON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. SHELTON** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. SHELTON** submits a written request for reinstatement; (2) the Board determines that **MS. SHELTON** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. SHELTON** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. SHELTON** and review of the documentation specified in this Order.

**Following reinstatement, MS. SHELTON shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. SHELTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SHELTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. SHELTON** shall notify the Board.

4. **MS. SHELTON** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. SHELTON** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. SHELTON** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. SHELTON**

5. **MS. SHELTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. SHELTON** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
7. **MS. SHELTON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. SHELTON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. SHELTON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. SHELTON** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. SHELTON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Permanent Practice Restrictions**

**MS. SHELTON** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care

programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. SHELTON** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. SHELTON** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

**MS. SHELTON** shall not be involved in financial activities or supervise financial activities.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. SHELTON** has complied with all aspects of this Order; and (2) the Board determines that **MS. SHELTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SHELTON** and review of the reports as required herein. Any period during which **MS. SHELTON** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

### **Prayer, Latasha, S. P.N. NCLEX (CASE #09-2890)**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that upon consideration of the charges stated against **Latasha Prayer** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PRAYER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. PRAYER'S** application for licensure by examination to practice nursing as a licensed practical nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Peters, Tammy, B. P.N. 112714 (CASE #09-3256)

**Action:** It was moved by Lisa Klenke, seconded by Janet Boeckman, that upon consideration of the charges stated against **TAMMY B. PETERS** in the September 25, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PETERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing **ORDERS** that **MS. PETERS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TAMMY B. PETERS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #112714, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Williams, Timothy, J. P.N. 104882 (CASE #08-4286)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that consideration of the charges stated against **TIMOTHY JOHN WILLIAMS** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WILLIAMS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing **ORDERS** that **MR. WILLIAMS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TIMOTHY JOHN WILLIAMS** to surrender his licensed practical nurse license, P.N. #104882, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Van Tassel, Pamela, K. R.N. 305375 (CASE #08-4152)

**Action:** It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **PAMELA KAY VAN TASSEL** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting



the charges, the Board finds that **MS. VAN TASSEL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. VAN TASSEL's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year, with conditions for reinstatement set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. VAN TASSEL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. VAN TASSEL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. VAN TASSEL** shall successfully complete the terms, conditions, and limitations imposed on **MS. VAN TASSEL's** nursing license by the Order of the Arkansas State Board of Nursing ("Arkansas Board"). Prior to seeking reinstatement by the Board, **MS. VAN TASSEL** shall submit satisfactory documentation from the Arkansas Board that **MS. VAN TASSEL** has successfully completed all terms, conditions, and limitations imposed on **MS. VAN TASSEL's** Arkansas nursing license.

#### **Reporting Requirements of MS. VAN TASSEL**

4. **MS. VAN TASSEL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MS. VAN TASSEL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
6. **MS. VAN TASSEL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
7. **MS. VAN TASSEL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
8. **MS. VAN TASSEL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
9. **MS. VAN TASSEL** shall verify that the reports and documentation required by this Order are received in the Board office.

10. **MS. VAN TASSEL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. VAN TASSEL** shall submit to a BCI criminal records check.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. VAN TASSEL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. VAN TASSEL** submits a written request for reinstatement; (2) the Board determines that **MS. VAN TASSEL** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. VAN TASSEL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. VAN TASSEL** and review of the documentation specified in this Order.

The Board further Orders **PAMELA KAY VAN TASSEL** to surrender her registered nurse license, R.N. #305375, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Van Horn, Lee, A. P.N. 046050 (CASE #09-1007)

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that upon consideration of the charges stated against **LEE A. VAN HORN** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. VAN HORN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. VAN HORN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. VAN HORN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years with permanent practice and temporary narcotic restrictions set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. VAN HORN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. VAN HORN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. VAN HORN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VAN HORN's** history. **MS. VAN HORN** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. VAN HORN** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. VAN HORN** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. VAN HORN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. VAN HORN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. VAN HORN's** license, and a statement as to whether **MS. VAN HORN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. VAN HORN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. VAN HORN's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. VAN HORN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. VAN HORN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed

- on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. VAN HORN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VAN HORN's** history.
8. Within thirty (30) days prior to **MS. VAN HORN** initiating drug screening, **MS. VAN HORN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. VAN HORN**.
  9. After initiating drug screening, **MS. VAN HORN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. VAN HORN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. VAN HORN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. VAN HORN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  11. Prior to seeking reinstatement by the Board, **MS. VAN HORN** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. VAN HORN** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. VAN HORN's** license, and a statement as to whether **MS. VAN HORN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  12. **MS. VAN HORN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation

as a basis for additional terms, conditions, and limitations on **MS. VAN HORN's** license.

### **Reporting Requirements of MS. VAN HORN**

13. **MS. VAN HORN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. VAN HORN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MS. VAN HORN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. VAN HORN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. VAN HORN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. VAN HORN** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. VAN HORN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
20. **MS. VAN HORN** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. VAN HORN** submits a written request for reinstatement; (2) the Board determines that **MS. VAN HORN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. VAN HORN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. VAN HORN** and review of the documentation specified in this Order.

**Following reinstatement, MS. VAN HORN shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. VAN HORN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. VAN HORN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. VAN HORN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VAN HORN's** history. **MS. VAN HORN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. VAN HORN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. VAN HORN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. VAN HORN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VAN HORN's** history.
6. **MS. VAN HORN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. VAN HORN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. VAN HORN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. VAN HORN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. VAN HORN** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. VAN**

**HORN** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. VAN HORN** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. VAN HORN** shall notify the Board.
11. **MS. VAN HORN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. VAN HORN** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. VAN HORN** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. VAN HORN**

12. **MS. VAN HORN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. VAN HORN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. VAN HORN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. VAN HORN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. VAN HORN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. VAN HORN** shall verify that the reports and documentation required

by this Order are received in the Board office.

18. **MS. VAN HORN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. VAN HORN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. VAN HORN** shall not administer, have access to, or possess (except as prescribed for **MS. VAN HORN's** use by another so authorized by law who has full knowledge of **MS. VAN HORN's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. VAN HORN** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. VAN HORN** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

**MS. VAN HORN** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. VAN HORN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. VAN HORN** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MS. VAN HORN's suspension shall be lifted and MS. VAN HORN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. VAN HORN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. VAN HORN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. VAN HORN** may request a hearing regarding the charges.



### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. VAN HORN** has complied with all aspects of this Order; and (2) the Board determines that **MS. VAN HORN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. VAN HORN** and review of the reports as required herein. Any period during which **MS. VAN HORN** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Caswell, Paul, R. R.N. 348651 (CASE #09-2272)

**Action:** It was moved by Patricia Protopapa, seconded by Lisa Klenke, that upon consideration of the charges stated against **PAUL R. CASWELL** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. CASWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. CASWELL's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time.

### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. CASWELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CASWELL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MR. CASWELL** shall successfully complete the terms, conditions, and limitations imposed on **MR. CASWELL's** nursing license by the Order of the West Virginia State Board of Examiners for Registered Professional Nurses ("West Virginia Board"). Prior to seeking reinstatement by the Board, **MR. CASWELL** shall submit satisfactory documentation from the West Virginia Board that **MR. CASWELL** has successfully completed all terms, conditions, and limitations imposed on **MR. CASWELL's** West Virginia nursing license.

### **Reporting Requirements of MR. CASWELL**

4. **MR. CASWELL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MR. CASWELL** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
6. **MR. CASWELL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
7. **MR. CASWELL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
8. **MR. CASWELL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
9. **MR. CASWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MR. CASWELL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MR. CASWELL** shall submit to a BCI criminal records check.
12. Prior to working as a nurse, if requested by the Board or its designee, **MR. CASWELL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MR. CASWELL** submits a written request for reinstatement; (2) the Board determines that **MR. CASWELL** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. CASWELL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. CASWELL** and review of the documentation specified in this Order.

The Board further Orders **PAUL R. CASWELL** to surrender his registered nurse license, R.N. #348651, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Doty, Cari, M. R.N. 316233 (CASE #09-3368)

**Action:** It was moved by Melissa Meyer, seconded by Patricia Burns, that upon consideration of the charges stated against **CARI DOTY** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DOTY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. DOTY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than six (6) months.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. DOTY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DOTY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. DOTY** shall successfully complete the terms, conditions, and limitations imposed on **MS. DOTY's** nursing license by the West Virginia State Board of Examiners for Registered Professional Nurses ("West Virginia Board"). Prior to seeking reinstatement by the Board, **MS. DOTY** shall submit satisfactory documentation from the West Virginia Board that **MS. DOTY** has successfully completed all terms, conditions, and limitations imposed on **MS. DOTY's** West Virginia nursing license.

#### **Monitoring**

4. Prior to seeking reinstatement by the Board, **MS. DOTY** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. DOTY** shall provide the psychiatrist with a copy of this Order, the Notice of Opportunity for Hearing, and the May 2009 Agreement with the West Virginia Board, and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DOTY's** license, and a statement as to whether **MS. DOTY** is capable of practicing nursing according to

acceptable and prevailing standards of safe nursing care.

5. **MS. DOTY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DOTY's** license.

#### **Reporting Requirements of MS. DOTY**

6. **MS. DOTY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. DOTY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. DOTY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. DOTY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. DOTY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. DOTY** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. DOTY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. DOTY** shall submit to a BCI criminal records check.

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. DOTY** submits a written request for reinstatement; (2) the Board determines that **MS. DOTY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. DOTY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. DOTY** and review of the documentation specified in this Order.

The Board further Orders **CARI DOTY** to surrender her registered nurse license, R.N. #316233, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Craft, Christopher, A. R.N. 237993 (CASE #09-0996)

**Action:** It was moved by Kathleen Driscoll, seconded by Melissa Meyer, that upon consideration of the charges stated against **CHRISTOPHER ALLEN CRAFT** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. CRAFT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. CRAFT's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. CRAFT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. CRAFT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CRAFT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MR. CRAFT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CRAFT's** history. **MR. CRAFT** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MR. CRAFT** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MR. CRAFT** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. CRAFT** shall provide the chemical dependency professional with a copy of

- this Order and Notice of Opportunity for Hearing. Further, **MR. CRAFT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CRAFT's** license, and a statement as to whether **MR. CRAFT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MR. CRAFT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. CRAFT's** license.
  7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. CRAFT** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. CRAFT's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. CRAFT** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CRAFT's** history.
  8. Within thirty (30) days prior to **MR. CRAFT** initiating drug screening, **MR. CRAFT** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. CRAFT**.
  9. After initiating drug screening, **MR. CRAFT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. CRAFT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. CRAFT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. CRAFT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MR. CRAFT** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. CRAFT** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CRAFT's** license, and a statement as to whether **MR. CRAFT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MR. CRAFT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. CRAFT's** license.

#### **Reporting Requirements of MR. CRAFT**

13. **MR. CRAFT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. CRAFT** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MR. CRAFT** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MR. CRAFT** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MR. CRAFT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

18. **MR. CRAFT** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. CRAFT** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
20. **MR. CRAFT** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MR. CRAFT** submits a written request for reinstatement; (2) the Board determines that **MR. CRAFT** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. CRAFT** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. CRAFT** and review of the documentation specified in this Order.

**Following reinstatement, MR. CRAFT shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.**

1. **MR. CRAFT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CRAFT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MR. CRAFT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CRAFT's** history. **MR. CRAFT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. CRAFT** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. CRAFT** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. CRAFT** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CRAFT's** history.



6. **MR. CRAFT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. CRAFT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MR. CRAFT** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. CRAFT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. CRAFT** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. CRAFT** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. CRAFT** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MR. CRAFT** shall notify the Board.
11. **MR. CRAFT** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. CRAFT** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. CRAFT** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MR. CRAFT**

12. **MR. CRAFT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.

13. **MR. CRAFT** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MR. CRAFT** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MR. CRAFT** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. CRAFT** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MR. CRAFT** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. CRAFT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MR. CRAFT** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **FAILURE TO COMPLY**

**The stay of MR. CRAFT's suspension shall be lifted and MR. CRAFT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. CRAFT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. CRAFT** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. CRAFT** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. CRAFT** has complied with all aspects of this Order; and (2) the Board determines that **MR. CRAFT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. CRAFT** and review of the reports as required herein. Any period during which **MR. CRAFT** does not work in a position for which a nursing license is required shall not count toward

fulfilling the probationary period imposed by this Order.

The Board further Orders **CHRISTOPHER ALLEN CRAFT** to surrender his registered nurse license, RN #237993, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Marshall, Jenni, L. P.N. 125740 (CASE #08-3825)

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **JENNI LYNN MARSHALL** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARSHALL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MARSHALL's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MARSHALL** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years with temporary narcotic and temporary practice restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MARSHALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MARSHALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. MARSHALL** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours on the effects of substance abuse on unborn children.

#### **Monitoring**

4. **MS. MARSHALL** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARSHALL's** history. **MS. MARSHALL** shall self-administer the

prescribed drugs only in the manner prescribed.

5. **MS. MARSHALL** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. MARSHALL** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MARSHALL** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MARSHALL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MARSHALL's** license, and a statement as to whether **MS. MARSHALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. MARSHALL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. MARSHALL's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. MARSHALL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MARSHALL's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MARSHALL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARSHALL's** history.
9. Within thirty (30) days prior to **MS. MARSHALL** initiating drug screening, **MS. MARSHALL** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. MARSHALL**.

10. After initiating drug screening, **MS. MARSHALL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. MARSHALL** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. MARSHALL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. MARSHALL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MARSHALL**

12. **MS. MARSHALL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. MARSHALL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. MARSHALL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. MARSHALL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. MARSHALL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. MARSHALL** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MARSHALL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
19. **MS. MARSHALL** shall submit to a BCI criminal records check.

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. MARSHALL** submits a written request for reinstatement; (2) the Board determines that **MS. MARSHALL** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MARSHALL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MARSHALL** and review of the documentation specified in this Order.

**Following reinstatement, MS. MARSHALL shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. MARSHALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MARSHALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. MARSHALL** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARSHALL's** history. **MS. MARSHALL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MARSHALL** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MARSHALL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MARSHALL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARSHALL's** history.
6. **MS. MARSHALL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. MARSHALL** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

#### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. MARSHALL** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. MARSHALL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. MARSHALL** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. MARSHALL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MARSHALL** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. MARSHALL** shall notify the Board.
11. **MS. MARSHALL** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. MARSHALL** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. MARSHALL** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. MARSHALL**

12. **MS. MARSHALL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MARSHALL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. MARSHALL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the

Board or to employers or potential employers.

15. **MS. MARSHALL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. MARSHALL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. MARSHALL** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MARSHALL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. MARSHALL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. MARSHALL** shall not administer, have access to, or possess (except as prescribed for **MS. MARSHALL's** use by another so authorized by law who has full knowledge of **MS. MARSHALL's** history) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **one (1) year** in which **MS. MARSHALL** is working in a position that requires a nursing license. At any time after the **one (1) year period** previously described, **MS. MARSHALL** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. MARSHALL** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. MARSHALL** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MS. MARSHALL** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. MARSHALL** to provide nursing services for fees, compensation, or other consideration or as a volunteer.



**MS. MARSHALL** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

The stay of **MS. MARSHALL's** suspension shall be lifted and **MS. MARSHALL's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MARSHALL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MARSHALL** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MARSHALL** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. MARSHALL** has complied with all aspects of this Order; and (2) the Board determines that **MS. MARSHALL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MARSHALL** and review of the reports as required herein. Any period during which **MS. MARSHALL** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board member with Anne Barnett abstaining.

Michell, Leslie, A. P.N. 120937 (CASE #08-2801)

**Action:** It was moved Johnnie Maier, seconded by Lisa Klenke, that upon consideration of the charges stated against **LESLIE ANN MICHELL** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MICHELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MICHELL's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MICHELL** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a

minimum period of two (2) years with the permanent practice restriction set forth below.

### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MICHELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MICHELL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. MICHELL** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
4. Prior to seeking reinstatement by the Board, **MS. MICHELL** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours on Ethics, five (5) hours on Scope of Practice, and one (1) hour of Ohio Law and Rules.

### **Reporting Requirements of MS. MICHELL**

5. **MS. MICHELL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. MICHELL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
7. **MS. MICHELL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. MICHELL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. MICHELL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

10. **MS. MICHELL** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MICHELL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
12. **MS. MICHELL** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. MICHELL** submits a written request for reinstatement; (2) the Board determines that **MS. MICHELL** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MICHELL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MICHELL** and review of the documentation specified in this Order.

**Following reinstatement, MS. MICHELL shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. MICHELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MICHELL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. MICHELL** shall notify the Board.
4. **MS. MICHELL** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. MICHELL** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. MICHELL** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. MICHELL**

5. **MS. MICHELL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested

documentation directly to the Board.

6. **MS. MICHELL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
7. **MS. MICHELL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. MICHELL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. MICHELL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. MICHELL** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MICHELL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. MICHELL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Practice Restrictions**

**MS. MICHELL** shall not call in or order prescriptions or prescription refills.

#### **FAILURE TO COMPLY**

**The stay of MS. MICHELL's suspension shall be lifted and MS. MICHELL's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that MS. MICHELL has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify MS. MICHELL via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, MS. MICHELL may request a hearing regarding the charges.**

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. MICHELL** has complied with all aspects of this Order; and (2) the Board determines that **MS. MICHELL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MICHELL** and review of the reports as required herein. Any period during which **MS. MICHELL** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **LESLIE ANN MICHELL** to surrender her licensed practical nurse license, P.N. #120937, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

McGarrity, Kathleen, P. R.N. 203112 (CASE #09-2867)

**Action:** It was moved by Lisa Klenke, seconded by Janet Boeckman, that upon consideration of the charges stated against **KATHLEEN P. MCGARRITY** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCGARRITY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. MCGARRITY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KATHLEEN P. MCGARRITY** to surrender her registered nurse license, R.N. #203112, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Muldoon, Barbara, A. R.N. 121581 (CASE #09-2532)

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that upon consideration of the charges stated against **BARBARA A. MULDOON** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MULDOON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the

Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MULDOON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MULDOON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MULDOON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MULDOON** shall successfully complete the terms, conditions, and limitations imposed on **MS. MULDOON's** nursing licenses by the Indiana Board of Nursing ("Indiana Board") and the Florida Board of Nursing ("Florida Board"). Prior to seeking reinstatement by the Board, **MS. MULDOON** shall submit satisfactory documentation from the Indiana Board and Florida Board that **MS. MULDOON** has successfully completed all terms, conditions, and limitations imposed on **MS. MULDOON's** Indiana and Florida nursing licenses.

#### **Reporting Requirements of MS. MULDOON**

4. **MS. MULDOON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MS. MULDOON** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
6. **MS. MULDOON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
7. **MS. MULDOON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
8. **MS. MULDOON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
9. **MS. MULDOON** shall verify that the reports and documentation required by this Order are received in the Board office.

10. **MS. MULDOON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. MULDOON** shall submit to a BCI criminal records check.
12. Prior to working as a nurse, **MS. MULDOON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. MULDOON** submits a written request for reinstatement; (2) the Board determines that **MS. MULDOON** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MULDOON** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MULDOON** and review of the documentation specified in this Order.

The Board further Orders **BARBARA A. MULDOON** to surrender her registered nurse license, R.N. #121581, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Kidder, Tina, R. P.N. 109515 (CASE #08-4278)

**Action:** It was moved Delphenia Gilbert, seconded by Judith Church, that upon consideration of the charges stated against **TINA RANA KIDDER** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KIDDER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. KIDDER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **TINA RANA KIDDER** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #109515, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Lamb, Linda, M. P.N. 069588 (CASE #09-3864)

**Action:** It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **LINDA M. LAMB** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LAMB** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. LAMB'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **LINDA M. LAMB** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #069588, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Harrison, Denise, Y. R.N. 285013 (CASE #09-2283)

**Action:** It was moved by J. Jane McFee, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **DENISE Y. HARRISON** in the July 24, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HARRISON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. HARRISON'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **DENISE Y. HARRISON** to surrender her registered nurse license, R.N. #285013, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.



Dudley, Cheryl, A P.N. 121537 (CASE #09-0075)

**Action:** It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **CHERYL ANN DUDLEY** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DUDLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. DUDLEY's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of two (2) years, retroactive to the date **MS. DUDLEY** was found guilty in Lake County Court of Common Pleas Case Number 09-CR-000082 (August 6, 2009), with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DUDLEY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. DUDLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DUDLEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. DUDLEY** shall comply with all conditions imposed in Lake County Court of Common Pleas Case Number 09-CR-000082 and shall submit satisfactory documentation of compliance.

**Monitoring**

4. **MS. DUDLEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUDLEY's** history. **MS. DUDLEY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. DUDLEY** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. DUDLEY** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. DUDLEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. DUDLEY** shall execute releases to permit the chemical dependency professional to obtain any information deemed

- appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DUDLEY's** license, and a statement as to whether **MS. DUDLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. DUDLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DUDLEY's** license.
  8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. DUDLEY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. DUDLEY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. DUDLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUDLEY's** history.
  9. Within thirty (30) days prior to **MS. DUDLEY** initiating drug screening, **MS. DUDLEY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. DUDLEY**.
  10. After initiating drug screening, **MS. DUDLEY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. DUDLEY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. DUDLEY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. DUDLEY** shall

provide satisfactory documentation of such attendance to the Board prior to reinstatement.

12. Prior to seeking reinstatement by the Board, **MS. DUDLEY** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. DUDLEY** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DUDLEY's** license, and a statement as to whether **MS. DUDLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MS. DUDLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DUDLEY's** license.

#### **Reporting Requirements of MS. DUDLEY**

14. **MS. DUDLEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. DUDLEY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MS. DUDLEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MS. DUDLEY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MS. DUDLEY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MS. DUDLEY** shall verify that the reports and documentation required by this Order are received in the Board office.

20. **MS. DUDLEY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

21. **MS. DUDLEY** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. DUDLEY** submits a written request for reinstatement; (2) the Board determines that **MS. DUDLEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. DUDLEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. DUDLEY** and review of the documentation specified in this Order.

**Following reinstatement, MS. DUDLEY shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. DUDLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DUDLEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. DUDLEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUDLEY's** history. **MS. DUDLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DUDLEY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. DUDLEY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. DUDLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUDLEY's** history.
6. **MS. DUDLEY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a

Twelve Step program, and **MS. DUDLEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. DUDLEY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. DUDLEY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. DUDLEY** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. DUDLEY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DUDLEY** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. DUDLEY** shall notify the Board.
11. **MS. DUDLEY** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. DUDLEY** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. DUDLEY** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. DUDLEY**

12. **MS. DUDLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. DUDLEY** shall submit any and all information that the Board may

request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.

14. **MS. DUDLEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. DUDLEY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. DUDLEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. DUDLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. DUDLEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. DUDLEY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

**MS. DUDLEY** shall not administer, have access to, or possess (except as prescribed for **MS. DUDLEY's** use by another so authorized by law who has full knowledge of **MS. DUDLEY's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. DUDLEY** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. DUDLEY** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

**MS. DUDLEY** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. DUDLEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. DUDLEY** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

**The stay of MS. DUDLEY's suspension shall be lifted and MS. DUDLEY's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. DUDLEY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DUDLEY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DUDLEY** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. DUDLEY** has complied with all aspects of this Order; and (2) the Board determines that **MS. DUDLEY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DUDLEY** and review of the reports as required herein. Any period during which **MS. DUDLEY** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

### **Foxx, Letrice , D. P.N. 115340 (CASE #09-3846)**

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **LETRICE DANIELLE FOXX** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FOXX** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing ORDERS that **MS. FOXX's** license to practice nursing as a licensed practical nurse is hereby suspended and that the suspension is stayed subject to the probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Practice Restrictions set forth below.

**MS. FOXX shall be subject to the following probationary terms,**

**conditions, and limitations:**

1. **MS. FOXX** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FOXX** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Within six (6) months of the effective date of this Order, MS. FOXX** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education courses taken subsequent to the effective date of this Order: five (5) hours of Care of Children on Ventilators, five (5) hours of Professional Boundaries, five (5) hours of Documentation, and five (5) hours of Pediatric Assessment.

**Educational Needs Assessment and Learning Plan**

4. **Within six (6) months of the effective date of this Order, MS. FOXX** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. FOXX** shall have the educator provide the Board with a written report of an assessment of **MS. FOXX**, which identifies **MS. FOXX's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. FOXX** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. FOXX** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. FOXX's** employer(s), former employers, and Board staff. Following the assessment, **MS. FOXX** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. FOXX** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. FOXX** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. FOXX** shall complete such learning plan. **MS. FOXX** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. FOXX** has successfully completed the learning plan, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. FOXX's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. FOXX** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. FOXX** shall be responsible for all costs associated with meeting this requirement.



5. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. FOXX's** license.

### **Employment Conditions**

6. **MS. FOXX** shall notify the Board, in writing, of the name and address of any current employer **within fifteen (15) days of the effective date of this Order**, or any new employer prior to accepting employment.
7. **MS. FOXX, within fifteen (15) days of the effective date of this Order**, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. FOXX** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. FOXX** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. FOXX** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. FOXX**

8. **MS. FOXX** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. **MS. FOXX** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
10. **MS. FOXX** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
11. **MS. FOXX** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
12. **MS. FOXX** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
13. **MS. FOXX** shall verify that the reports and documentation required by this Order are received in the Board office.

14. **MS. FOXX** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Practice Restrictions**

**Unless otherwise approved in advance by the Board, MS. FOXX** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. FOXX** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. FOXX** may continue to provide home nursing care to the patient identified as Patient #1 in the September 25, 2009 Notice of Opportunity for Hearing patient key, if a Board approved RN supervisor submits satisfactory reports to the Board on a quarterly basis.

**Unless otherwise approved in advance by the Board, MS. FOXX** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include but are not limited to the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MS. FOXX's suspension shall be lifted and MS. FOXX's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. FOXX** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. FOXX** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. FOXX** may request a hearing regarding the charges.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. FOXX** has complied with all aspects of this Order; and (2) the Board determines that **MS. FOXX** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. FOXX** and review of the reports as required herein. Any period during which **MS. FOXX** does not work in a position for which a nursing license is required shall not count toward

fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Glenn, Crystal, L. P.N. 111657 (CASE #09-0796)

**Action:** It was moved Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **CRYSTAL L. GLENN** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GLENN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. GLENN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GLENN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year with temporary practice and temporary narcotic restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. GLENN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GLENN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. GLENN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GLENN's** history. **MS. GLENN** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. GLENN** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. GLENN** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. GLENN** shall provide the chemical dependency professional with a copy

- of this Order and Notice of Opportunity for Hearing. Further, **MS. GLENN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GLENN's** license, and a statement as to whether **MS. GLENN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. GLENN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. GLENN's** license.
  7. **For a minimum, continuous period of three (3) months immediately prior to seeking reinstatement, MS. GLENN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. GLENN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GLENN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GLENN's** history.
  8. Within thirty (30) days prior to **MS. GLENN** initiating drug screening, **MS. GLENN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. GLENN**.
  9. After initiating drug screening, **MS. GLENN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. GLENN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of three (3) months immediately prior to seeking reinstatement, MS. GLENN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GLENN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. GLENN**

11. **MS. GLENN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. GLENN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. GLENN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. GLENN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. GLENN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. GLENN** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. GLENN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. GLENN** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. GLENN** submits a written request for reinstatement; (2) the Board determines that **MS. GLENN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. GLENN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. GLENN** and review of the documentation specified in this Order.

**Following reinstatement, MS. GLENN shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.**

1. **MS. GLENN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GLENN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. GLENN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GLENN's** history. **MS. GLENN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GLENN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. GLENN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GLENN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GLENN's** history.
6. **MS. GLENN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GLENN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. GLENN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. GLENN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. GLENN** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all

substances prescribed, administered, or dispensed to **MS. GLENN** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GLENN** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. GLENN** shall notify the Board.
11. **MS. GLENN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. GLENN** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. GLENN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. GLENN**

12. **MS. GLENN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. GLENN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. GLENN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. GLENN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. GLENN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. GLENN** shall verify that the reports and documentation required by this Order are received in the Board office.

18. **MS. GLENN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

19. Prior to working as a nurse, if requested by the Board or its designee, **MS. GLENN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. GLENN** shall not administer, have access to, or possess (except as prescribed for **MS. GLENN's** use by another so authorized by law who has full knowledge of **MS. GLENN's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. GLENN** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. GLENN** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MS. GLENN** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. GLENN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. GLENN** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MS. GLENN's suspension shall be lifted and MS. GLENN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. GLENN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GLENN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GLENN** may request a hearing regarding the charges.

#### **DURATION**



The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. GLENN** has complied with all aspects of this Order; and (2) the Board determines that **MS. GLENN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GLENN** and review of the reports as required herein. Any period during which **MS. GLENN** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **CRYSTAL L. GLENN** to surrender her licensed practical nurse license, P.N. #111657, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Hall, Danny, J. R.N. 127077, COA 00263 (CASE #08-0964)

**Action:** It was moved by Johnnie Maier, seconded by Patricia Burns, that upon consideration of the charges stated against **DANNY J. HALL** in the September 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. HALL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. HALL's** license to practice nursing as a registered nurse and certificate of authority to practice as a certified registered nurse anesthetist is hereby suspended for an indefinite period of time but not less than five (5) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. HALL** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years with permanent narcotic and permanent practice restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. HALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. HALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MR. HALL** shall successfully complete all conditions imposed in Montgomery County Court of Common Pleas Case Number 2008 CR 1520 and shall submit satisfactory

documentation of completion.

### **Monitoring**

4. **MR. HALL** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HALL's** history. **MR. HALL** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. HALL** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MR. HALL** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. HALL** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. HALL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. HALL's** license and certificate of authority, and a statement as to whether **MR. HALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. HALL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. HALL's** license and certificate of authority.
8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. HALL** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. HALL's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license and certificate of authority for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. HALL** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HALL's** history.

9. Within thirty (30) days prior to **MR. HALL** initiating drug screening, **MR. HALL** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. HALL**.
10. After initiating drug screening, **MR. HALL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. HALL** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. HALL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. HALL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. Prior to seeking reinstatement by the Board, **MR. HALL** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. HALL** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. HALL's** license and certificate of authority, and a statement as to whether **MR. HALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MR. HALL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. HALL's** license and certificate of authority.

### **Reporting Requirements of MR. HALL**

14. **MR. HALL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MR. HALL** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MR. HALL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. HALL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. HALL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MR. HALL** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. HALL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
21. **MR. HALL** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MR. HALL** submits a written request for reinstatement; (2) the Board determines that **MR. HALL** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. HALL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. HALL** and review of the documentation specified in this Order.

**Following reinstatement, MR. HALL shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MR. HALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. HALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MR. HALL** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HALL's** history. **MR. HALL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. HALL** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. HALL** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license and certificate of authority for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. HALL** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HALL's** history.
6. **MR. HALL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. HALL** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MR. HALL** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. HALL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. HALL** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. HALL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. HALL** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MR. HALL** shall notify the Board.
11. **MR. HALL** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. HALL** shall provide his employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MR. HALL** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MR. HALL**

12. **MR. HALL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. HALL** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MR. HALL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MR. HALL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. HALL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MR. HALL** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. HALL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

19. Prior to working as a nurse, if requested by the Board or its designee, **MR. HALL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

**Unless otherwise approved in advance by the Board, MR. HALL** shall not administer, have access to, or possess (except as prescribed for **MR. HALL's** use by another so authorized by law who has full knowledge of **MR. HALL's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MR. HALL** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. HALL** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

**Unless otherwise approved in advance by the Board, MR. HALL** shall not practice nursing as a registered nurse or certified registered nurse anesthetist (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MR. HALL** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance by the Board, MR. HALL** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MR. HALL's suspension shall be lifted and MR. HALL's** license to practice nursing as a registered nurse and certificate of authority to practice as a certified registered nurse anesthetist will be automatically suspended if it appears to the Board that **MR. HALL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. HALL** via certified mail of the specific nature of the charges and automatic suspension of his license and certificate of authority. Upon receipt of this notice, **MR. HALL** may request a hearing regarding the charges.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. HALL** has complied with all aspects of this

Order; and (2) the Board determines that **MR. HALL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. HALL** and review of the reports as required herein. Any period during which **MR. HALL** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett and Judith Church abstaining.

Jones, Juanita, A. P.N. 108553 (CASE #09-4317)

**Action:** It was moved by Lisa Klenke, seconded Janet Boeckman, that upon consideration of the charges stated against **JUANITA LYNN JONES** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JONES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. JONES's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JONES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years with temporary narcotic restrictions and a permanent practice restriction.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. JONES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JONES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. JONES** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history. **MS. JONES** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. JONES** shall abstain completely from the use of alcohol.



5. Prior to seeking reinstatement by the Board, **MS. JONES** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. JONES** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. JONES** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. JONES's** license, and a statement as to whether **MS. JONES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. JONES** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. JONES's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. JONES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. JONES's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. JONES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history.
8. Within thirty (30) days prior to **MS. JONES** initiating drug screening, **MS. JONES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. JONES**.
9. After initiating drug screening, **MS. JONES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to

additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. JONES** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. JONES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JONES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. JONES**

11. **MS. JONES** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. JONES** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. JONES** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. JONES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. JONES** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. JONES** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. JONES** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. JONES** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. JONES** submits a written request for reinstatement; (2) the Board determines that **MS. JONES** has complied with all conditions of reinstatement; and (3) the Board

determines that **MS. JONES** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. JONES** and review of the documentation specified in this Order.

**Following reinstatement, MS. JONES shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. JONES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JONES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. JONES** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history. **MS. JONES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. JONES** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. JONES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. JONES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history.
6. **MS. JONES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JONES** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. JONES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. JONES** shall be under a continuing duty to provide a copy of this Order, prior to initiating

- treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. JONES** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. JONES** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. JONES** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. JONES** shall notify the Board.
11. **MS. JONES** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. JONES** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. JONES** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. JONES**

12. **MS. JONES** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. JONES** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. JONES** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. JONES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.

16. **MS. JONES** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. JONES** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. JONES** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. JONES** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. JONES** shall not administer, have access to, or possess (except as prescribed for **MS. JONES's** use by another so authorized by law who has full knowledge of **MS. JONES's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. JONES** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers.

#### **Permanent Practice Restrictions**

**MS. JONES** shall not call in or order prescriptions or prescription refills.

#### **FAILURE TO COMPLY**

**The stay of MS. JONES's suspension shall be lifted and MS. JONES's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. JONES** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JONES** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JONES** may request a hearing regarding the charges.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. JONES** has complied with all aspects of this Order; and (2) the Board determines that **MS. JONES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JONES** and review of the reports as required herein. Any period during which **MS. JONES** does not work in a position for which a nursing license is required shall not count toward

fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Serra, Mariles, M. R.N. 319579 (CASE #08-4231)

**Action:** It was moved Janet Boeckman, seconded by Lisa Klenke, that upon consideration of the charges stated against **MARILES M. SERRA** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SERRA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. SERRA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than nine (9) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SERRA** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years with temporary narcotic and temporary practice restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. SERRA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SERRA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. SERRA** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SERRA's** history. **MS. SERRA** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. SERRA** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. SERRA** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SERRA** shall provide the chemical dependency professional with a copy

- of this Order and Notice of Opportunity for Hearing. Further, **MS. SERRA** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SERRA's** license, and a statement as to whether **MS. SERRA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. SERRA** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SERRA's** license.
  7. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. SERRA** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SERRA's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SERRA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SERRA's** history.
  8. Within thirty (30) days prior to **MS. SERRA** initiating drug screening, **MS. SERRA** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SERRA**.
  9. After initiating drug screening, **MS. SERRA** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. SERRA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. SERRA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SERRA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. SERRA**

11. **MS. SERRA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. SERRA** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. SERRA** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. SERRA** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. SERRA** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. SERRA** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. SERRA** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. SERRA** shall submit to a BCI criminal records check.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. SERRA** submits a written request for reinstatement; (2) the Board determines that **MS. SERRA** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. SERRA** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. SERRA** and review of the documentation specified in this Order.

**Following reinstatement, MS. SERRA shall be subject to the following probationary terms, conditions, and limitations for a minimum period of**



**two (2) years.**

1. **MS. SERRA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SERRA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

3. **MS. SERRA** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SERRA's** history. **MS. SERRA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SERRA** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. SERRA** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SERRA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SERRA's** history.
6. **MS. SERRA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SERRA** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. SERRA** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. SERRA** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. SERRA** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the

Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SERRA** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SERRA** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. SERRA** shall notify the Board.
11. **MS. SERRA** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. SERRA** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. SERRA** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. SERRA**

12. **MS. SERRA** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. SERRA** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. SERRA** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. SERRA** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. SERRA** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. SERRA** shall verify that the reports and documentation required by

this Order are received in the Board office.

18. **MS. SERRA** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. SERRA** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. SERRA** shall not administer, have access to, or possess (except as prescribed for **MS. SERRA's** use by another so authorized by law who has full knowledge of **MS. SERRA's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. SERRA** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. SERRA** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MS. SERRA** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. SERRA** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. SERRA** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

**The stay of MS. SERRA's suspension shall be lifted and MS. SERRA's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. SERRA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SERRA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SERRA** may request a hearing regarding the charges.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. SERRA** has complied with all aspects of this Order; and (2) the Board determines that **MS. SERRA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SERRA** and review of the reports as required herein. Any period during which **MS. SERRA** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **MARILES M. SERRA** to surrender her registered nurse license, R.N. #319579, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Bruce, Ronda, A. P.N. 089730 (CASE #09-1096)

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that upon consideration of the charges stated against **RONDA A. BRUCE** in the September 25, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BRUCE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BRUCE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BRUCE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years with temporary narcotic and temporary practice restrictions set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. BRUCE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRUCE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. BRUCE** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by

another so authorized by law who has full knowledge of **MS. BRUCE's** history. **MS. BRUCE** shall self-administer the prescribed drugs only in the manner prescribed.

4. **MS. BRUCE** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. BRUCE** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BRUCE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BRUCE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BRUCE's** license, and a statement as to whether **MS. BRUCE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. BRUCE** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BRUCE's** license.
7. **For a minimum, continuous period of three (3) months immediately prior to seeking reinstatement, MS. BRUCE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BRUCE's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BRUCE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRUCE's** history.
8. Within thirty (30) days prior to **MS. BRUCE** initiating drug screening, **MS. BRUCE** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed

for any and all substances prescribed, administered, or dispensed to **MS. BRUCE**.

9. After initiating drug screening, **MS. BRUCE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. BRUCE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of three (3) months immediately prior to seeking reinstatement, MS. BRUCE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BRUCE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. BRUCE**

11. **MS. BRUCE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. BRUCE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. BRUCE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. BRUCE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. BRUCE** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. BRUCE** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. BRUCE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. BRUCE** shall submit to a BCI criminal records check.

## **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. BRUCE** submits a written request for reinstatement; (2) the Board determines that **MS. BRUCE** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. BRUCE** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BRUCE** and review of the documentation specified in this Order.

**Following reinstatement, MS. BRUCE shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

1. **MS. BRUCE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRUCE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

## **Monitoring**

3. **MS. BRUCE** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRUCE's** history. **MS. BRUCE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BRUCE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. BRUCE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BRUCE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRUCE's** history.
6. **MS. BRUCE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BRUCE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

## **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. BRUCE** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. BRUCE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. BRUCE** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BRUCE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BRUCE** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. BRUCE** shall notify the Board.
11. **MS. BRUCE** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BRUCE** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BRUCE** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

#### **Reporting Requirements of MS. BRUCE**

12. **MS. BRUCE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. BRUCE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. BRUCE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the



Board or to employers or potential employers.

15. **MS. BRUCE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. BRUCE** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. BRUCE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. BRUCE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. BRUCE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. BRUCE** shall not administer, have access to, or possess (except as prescribed for **MS. BRUCE's** use by another so authorized by law who has full knowledge of **MS. BRUCE's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. BRUCE** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. BRUCE** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

**MS. BRUCE** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. BRUCE** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MS. BRUCE** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

**The stay of MS. BRUCE's suspension shall be lifted and MS. BRUCE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BRUCE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BRUCE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BRUCE** may request a hearing regarding the charges.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. BRUCE** has complied with all aspects of this Order; and (2) the Board determines that **MS. BRUCE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BRUCE** and review of the reports as required herein. Any period during which **MS. BRUCE** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 22nd day of January, 2010.

Motion adopted by majority vote of the Board members with Anne Barnet abstaining.

## **MONITORING**

### **LIFTS OF SUSPENSION/PROBATION**

**Action:** It was moved by J. Jane McFee, seconded by Patricia Burns, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudication orders:

(Robinson) Bryant, Hazel, J. R.N. 283042 (CASE #05-1933); Ross, Robert, L. R.N. 325888 (CASE #07-2082); Hawkins, Lisa, L. R.N. 326234 (CASE #07-1581); Jackson, Paula, A. P.N. 131985 (CASE #08-1309); Jurevic, William, D. R.N. 265633 (CASE #07-1968); Lindsey, Kelly, S. P.N. 109520 (CASE #06-2398); Casiano, Bouphasa, DT 02583 (CASE #08-0815); Mwangi, Florence, P.N. 112998 (CASE #06-1992); Gregory, Yolanda, M. P.N. 114328 (CASE #06-2636); Thacker, Amanda, L. P.N. 132963 (CASE #08-2699); Denuit, Kimberly, A. R.N. 289681 (CASE #05-2671); Simich, Tomislav, R.N. 323714 (CASE #07-0172); Brooks, Jr., James, M. R.N. 316702, P.N. 111642 (CASE #05-0590); and Snyder, Kelley, B. R.N. 251109 (CASE #06-3542).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their consent agreements or adjudication orders:

Simpson, John, D. P.N. 127956 (CASE #07-1834); Doringo, Claudia, S. R.N. 251589 (CASE #06-3209); and Hardulak, Irena, R.N. 326343 (CASE #07-3109).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**LIFT OF NARCOTIC RESTRICTION**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their narcotic restrictions within their respective consent agreement or adjudication orders:

Kish, Cindy, L. R.N. 250450 (CASE #05-3496); Stiner, Amanda, J. P.N. 117355 (CASE #07-0134); Torbert, Deosha, D. P.N. 119273 (CASE #06-1186); Stec, Brian, P. R.N. 296360 (CASE #07-1566); Seiber, Amy, L. R.N. 286835 (CASE #07-0831); Taylor, Stanley, R. P.N. 113801 (CASE #09-0844); and Goebel, Diane, K. R.N. 122873 (CASE #09-0010).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**LIFT OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT PRACTICE RESTRICTION REMAINS**

**Action:** It was moved by Melissa Meyer seconded by Patricia Burns, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their Consent Agreement or Adjudication Order, with the exception of the permanent practice restriction(s) that will remain in effect:

Swisher, Pamela, S. P.N. 097886 (CASE #07-0066); and Rose, Tina, M. P.N. 095797 (CASE #04-1772).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**REINSTATEMENT PER CONDITIONS OF CONSENT AGREEMENT OR ADJUDICATION ORDER**

**Action:** It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the following, with the recommendation by Anne Barnett, Supervising Member of Disciplinary Matters, having met the terms and conditions of their Consent Agreements, be reinstated subject to the terms and conditions of their Consent Agreements:

Shonk, Holly, J. R.N. 209840 (CASE #08-0918); Seymour, Lisa, A. R.N. 210198, P.N. 076298 (CASE #09-2746); and Seawright, Theresa, R.N. 220039 (CASE #07-0820).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**MOTION TO SEEK NURSING EMPLOYMENT PER CONSENT AGREEMENT**

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the following be reinstated subject to the probationary terms in their respective consent agreement or adjudication order:

Howell, Laquandria, P.N. 106193 (CASE #09-0993); McGrady, Dawn, R. R.N. 291264 (CASE #08-3347); Ryan, Jane, M. R.N. 223184 (CASE #08-2525); Starkey, Constance, L. P.N. 094668 (CASE #08-1561); McCoy, Tanja, L. P.N. 079519 (CASE #08-2636); and Crisenbery, Brandi, M. R.N. 355911 (CASE #08-4461).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

**MODIFY PERMANENT WORK RESTRICTION SPECIFICALLY ONLY TO CURRENT POSITION**

**Action:** It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that Reeves, Tina, P.N. 134775 (CASE #08-1371), with the recommendation by Anne Barnett, Supervising Member Disciplinary Matters, have their permanent practice restriction modified and approve the Quality Assurance/Intake Coordinator position at gateway healthcare services. Motion adopted by majority vote of the board members with Anne Barnett abstaining.

**REPORTS TO THE BOARD**

**Open Forum – Thursday, January 21 and Friday, January 22, 2010**

There were no speakers for Open Forum.

**Advisory Group Reports**

### **Committee on Prescriptive Governance (CPG)**

Lisa Emrich reported on the CPG meeting held on January 14, 2010. The Committee is considering an exclusionary formulary and it will be on the CPG's next meeting agenda. L. Emrich reported that the passage of SB 89 impacted the CTP process for applicants with prescribing experience in other states. The CPG discussed the number of hours required to complete an externship. Changes to the number of hours or time period will require a statutory amendment.

### **Other Reports**

#### **Nurse Education Grant Program – 2007-2009 Report**

L. Emrich reviewed the report and noted that during this grant cycle, student capacity increased. L. Klenke asked if there was a possibility that future funding could be used to develop transitional or residency programs for new graduates. L. Emrich stated this would require a statutory change.

#### **Settlement Conferences**

Lisa Ferguson-Ramos reported that eight consent agreements were finalized during or following the settlement conferences. Board members A. Barnett and L. Klenke participated with Board staff in the settlement conferences and stated they believed the process was beneficial as it provided licensees an opportunity to present their information and for the Board to explain the rationale for the consent agreement. The licensees provided positive comments about the process. All of the consent agreements are presented to the full Board for ratification. The Board agreed by general consensus to continue using settlement conferences. L. Ferguson-Ramos presented the proposed policy, Settlement Protocol.

**Action:** It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the Board approve the policy, Settlement Protocol, as submitted. Motion adopted by unanimous vote of the Board members.

#### **Medicaid Fraud Unit, Attorney General's Office**

Lloyd Early, Special Agent-in-Charge, and Christine Haenszel, Special Agent Supervisor, from the Health Care Fraud Section of the Attorney General's office provided information to the Board regarding Medicaid fraud, patient abuse and neglect, and drug diversion cases. Medicaid fraud agents work with Board investigators in many cases. The Board expressed its appreciation for the cooperative work conducted between the two offices and L. Early and C. Haenszel thanked the Board staff for their work with the AG's Office.

#### **Overview of Authorization to Test Process**

Lesleigh Robinson reviewed the licensure application process and the process to obtain an authorization to test.

### **Emergency Planning**

Holly Fischer reported on the Board's involvement with state emergency planning. Board staff will be participating in the Legal and Policy Subcommittee of the State Medical Coordination Project. The Ohio Hospital Association chairs the Subcommittee and representatives include private practice attorneys and state agencies. In addition, staff provided information to the Ohio Emergency Management Agency and the Ohio Department of Health, to inform them that by registering with NCSBN and becoming an approved emergency response organization, they can utilize a bulk licensure verification process through Nursys.

She also distributed draft language and reported that the Ohio Chapter of the American Red Cross (ARC) contacted the Board to request the Board consider a change to Section 4723.32, ORC, by adding an exemption from licensure for those "...providing nursing care during a disaster, natural or otherwise, as a volunteer or paid staff of the American Red Cross. The disaster need not be a declared event by federal, state, county, or municipal official." M. Meyer asked how "disaster" would be defined because the ARC also provides services for local, individual emergencies, i.e., house fires, etc. The Board agreed to consider this further upon future discussions with the ARC.

### **School Health Services Advisory Council**

Delphenia Gilbert stated that the Council met twice and is discussing the definition and the role of "wellness coordinators." There is discussion about whether the wellness coordinator should be a licensed practical nurse or registered nurse.

## **GENERAL INFORMATION (FYI)**

B. Lovelace reviewed the General Information items and asked if Board members had questions. J. Church provided a summary of *Educating Nurses: A Call for Radical Transformation*, by Benner, Sutphen, Leonard, and Day. The nursing study was part of Carnegie's comparative study of professional education (engineering, law, clergy, medicine, and nursing). J. Church reviewed the study's major findings and essential shifts needed to produce the learning required by a professional. The Board was provided a summary of the study and a list of recommendations. J. Church noted that two of the study's recommendations are to (1) require a baccalaureate degree in nursing for entry-level practice, and (2) develop local articulation programs to assure a smooth, timely transition from associate degree programs to baccalaureate programs.

## **BOARD GOVERNANCE**

### **Review of Board Policies**

The Board reviewed the proposed revisions as distributed. The Board expressed a strong concern regarding the increasing disciplinary workload for review. After

discussion, the Board directed that disciplinary materials, including notices and consent agreements, be provided to the Board members earlier prior to and between Board meetings. Board staff stated they would review the deadlines for preparing consent agreements and notices, would work with the AAGs regarding the processing and the review of notices, and report back to the Board at the next meeting. The Board members agreed to revise Board Policy B-10 to state that Board members appointed or re-appointed after January 22, 2010, would be compensated for a maximum of fifteen hours of preparation time and that time during the Board meeting will be scheduled, as needed, for review of disciplinary or other materials.

**Action:** It was moved by Patricia Protopapa, seconded by J. Jane McFee, that the Board approve Board Policies, B-01 through B-12, as amended. Motion adopted by unanimous vote of the Board members.

### **Board Retreat**

The Board reviewed proposed agenda topics and agreed by general consensus to hold the Retreat at the Drury Inn and Suites in Dublin, Ohio. Joseph Kirk will make the necessary arrangements and hotel reservations.

### **Financial Disclosure Statements**

Board members were reminded that Financial Disclosure Statements are due to the Ohio Ethics Commission by April 15, 2010.

### **Determination of Board Member Attendance for NCSBN Mid-Year Meeting**

The Board agreed by general consensus that Board members Bertha Lovelace and Judith Church will attend the NCSBN Mid-Year Meeting. Board staff will also attend and each person's expenses will be covered by NCSBN.

### **Completion of Board Governance Survey**

Board members submitted their Governance Surveys. J. Kirk will compile the results for review at the 2010 Board Retreat.

### **Board Meeting Schedule for 2012**

The Board agreed by general consensus to the 2012 Board meeting schedule as distributed. The schedule will be posted on the Board web site.

### **Appointment of Hearing Committee**

**Action:** It was moved by Patricia Protopapa, seconded by Janet Boeckman, that the Board appoint the President, Vice-President, and Consumer Member to serve on the Board Hearing Committee, and J. Jane McFee as the alternate if re-appointed, with all serving for a term of one year to begin March 1, 2010. If J. Jane McFee is not reappointed, Melissa Meyer will serve as the alternate. Motion adopted by unanimous vote of the Board members.

The Board Hearing Committee agreed to hold hearings on April 20, 2010 and established additional hearing dates for 2010 at a later time.

**Presiding Officers for the March 18-19, 2010 Board Meeting**

**Action:** It was moved by Lisa Klenke, seconded by Janet Boeckman, that the Vice-President serve as the presiding officer and the Board Supervising Member for Disciplinary Matters serve as the temporary Vice-President for the March 18-19, 2010 Board meeting due to the anticipated absence of the President. Motion adopted by unanimous vote of the Board members.

**Appointment of the Board Nursing Education Liaison**

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board appoint Judith Church as the Nursing Education Liaison to Board staff for the period of January 25, 2010 through December 31, 2010. Motion adopted by unanimous vote of the Board members.

T. Dilling distributed a handout to update the Board about the bill to amend the Nurse Practice Act (NPA). He learned we should have a draft bill for review within the next two weeks and the bill may be introduced before the Board meets in March. The draft bill will include those revisions previously identified by the Board Advisory Groups and those reviewed and approved by the Board. He is setting up meetings in February with interested parties. In addition, both the Advisory Group on Nursing Education, and Dialysis meet in February, so each group will again review the revisions and recommend changes if necessary.

M. Meyer reported on the hospitality fund and requested donations. The hospitality fund consists totally of Board member contributions and no state funds.

**EVALUATION OF MEETING AND ADJOURNMENT**

J. Boeckman, K. Driscoll, and L. Klenke thanked the Board members and staff for their work and expressed appreciation for their time serving on the Board. B. Lovelace, on behalf of the Board, thanked the three departing Board members for their contributions and willingness to serve.

The meeting adjourned on January 22 at 2:25 p.m.

Bertha Lovelace, RN, CRNA  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

