



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JANUARY 15-16, 2009

The regular meeting of the Ohio Board of Nursing (Board) was held on January 15-16, 2009 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 15, at 8:36 a.m., President Lisa Klenke called the Board meeting to order. On Friday, January 16, at 8:33 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

BOARD MEMBERS

Lisa Klenke, RN, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters
Janet L. Boeckman, RN
Elizabeth Buschmann, LPN
Debra Broadnax, RN
Patricia Burns, LPN
Kathleen Driscoll, RN
Delphenia Gilbert, RN
Johnnie Maier, Consumer Member
Kathleen O'Dell, RN
Patricia Protopapa, LPN
Eric Yoon, RN (absent after 11:50 a.m. on Thursday)

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. On Thursday, the Board Committee on Practice met at noon and Executive Session was held at 2:00 p.m. Open Forum was held on Thursday and Friday at 10:00 a.m. The Board deliberated on cases pending before the Board on Thursday and Friday.

President Lisa Klenke welcomed the new consumer member to the Board, Johnnie Maier. She also recognized students, welcomed the gallery, and requested that Board Members introduce themselves.

Minutes of November 19-21, 2008 Board Meeting

Action: It was moved by Kathleen O'Dell, seconded by Janet Boeckman to approve the minutes of the November 19-21, 2008 Board meeting as amended. Motion adopted by a majority vote of the Board members with Johnnie Maier abstaining.

Executive Director Report

B. Houchen reported the following:

- Beth Lewis volunteered to coordinate the 2008 Holiday Food Basket Campaign and Board staff donated 257 meals, surpassing its goal. B. Houchen thanked Beth for her work and all the staff for their generosity.
- Lisa Emrich presented to the Ohio Assisted Living Association regarding medication aides.
- Four employees were recognized for their state service: Cary Dachtyl and Phalyn Williams – 15 years; Lee Knowles and Rose Ferguson – 10 years.
- IT created the capability to conduct comparative database searches between the e-Licensing system and eSORN, the state's database listing registered sex offenders. Staff did not find any active licensees matching registered sex offenders. Board staff will conduct the search every six months.
- Board staff is working with NCSBN to complete the NURSYS Data Integrity Project. After initial testing, staff determined it was not possible to complete the project without additional staff. The Board submitted a request to NCSBN to fund two temporary full-time employees for 12-13 months to complete the project.

Legislative Status Report

Tom Dilling reported that HB 648 passed and was signed by the Governor. The bill addresses state employees accessing confidential information. The Board, as well as other state agencies, is required to promulgate administrative rules. T. Dilling updated the Board on several other bills of interest, including HB 130, SB 279, SB 203, and HB 267.

A letter of support for HB 253 from the Board was sent to the sponsor of the bill, but the bill was never reported out of the House Committee. T. Dilling expects a similar bill to be introduced this year.

T. Dilling noted that representatives of the Ohio State Association of Nurse Anesthetists have approached legislators about an amendment to deal with the recent issues regarding the CRNA scope of practice.

Fiscal Report

B. Houchen provided an update about the fiscal year 2009 budget. The Board completed second quarter within allocated funding levels. Fiscal staff is monitoring the third quarter and evaluating funding for the fourth quarter. Staff continues to implement cost saving measures.

NEW BUSINESS

APPROVALS

Nursing Education – Determination of Approval Status

Willoughby Eastlake School of Practical Nursing, High School Division

Action: It was moved by Patricia Protopapa, seconded by Patricia Burns, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Willoughby Eastlake School of Practical Nursing, High School Division, for a period of five years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Willoughby Eastlake School of Practical Nursing, Adult Division

Action: It was moved by Patricia Burns, seconded by or Kathleen O'Dell, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Willoughby Eastlake School of Practical Nursing, Adult Division, for a period of five years effective January 15, 2009. 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 Kathleen O'Dell, that the Board place Upper Valley Joint Vocational School of Practical Nursing on provisional approval for a period of one year, effective January 15, 2009, after fully considering the survey visit report and the response to the report which demonstrates the program failed to meet and maintain the requirements established in Rule 4723-5-14, OAC. It was further moved that the program submit progress reports to the Board on or before May 15, 2009 and September 15, 2009. Motion adopted by unanimous vote of the Board members.

MedCentral College of Nursing Program

Action: It was moved by Debra Broadnax, seconded by Anne Barnett, that the Board grant full approval, in accordance with Rule 4723-5-04 to MedCentral College of Nursing Program for a period of five years, effective January 15, 2009, with a survey visit to occur by December 31, 2009. Motion adopted by unanimous vote of the Board members.

Lorain County Community College Associate Degree Nursing Program

Action: It was moved by Kathleen O'Dell, seconded by Delphenia Gilbert, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Lorain County Community College Associate Degree Program for a period of five years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Applied Technology Systems, Inc. Job Corps Center Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that after consideration of the survey visit report and the program's response to that report, the Board propose to deny full approval to, and withdraw conditional approval of

Applied Technology Systems, Inc. Job Corps Center Practical Nursing Program, effective January 15, 2009, in accordance with Rule 4723-5-04, OAC, and Section 4723.06(A)(6), ORC, based upon the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, and the Board issue a Notice of Opportunity for Hearing in accordance with Chapter 119., ORC. Motion adopted by majority vote of the Board members with Delphenia Gilbert abstaining.

ATS Institute of Technology, Associate of Applied Science Degree Program

Action: It was moved by J. Jane McFee, seconded by Anne Barnett, that in accordance with Section 4723.06 (A)(7), ORC, and Rule 4723-5-04(B)(2), OAC, the Board place ATS Institute of Technology Associate of Applied Science Degree Program on provisional approval, effective January 15, 2009, for a period of two years, based on the survey visit report, and after fully considering the program's response to the report, which demonstrate that the program has ceased to meet and maintain the minimum standards of the Board established in Rules 4723-5-09, 4723-5-12, and 4723-5-13, OAC. It was further moved that, in accordance with the March 2008 Consent Agreement, the Board issue a Notice of Automatic Placement on Provisional Approval Status and Opportunity for Hearing. Motion adopted by majority vote of the Board members with Delphenia Gilbert abstaining.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board November 1, 2008 through December 31, 2008 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 and medication aide pilot program certificates, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

Dialysis Training Programs – Re-approvals

Miami Valley Hospital/Dialysis Center of Dayton Dialysis Technician Training Program

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board re-approve Miami Valley Hospital/Dialysis Center of Dayton Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Midwest Dialysis Technician Training Program

Action: It was moved J. Jane McFee, seconded by Elizabeth Buschmann, that the Board re-approve Midwest Dialysis Technician Training Center Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-

23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Innovative Dialysis Systems Dialysis Technician Training Program

Action: It was moved Kathleen O'Dell, seconded by J. Jane McFee, that the Board re-approve Innovative Dialysis Systems Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Greater Columbus Regional Dialysis Technician Training Program

Action: It was moved Janet Boeckman, seconded by Kathleen Driscoll, that the Board re-approve Greater Columbus Regional Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

D. Broadnax stated that she was concerned with the response of the program administrator regarding her inability to find program policies. D. Broadnax stated she believes it is important to conduct survey visits.

Good Samaritan Hospital Dialysis Technician Training Program

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board re-approve Good Samaritan Hospital Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Fresenius Medical Care Ohio Dialysis technician Training Program

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board re-approve Fresenius Medical Care Ohio Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

Dialysis Technology Dialysis Technician Training Program

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that the Board re-approve Dialysis Technology Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

DCI Cincinnati Dialysis Training Program

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board re-approve DCI Cincinnati Dialysis Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Davita Hemodialysis Technician Training Program

Action: It was moved by Debra Broadnax, seconded by Anne Barnett, that the Board re-approve Davita Hemodialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

The Centers for Dialysis Care Dialysis Technician Training Program

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board re-approve The Centers for Dialysis Care Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

DCA of Bowling Green Dialysis Technician Training Program

Action: It was moved by Kathleen Driscoll, seconded by Debra Broadnax, that the Board re-approve DCA of Bowling Green Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

Dayton Regional Dialysis Technician Training Program

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board re-approve Dayton Regional Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective January 15, 2009. Motion adopted by unanimous vote of the Board members.

RETS School of Nursing Practical Nursing Program – Focused Visit Report

The Board took action at the May 2008 Board meeting to place RETS School of Nursing Practical Nursing Program (Program) on “provisional approval” status based on non-compliance with Rules 4723-5-14 and 4723-5-21, OAC, related to lack of OB/GYN clinical experience and outstanding transcripts. In particular, students who attended and graduated from the Columbus location in 2007 did not receive clinical experience in obstetrics. In August 2008, the Program notified Board staff about an incident at another location. The Program told Board staff that while preparing a report for the Board and conducting an audit, they discovered some students graduated from the Cincinnati location in July 2008 without obstetrical clinical experience, and some did not receive clinical experience in pediatrics. The Program worked with Board staff and implemented a plan so the affected graduates were contacted and the clinical experiences were arranged and provided by the Program for the graduates. As a result of this incident and the Program’s provisional approval status, in October 2008, Board staff conducted a focused survey visit to the Cincinnati and Columbus locations. The Board reviewed the survey visit report and the Program’s response.

The Board Education Liaison recommended that the Board defer its consideration of the Program's approval status until May 2009 for several reasons. First, the Board is required to re-consider the Program's status in May of 2009 since it placed the Program on provisional approval in May of 2008. Also, the Board will have additional information because Board staff has a scheduled survey visit in March. In May the Board will have the results of the March survey visit, the Program's response, and the Program's provisional approval progress reports for review and consideration.

Update Reports – Education Programs

The Board previously requested an update report for two programs that were reviewed in September. L. Emrich reported that Toledo School of Practical Nursing Program was placed on provisional approval for one year at the September meeting and their required progress report is due January 19, 2009. In September the Board approved a second extension of Ohio Academy of Holistic Health RN program starting date of September 9, 2009. Board staff has been communicating with the program and they report they are completing their accreditation process and working to assure there is proper oversight of the program.

Executive Session

On Thursday January 15, 2009:

Action: It was moved by J. Jane McFee that the Board go into Executive Session to discuss pending or imminent court action with legal counsel, and following Executive Session, the Board meeting adjourn and the Board deliberate on cases pending before the Board. Motion adopted by a unanimous roll call vote of the Board members.

ADJUDICATION AND COMPLIANCE

Board Actions

On Friday, January 16, 2009, President Klenke 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 HEARINGS

On Friday, January 16, 2009, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Dearth, Tiffany, L. R.N. 302432 (CASE #08-2272); Hans, Lisa, K. R.N. 243730 (CASE #08-3824); Kennard, Dana, S. P.N. 125284 (CASE #08-2662); Leatherman, Christine, A. R.N. 228575 (CASE #08-0377); Lee, Michele, C.

R.N. 286373 (CASE #07-2647); Reynolds, Jackie, S. P.N. 090469 (CASE #08-3087); Sanders, Patricia, I. P.N. 121574 (CASE #08-2607); Seawright, Theresa, R.N. 220039 (CASE #07-0820); Thomas, Larry, O. P.N. 117670 (CASE #08-3384); Calevro, Marla, K P.N. 067593 (CASE #08-2928); Coffey, Judy, E. P.N. 100272 (CASE #08-0348); Cortese, Janine, A. R.N. 294341 (CASE #08-3223); Kaylor, Holly, K. P.N. NCLEX (CASE #08-2370); Ruzicka, Linda, T. P.N. 084204 (CASE #08-0899); Thompson, Robert, C. P.N. 112978 (CASE #07-1743); Zoruba, Santina, M. P.N. 129655 (CASE #08-1470); Wallace, Shirley, M. P.N. 104945 (CASE #08-3372); Bias, Christopher, B. R.N. 322927 (CASE #08-3004); Copeland, Leslie, A. R.N. 299888, C.O.A. 06863 (CASE #08-0802); Forrest, Tammy, S. P.N. 088160 (CASE #06-2119); Crayton, Sharon, E. P.N. 094930 (CASE #08-2716); Freeman-Cooper, Melanie, S. R.N. 263481 (CASE #07-0492); Kakias, Charla, M. P.N. 081226 (CASE #08-3742); Pressler, Kristie, L. R.N. 289437 (CASE #08-0853); Chesnut, Kimberly, J. R.N. 303131 (CASE #08-1218); Griffin, Susan, M. R.N. 313507 (CASE #08-1656); Hartley, Kathleen, M. R.N. 213729 (CASE #08-2290); Wardlaw, Kendra, A. R.N. 325429 (CASE #08-1080); Tucker, Timothy, M. R.N. 195183 (CASE #08-2448); McLeod, Calvin, J. P.N. 122203 (CASE #08-3832); Palombo, Susan, E. P.N. 091612 (CASE #08-2881); and Akaba, Ruth, N. R.N. 337629, P.N. 118385 (CASE #08-1828).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2009 Board meeting.

Action: It was moved by Kathleen Driscoll, seconded by J. Jane McFee, that in accordance with the Board's decision made on January 15, 2009, that the Board issue a Notice of Opportunity for Hearing to **APPLIED TECHNOLOGY SYSTEMS, INC. JOB CORP CENTER PRACTICAL NURSING PROGRAM**, based upon the survey visit report and the Program's Response to that Report. Motion adopted by majority vote of the Board members with Anne Barnett and Johnnie Maier abstaining.

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that in accordance with the Board's decision made on January 15, 2009, that the Board issue a Notice of Automatic Placement on Provisional Approval Status and Opportunity for Hearing to **ATS INSTITUTE OF TECHNOLOGY ASSOCIATE OF APPLIED SCIENCE DEGREE PROGRAM**, based upon the Survey Visit Report and the Program's Response to that report. Motion adopted by majority vote of the Board members with Anne Barnett and Johnnie Maier abstaining.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

Action: It was moved by Janet Boeckman, 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):

Kerchief, Kelly, M. R.N. 308234 (CASE #08-2285); James, Sheila, M. R.N. 234441, N.P. 09202 (CASE #08-0329); Raterman, Beth, A. R.N. 217883 (CASE #08-2071); Andrews, Scott, E. R.N. 321444 (CASE #08-1879); Bujakowski, Raven, R.N. 302818 (CASE #08-0304); Carr, Marilyn, E. R.N. 250447 (CASE #08-1238); Dyko, Beth, T. R.N. 296561 (CASE #08-3378); Luff, Roxie, A. P.N. 122864 (CASE #08-1364); Phillips, Deborah, G. P.N. 093648 (CASE #07-0940); and Sidile, Florence, S. R.N. 130070 (CASE #08-2262).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2009 Board meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

Action: It was moved by Patricia Burns, seconded by Kathleen O'Dell, that the Board issue a Notice of Automatic Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Duck, Deborah, A. P.N. 104302 (CASE #08-3977); Waddell, Korinna, N. P.N. 125241 (CASE #08-3710); Massie, Susan, F. P.N. 103974 (CASE #08-3743); Bloor, Marcella, M. R.N. 233532 (CASE #09-0026); Williams, Lynda, S. R.N. 176380 (CASE #09-0003); Patterson, Vicky, E. P.N. 067942 (CASE #08-4049); Noori, Mozghan, R.N. 220354 (CASE #08-4333); and Holman, Lee, A. R.N. 309675 (CASE #09-0014).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2008 Board meeting.

TEMPORARY SUSPENSION

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board Temporarily Suspend the license and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Brown, Colleen, S. P.N. 065108 (CASE #09-0005) and Floyd, Shonda, R.N. 310635 (CASE #09-0008).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Temporary Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2009 Board meeting.

SURRENDERS

Voluntary Surrender

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board accept the Voluntary Surrender of License for the following case(s):

Hersman, Linda, S. R.N. 225523 (CASE #08-1397); McCarthy, Patrick, M. R.N. 253517 (CASE #08-0607); Scherkenbach, Pamela, L. R.N. 241053 (CASE #06-1417); Hudas, Jean Marie, K. R.N. 202802 (CASE #05-3474); Davis, Virginia, L. R.N. 140689 (CASE #08-3365);

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the January 2009 Board meeting.

Voluntary Non-Permanent Withdrawal of Examination Application

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

McLaughlin, Susan, M. P.N. NCLEX (CASE #08-3105) and Hammer, Holly, S. R.N. NCLEX (CASE #08-2712).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Examination Application shall be maintained in the exhibit book for the January 2009 Board meeting.

Voluntary Non-Permanent Withdrawal of Endorsement Application

Action: It was moved by Delphenia Gilbert seconded by Janet Boeckman, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

Morton, Sonja, D. P.N. endorse (CASE #08-1953); Washington, Shavaka, L.

R.N. endorse (CASE #08-3577); Bowman, Marcella, E. R.N. endorse (CASE #08-1219); and Harper, Heather, L. R.N. endorse (CASE #08-0272).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Endorsement Application shall be maintained in the exhibit book for the January 2009 Board meeting.

Voluntary Non-Permanent Withdrawal of Dialysis Application

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board accept the Voluntary Non-Permanent withdrawal of Dialysis application for the following case(s)

Brock, Donishea, V. TC 1 applicant (CASE #08-0273);

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

Complete Copies of the Voluntary Non-Permanent Withdrawal of Dialysis Application shall be maintained in the exhibit book for the January 2009 Board meeting.

CONSENT AGREEMENTS

On Friday, January 16, 2008, 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:

Mammone, Kandy, L. P.N. 099068 (CASE #07-3587); Zinn, Amy, B. R.N. 247104 (CASE #08-1587); Mills, Jennifer, L. R.N. 252322 (CASE #07-2034); Henry, Lisa, L. R.N. 326234 (CASE #07-1581); Kuchna, Douglas, K. P.N. 115210 (CASE #06-2310); Buksa, Melissa, J. R.N. 263240, C.O.A. 09600, R.X. 09600 (CASE #08-3531); Osborne, Christopher, A. P.N. 113852 (CASE #07-1310); Filka, Jackie, V. R.N. 297985 (CASE #07-2347); Lewis, Susan, E. R.N. 247410 (CASE #08-0428); Francis, Karen, S. R.N. 225723 (CASE #08-4329); Fraker, Linda, A. R.N. 262970 (CASE #08-0583); Pelfrey, David, R. P.N. 122287 (CASE #07-1867); Trent, Kathy, R. R.N. 240082 (CASE #08-3117); Sorgen, Tarah, J. P.N. 114338 (CASE #05-2957); (Frazier) Link, Mary Ellen, R.N. 222165 (CASE #08-2187); Bellush, Bethany, L. R.N. 176865 (CASE #08-2820); Young, Eleanor, L. R.N. 346381, P.N. 106416 (CASE #08-0197); Collier, Summur, N. P.N. 125183 (CASE #08-2417); Eldridge, Joan, M. P.N. 109590 (CASE #06-3136); Burgan, Billie, L. R.N. 237698 (CASE #08-2468); McDevitt,

Tamra, L. R.N. 198079 (CASE #08-0022); Melton, Dina, L. P.N. NCLEX (CASE #08-3457); Gabehart, Travis, T. P.N. NCLEX (CASE #08-0677); Hensley, Anthony, A. P.N. NCLEX (CASE #07-2258); Sharp, Brianna, R.N. 325109 (CASE #06-1920); Howsman, Stacie, L. P.N. 125052 (CASE #07-0490); Hoon, Valerie, C R.N. 323699 (CASE #08-3392); Dukes, Dawnelle, D. P.N. NCLEX (CASE #08-2922); Curry, Althea, R.N. NCLEX (CASE #08-1504); Cobb, Brandie, N. P.N. 116142 (CASE #08-3505); Sonda, Charlene, A. R.N. 184629, C.O.A 04918, R.X. 04918 (CASE #07-2605); Binegar, Kristine, L. P.N. 104551 (CASE #07-1092); Lashuk, Aaron, D. P.N. 114817 (CASE #07-3714); Swerlein, Melvin, L. R.N. 180135 (CASE #07-1435); Orr, Laurie, D. R R.N. 217322 (CASE #08-4044); Hernandez, Cynthia, S. P.N. 118388 (CASE #07-3401); Wright, Liquori, P.N. 086671 (CASE #08-3382); Cherney, Kay, L. P.N. 041299 (CASE #08-4046); Robbins, Martha, R.N. 179540 (CASE #08-4285); Brown, Gary, L. R.N. 287280, N.A 05355 (CASE #07-2741); Kroeger, Scott, E. P.N. 120732 (CASE #07-1742); Karns, Tiffany, M. R.N. 261616 (CASE #06-2106); Brinegar, Tina, M. P.N. 072533 (CASE #08-4283); Poland, Raejean, P.N. 106604 (CASE #08-3341); Shaffer, Annette, S R.N. 331686, P.N. 096956 (CASE #08-3343); Daniels, Jacqueline, R. R.N. 291408 (CASE #08-4047); Bauer, Kimberly, L. R.N. 284251 (CASE #08-1905); Taylor, Debbie, D.T. 00463 (CASE #06-0628); Ponikvar Jr., Joseph, F. R.N. 336816 (CASE #08-0651); Wilmoth, Catherine, S. R.N. 306288 (CASE #08-2548); Cupple, Laura, R. R.N. 233229 (CASE #08-2345); Travis, Nakita, J. R.N. NCLEX (CASE #08-3565); Strnad, Shane, R.N. NCLEX (CASE #08-3416); Trice, Lawrence, M. P.N. NCLEX (CASE #08-2605); Stewart, Shelvie, P.N. 110483 (CASE #08-4284); Swan, Kathleen, R. R.N. NCLEX, P.N. 092207 (CASE #07-0054); Graham, Linton, P.N. NCLEX (CASE #08-2528); Mounts, Barbara, L. R.N. 194937 (CASE #08-2210); Ring, Seanna, N. R.N. NCLEX (CASE #08-1778); Fryer, Kimberly, A. R.N. 228090 (CASE #08-0912); Wilson, Leah, B. R.N. NCLEX (CASE #08-1353); Goebel, Diane, K. R.N. 122873 (CASE #09-0010); Sarr, Leslie, M. R.N. NCLEX (CASE #08-3215);

Anne Barnett, Debra Broadnax, and Johnnie Maier abstained from voting on all cases. Elizabeth Buschmann abstained from voting on (Frazier) Link, Mary Ellen, R.N. 222165 (CASE #08-2187) only. Eric Yoon abstained from voting on Brown, Gary, L. R.N. 287280, (CASE #07-2741) only. Patricia Burns voted no on the following cases only: Brown, Gary, L R.N. 287280 (CASE #07-2741) and Stewart, Shelvie, P.N. 110483 (CASE #08-4284). Elizabeth Buschmann voted no on the following cases only: Mills, Jennifer, L. R.N. 252322 (CASE #07-2034); Pelfrey, David, R. P.N. 122287 (CASE #07-1867); and Collier, Summur, N. P.N. 125183 (CASE #08-2417). Kathleen Driscoll voted no on the following cases only: Lashuk, Aaron, D. P.N. 114817 (CASE #07-3714) and Swerlein, Melvin, L R.N. 180135 (CASE #07-1435). J. Jane McFee voted no on the following cases only: Filka, Jackie, V. R.N. 297985 (CASE #07-2347) and Swerlein, Melvin, L R.N. 180135 (CASE #07-1435). Kathleen O'Dell voted no on the following cases only: Filka, Jackie, V. R.N. 297985 (CASE #07-2347) and Taylor, Debbie, D.T. 00463 (CASE #06-0628). Eric Yoon voted no on the following cases only: Mammone, Kandy, L. P.N. 099068 (CASE #07-3587); Buksa, Melissa, J. R.N. 263240, C.O.A. 09600, R.X. 09600 (CASE #08-3531);

Young, Eleanor, L. R.N. 346381, P.N. 106416 (CASE #08-0197); Collier, Summur, N P.N. 125183 (CASE #08-2417); Sharp, Brianna, R.N. 325109 (CASE #06-1920); and Cobb, Brandie, N P.N. 116142 (CASE #08-3505). Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the January 2009 Board meeting.

WITHDRAWAL OF NOTICE

Andrews, Scott, R.N. 321444 (CASE #08-0045)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board withdraw the Notice of Temporary Suspension and Opportunity for Hearing that was issued by the Board on March 4, 2008 for Andrews, Scott, R.N. 321444 (CASE #08-0045). The Board did not obtain service on the March 14, 2008 Notice of Temporary Suspension and Opportunity for hearing and the Board is issuing a Notice of Immediate Suspension and Opportunity for Hearing at this Board Meeting. Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

HEARING EXAMINER REPORT AND RECOMMENDATION

McClure, Shirelle, N. P.N. 094063 (CASE #06-0188)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, 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 ORDERED that **SHIRELLE N. MCCLURE'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 one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MCCLURE** 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. MCCLURE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCCLURE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MCCLURE** shall comply with the terms and conditions imposed by the Court in Franklin County Court of Common Pleas Case No. 05-CR-07-4760. Prior to seeking reinstatement by the Board, **MS. MCCLURE** shall submit satisfactory documentation from the Court that **MS. MCCLURE** has paid restitution, in full, as ordered by the Court.
4. Prior to seeking reinstatement by the Board, **MS. MCCLURE** 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: two (2) hours of Ethics and two (2) hours of Professionalism.

Reporting Requirements of MS. MCCLURE

5. **MS. MCCLURE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. MCCLURE** 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. MCCLURE** 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. MCCLURE** 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. MCCLURE** 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. MCCLURE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MCCLURE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
12. **MS. MCCLURE** shall submit to a BCI criminal records check.

DURATION

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

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

two (2) years.

1. **MS. MCCLURE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCCLURE** 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. MCCLURE** shall notify the Board.
4. **MS. MCCLURE** 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. MCCLURE** 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. MCCLURE** 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. MCCLURE

5. **MS. MCCLURE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MCCLURE** 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. MCCLURE** 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. MCCLURE** 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. MCCLURE** 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. MCCLURE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MCCLURE** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. MCCLURE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

MS. MCCLURE 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. MCCLURE** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. MCCLURE 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. MCCLURE shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

The stay of **MS. MCCLURE's** suspension shall be lifted and **MS. MCCLURE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MCCLURE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MCCLURE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MCCLURE** 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. MCCLURE** has complied with all aspects of this Order; and (2) the Board determines that **MS. MCCLURE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MCCLURE** and review of the reports as required herein. Any period during which **MS. MCCLURE** 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 **SHIRELLE N. MCCLURE** to surrender her licensed practical nurse license #P.N. 094063 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Johnnie Maier and Eric Yoon abstaining.

NO REQUEST FOR HEARING

Soja, Laurie, J. P.N. 058682 (CASE #08-1589)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **LAURIE J. SOJA** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SOJA** 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. SOJA'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LAURIE J. SOJA** to surrender her licensed practical nurse license #P.N. 058682 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Fickenscher, Tracy, L. R.N. 235779 (CASE #06-3441)

Action: It was moved by Anne Barnett, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **TRACY LYNN FICKENSCHER** in the March 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FICKENSCHER** 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. FICKENSCHER'S** license to practice nursing as a registered nurse is hereby **REVOKED**.

REQUIREMENTS AND CONDITIONS FOR APPLYING FOR LICENSURE BY EXAMINATION

1. **MS. FICKENSCHER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FICKENSCHER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. FICKENSCHER** shall comply with the guidelines imposed by the Kentucky Board of Nursing on **MS. FICKENSCHER's** nursing license. Prior to being eligible to sit for the NCLEX RN in Ohio, **MS. FICKENSCHER** shall submit satisfactory documentation from the Kentucky Board of Nursing that **MS. FICKENSCHER** has complied with all guidelines imposed on **MS. FICKENSCHER's** Kentucky nursing license.

Reporting Requirements of MS. FICKENSCHER

4. **MS. FICKENSCHER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MS. FICKENSCHER** 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. FICKENSCHER** 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. FICKENSCHER** 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. FICKENSCHER** 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. FICKENSCHER** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MS. FICKENSCHER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. FICKENSCHER** shall submit to a BCI criminal records check.

DURATION

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

The Board further Orders **TRACY LYNN FICKENSCHER** to surrender her registered nurse license #R.N. 235779 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Green, Linda, D. P.N. 124153 (CASE #07-1037)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **LINDA DIANE GREEN** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GREEN** 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. GREEN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time until at least June 2009, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GREEN** 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. **MS. GREEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GREEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. GREEN** shall comply with the terms and conditions imposed by the Court in Erie County Court of Common Pleas Case Number 2007 CR 564. Prior to seeking reinstatement by the Board, **MS. GREEN** shall submit satisfactory documentation from the Court that **MS. GREEN** has complied with the terms and conditions as ordered by the Case Number 2007 CR 564.

4. Prior to seeking reinstatement by the Board, **MS. GREEN** 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: two (2) hours of Ethics; two (2) hours of Dealing with Difficult Patients; two (2) hours of Medication Administration; and two (2) hours of Documentation.

Reporting Requirements of MS. GREEN

5. **MS. GREEN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. GREEN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
12. **MS. GREEN** shall submit to a BCI criminal records check.

DURATION

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

Following reinstatement, MS. GREEN shall be subject to the following

probationary terms, conditions, and limitations for a minimum period of one (1) year.

1. **MS. GREEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GREEN** 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. GREEN** shall notify the Board.
4. **MS. GREEN** 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. GREEN** 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. GREEN** 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. GREEN

5. **MS. GREEN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. GREEN** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. GREEN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

FAILURE TO COMPLY

The stay of **MS. GREEN's** suspension shall be lifted and **MS. GREEN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. GREEN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GREEN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GREEN** 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. GREEN** has complied with all aspects of this Order; and (2) the Board determines that **MS. GREEN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GREEN** and review of the reports as required herein. Any period during which **MS. GREEN** 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 **LINDA DIANE GREEN** to surrender her licensed practical nurse license #P.N. 124153 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Tatarski, Melissa, A. R.N. 324029 (CASE #06-0980)

Action: it was moved by Janet Boeckman, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **MELISSA ANN TATARSKI** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TATARSKI** 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. TATARSKI's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, until at least March 2010, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. TATARSKI** 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 and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. TATARSKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TATARSKI** 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. TATARSKI** 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: two (2) hours of Ethics.

Monitoring

4. **MS. TATARSKI** 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. TATARSKI's** history. **MS. TATARSKI** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. TATARSKI** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. TATARSKI** 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. TATARSKI** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. TATARSKI** 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. TATARSKI's** license, and a statement as to whether **MS. TATARSKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

7. **MS. TATARSKI** 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. TATARSKI's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. TATARSKI** 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. TATARSKI'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. TATARSKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TATARSKI's** history.
9. Within thirty (30) days prior to **MS. TATARSKI** initiating drug screening, **MS. TATARSKI** 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. TATARSKI**.
10. After initiating drug screening, **MS. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. TATARSKI

12. **MS. TATARSKI** shall sign release of information forms allowing health

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

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

DURATION

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

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

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

Monitoring

3. **MS. TATARSKI** 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. TATARSKI's** history. **MS. TATARSKI** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. TATARSKI** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. TATARSKI** 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. TATARSKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TATARSKI's** history.
6. **MS. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TATARSKI** 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. TATARSKI** shall notify the Board.
11. **MS. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI

12. **MS. TATARSKI** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** 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. TATARSKI** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. TATARSKI** 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. TATARSKI** 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 or its designee, MS. TATARSKI shall not administer, have access to, or possess (except as prescribed for **MS. TATARSKI's** use by another so authorized by law who has full knowledge of **MS. TATARSKI's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. TATARSKI** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. TATARSKI** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

Unless otherwise approved in advance by the Board or its designee, MS. TATARSKI 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. TATARSKI** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

Unless otherwise approved in advance by the Board or its designee, MS. TATARSKI 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. TATARSKI's suspension shall be lifted and MS. TATARSKI's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. TATARSKI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. TATARSKI** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. TATARSKI** 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. TATARSKI** has complied with all aspects of this Order; and (2) the Board determines that **MS. TATARSKI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. TATARSKI** and review of

the reports as required herein. Any period during which **MS. TATARSKI** 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 **MELISSA ANN TATARSKI** to surrender her registered nurse license #R.N. 324029 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Hilton, Janine, M. R.N. 328043 (CASE #08-1497)

Action: It was moved by Patricia Protopapa, seconded by Patricia Burns, that upon consideration of the charges stated against **JANINE M. HILTON** in the July 21, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HILTON** 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. HILTON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HILTON** 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 and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. HILTON** 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. HILTON's** history. **MS. HILTON** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. HILTON** shall abstain completely from the use of alcohol.

5. Prior to seeking reinstatement by the Board, **MS. HILTON** 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. HILTON** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. HILTON** 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. HILTON's** license, and a statement as to whether **MS. HILTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. HILTON** 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. HILTON's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. HILTON** 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. HILTON'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. HILTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HILTON's** history.
8. Within thirty (30) days prior to **MS. HILTON** initiating drug screening, **MS. HILTON** 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. HILTON**.
9. After initiating drug screening, **MS. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. HILTON** 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. HILTON** 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. HILTON's** license, and a statement as to whether **MS. HILTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. HILTON** 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. HILTON's** license.

Reporting Requirements of MS. HILTON

13. **MS. HILTON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. HILTON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
20. **MS. HILTON** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. HILTON** 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. HILTON's** history. **MS. HILTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HILTON** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. HILTON** 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. HILTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HILTON's** history.

6. **MS. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. HILTON** 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. HILTON** shall notify the Board.
11. **MS. HILTON** 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. HILTON** 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. HILTON** 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. HILTON

12. **MS. HILTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** 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. HILTON** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. HILTON** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. HILTON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

MS. HILTON 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. HILTON** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. HILTON 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. HILTON's suspension shall be lifted and MS. HILTON's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. HILTON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. HILTON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. HILTON** 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. HILTON** has complied with all aspects of this Order; and (2) the Board determines that **MS. HILTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. HILTON** and review of the reports as required herein. Any period during which **MS. HILTON** 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 **JANINE M. HILTON** to surrender her registered nurse license #R.N. 328043 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Smith, William, R.N. 231371 (CASE #04-2671)

Action: It was moved by Patricia Burns, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **WILLIAM DEE SMITH** in the November 19, 2004 Notice of Opportunity for Hearing and evidence supporting

the charges, the Board finds that **MR. SMITH** 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. SMITH'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **WILLIAM DEE SMITH** to surrender his registered nurse license #R.N. 231371 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Martin, Stephanie, E. R.N. 286486 (CASE #08-1717)

Action: It was moved by Kathleen O'Dell, seconded by Patricia Burns, that upon consideration of the charges stated against **STEPHANIE E. MARTIN** in the July 21, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARTIN** 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. MARTIN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MARTIN** 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 and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. MARTIN** 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. MARTIN's** history. **MS. MARTIN** shall self-administer the prescribed drugs only in the manner prescribed.

4. **MS. MARTIN** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. MARTIN** 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. MARTIN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MARTIN** 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. MARTIN's** license, and a statement as to whether **MS. MARTIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. MARTIN** 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. MARTIN's** license.
7. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. MARTIN** 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. MARTIN'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. MARTIN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARTIN's** history.
8. Within thirty (30) days prior to **MS. MARTIN** initiating drug screening, **MS. MARTIN** 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. MARTIN**.

9. After initiating drug screening, **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MARTIN

11. **MS. MARTIN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. MARTIN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. MARTIN** shall submit to a BCI criminal records check.

DURATION

The Board may only alter the indefinite suspension imposed if: (1) **MS. MARTIN** submits a written request for reinstatement; (2) the Board determines

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

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

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

Monitoring

3. **MS. MARTIN** 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. MARTIN's** history. **MS. MARTIN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MARTIN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MARTIN** 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. MARTIN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARTIN's** history.
6. **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** throughout the duration of this Order.
 9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MARTIN** 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. MARTIN** shall notify the Board.
11. **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN

12. **MS. MARTIN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MARTIN** 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. MARTIN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

MS. MARTIN 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. MARTIN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MARTIN** 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. MARTIN** has complied with all aspects of this Order; and (2) the Board determines that **MS. MARTIN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MARTIN** and review of the reports as required herein. Any period during which **MS. MARTIN** 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 **STEPHANIE E. MARTIN** to surrender her registered nurse license #R.N. 286486 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Muranda, Lindsey, S. P.N. 106539 (CASE #07-3850)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **LINDSEY S. MURANDA** in the September 19, 2005 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MURANDA** 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. MURANDA'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. MURANDA** 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 Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MURANDA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MURANDA** 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. MURANDA** 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: two (2) hours of Ethics.

Monitoring

4. **MS. MURANDA** 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. MURANDA's** history. **MS. MURANDA** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. MURANDA** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. MURANDA** 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. MURANDA** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. MURANDA** 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. MURANDA's** license, and a statement as to whether **MS. MURANDA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. MURANDA** 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. MURANDA's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. MURANDA** 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. MURANDA'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. MURANDA** shall be negative, except for substances prescribed,

administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MURANDA's** history.

9. Within thirty (30) days prior to **MS. MURANDA** initiating drug screening, **MS. MURANDA** 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. MURANDA**.
10. After initiating drug screening, **MS. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. Prior to seeking reinstatement by the Board, **MS. MURANDA** 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. MURANDA** 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. MURANDA's** license, and a statement as to whether **MS. MURANDA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MS. MURANDA** 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. MURANDA's** license.

Reporting Requirements of MS. MURANDA

14. **MS. MURANDA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. MURANDA** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
21. **MS. MURANDA** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. MURANDA** 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. MURANDA's** history. **MS. MURANDA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MURANDA** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MURANDA** 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. MURANDA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MURANDA's** history.
6. **MS. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MURANDA** 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. MURANDA** shall notify the Board.
11. **MS. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA

12. **MS. MURANDA** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** 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. MURANDA** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MURANDA** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. MURANDA** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

MS. MURANDA 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. MURANDA** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. MURANDA 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. MURANDA shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

The stay of **MS. MURANDA's** suspension shall be lifted and **MS. MURANDA's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MURANDA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MURANDA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MURANDA** 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. MURANDA** has complied with all aspects of this Order; and (2) the Board determines that **MS. MURANDA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MURANDA** and review of the reports as required herein. Any period during which **MS. MURANDA** 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 **LINDSEY S. MURANDA** to surrender her licensed practical nurse license #P.N. 106539 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Pyers, Jennifer, L. R.N. 330365 (CASE #07-3723)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **JENNIFER L. PYERS** in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PYERS** 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. PYERS's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than eighteen (18) months, retroactive to December 2007, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PYERS** 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 Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. PYERS** 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. PYERS's** history. **MS. PYERS** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. PYERS** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. PYERS** 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. PYERS** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. PYERS** 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. PYERS's** license, and a statement as to whether **MS. PYERS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. PYERS** 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. PYERS's** license.
 7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. PYERS** 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. PYERS'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. PYERS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PYERS's** history.
 8. Within thirty (30) days prior to **MS. PYERS** initiating drug screening, **MS. PYERS** 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. PYERS**.
 9. After initiating drug screening, **MS. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

11. Prior to seeking reinstatement by the Board, **MS. PYERS** 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. PYERS** 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. PYERS's** license, and a statement as to whether **MS. PYERS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. PYERS** 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. PYERS's** license.

Reporting Requirements of MS. PYERS

13. **MS. PYERS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** shall verify that the reports and documentation required by this Order are received in the Board office.

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

20. **MS. PYERS** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. PYERS** 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. PYERS's** history. **MS. PYERS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PYERS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. PYERS** 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. PYERS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PYERS's** history.
6. **MS. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. PYERS** 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. PYERS** shall notify the Board.
11. **MS. PYERS** 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. PYERS** 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. PYERS** 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. PYERS

12. **MS. PYERS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** 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. PYERS** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. PYERS** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. PYERS** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

MS. PYERS 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. PYERS** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. PYERS 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. PYERS's suspension shall be lifted and MS. PYERS's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. PYERS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. PYERS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. PYERS** 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. PYERS** has complied with all aspects of this Order; and (2) the Board determines that **MS. PYERS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PYERS** and review of the reports as required herein. Any period during which **MS. PYERS** 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 **JENNIFER L. PYERS** to surrender her registered nurse license #R.N. 330365 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Soliday, Michelle, L. P.N. 105393 (CASE #07-2837);

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **MICHELLE L. SOLIDAY** in the July 21, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SOLIDAY** 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. SOLIDAY'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. SOLIDAY** 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 and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. SOLIDAY** 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. SOLIDAY's** history. **MS. SOLIDAY** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. SOLIDAY** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. SOLIDAY** 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. SOLIDAY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SOLIDAY** 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. SOLIDAY's** license, and a statement as to whether **MS. SOLIDAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. SOLIDAY** 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. SOLIDAY's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. SOLIDAY** 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. SOLIDAY'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. SOLIDAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOLIDAY's** history.
8. Within thirty (30) days prior to **MS. SOLIDAY** initiating drug screening, **MS. SOLIDAY** 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. SOLIDAY**.
 9. After initiating drug screening, **MS. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. SOLIDAY

11. **MS. SOLIDAY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. SOLIDAY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. SOLIDAY** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. SOLIDAY** 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. SOLIDAY's** history. **MS. SOLIDAY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SOLIDAY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. SOLIDAY** 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. SOLIDAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOLIDAY's** history.

6. **MS. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SOLIDAY** 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. SOLIDAY** shall notify the Board.
11. **MS. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY

12. **MS. SOLIDAY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** 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. SOLIDAY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. SOLIDAY** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. SOLIDAY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

MS. SOLIDAY 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. SOLIDAY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. SOLIDAY 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. SOLIDAY's suspension shall be lifted and MS. SOLIDAY's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. SOLIDAY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SOLIDAY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SOLIDAY** 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. SOLIDAY** has complied with all aspects of this Order; and (2) the Board determines that **MS. SOLIDAY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SOLIDAY** and review of the reports as required herein. Any period during which **MS. SOLIDAY** 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 **MICHELLE L. SOLIDAY** to surrender her licensed practical nurse license #P.N. 105393 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Fischmann, Mary, B. P.N. 122453 (CASE #08-0253)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **MARY BETH FISCHMANN** in

the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FISCHMANN** 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. FISCHMANN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MARY BETH FISCHMANN** to surrender her licensed practical nurse license #P.N. 122453 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Rodriguez, Maria, T. P.N. 069729 (CASE #04-0602)

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **MARIA T. RODRIGUEZ** in the May 20, 2005 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RODRIGUEZ** 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. RODRIGUEZ'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. RODRIGUEZ** 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.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Educational Needs Assessment and Learning Plan

3. Prior to seeking reinstatement by the Board, **MS. RODRIGUEZ** 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. RODRIGUEZ** shall have the educator

- provide the Board with a written report of an assessment of **MS. RODRIGUEZ**, which identifies **MS. RODRIGUEZ's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ's** employer(s), former employers, and Board staff. Following the assessment, **MS. RODRIGUEZ** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. RODRIGUEZ** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. RODRIGUEZ** 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. RODRIGUEZ** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. RODRIGUEZ** 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. RODRIGUEZ** has successfully completed the learning plan and prior to seeking reinstatement by the Board, 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. RODRIGUEZ's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. RODRIGUEZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. RODRIGUEZ** shall be responsible for all costs associated with meeting this requirement.
4. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. RODRIGUEZ's** license.
 5. In the event that the educator's recommendations require **MS. RODRIGUEZ** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. RODRIGUEZ** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. RODRIGUEZ's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. RODRIGUEZ's** license shall be terminated. **MS. RODRIGUEZ** agrees that she shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. RODRIGUEZ

6. **MS. RODRIGUEZ** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. RODRIGUEZ** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. RODRIGUEZ** shall submit to a BCI criminal records check.

DURATION

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

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

1. **MS. RODRIGUEZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MS. RODRIGUEZ** 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. RODRIGUEZ** shall notify the Board.
4. **MS. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ

5. **MS. RODRIGUEZ** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** 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. RODRIGUEZ** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. RODRIGUEZ** 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, **MS. RODRIGUEZ** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

FAILURE TO COMPLY

The stay of **MS. RODRIGUEZ's** suspension shall be lifted and **MS. RODRIGUEZ's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. RODRIGUEZ** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RODRIGUEZ** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RODRIGUEZ** 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. RODRIGUEZ** has complied with all aspects of this Order; and (2) the Board determines that **MS. RODRIGUEZ** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RODRIGUEZ** and review of the reports as required herein. Any period during which **MS. RODRIGUEZ** 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 **MARIA T. RODRIGUEZ** to surrender her licensed practical nurse license #P.N. 069729 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Fry, Barbara, J. R.N. 115411 (CASE #04-2915)

Action: It was moved by Patricia Protopapa, seconded by Patricia Burns, that upon consideration of the charges stated against **BARBARA J. FRY** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FRY** 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 that **MS. FRY's** license to practice nursing as a registered nurse is hereby **Reprimanded and Fined \$500.00 and subject to the Permanent Practice Restrictions set forth below.**

Fine

By July 1, 2009, MS. FRY shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Permanent Practice Restrictions

MS. FRY 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. FRY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. FRY 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. FRY shall not function in a nursing position, which would require **MS. FRY** to provide direct, hands-on patient care to obstetric patients or pediatric patients. *For the purposes of this Order, pediatric patients shall include patients under the age of 18, and between the ages of newly born through age 17.*

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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, Kathleen O'Dell, and Eric Yoon abstaining.

Putka, Karen, L. P.N. 073597 (CASE #08-0730)

Action: It was moved by Patricia Burns, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **KAREN L. PUTKA** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PUTKA** 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 to dismiss the allegation pertaining to a letter sent to **MS. PUTKA** on November 2, 2007. For the remaining violations, the Ohio Board of Nursing ORDERS that **MS. PUTKA's** license to practice nursing as a licensed practical nurse is hereby suspended

for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PUTKA** 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 Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. PUTKA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PUTKA** 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. PUTKA** 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: twenty (20) hours of Medication Administration.

Educational Needs Assessment and Learning Plan

4. **Upon request by the Board or its designee, prior to seeking reinstatement by the Board, MS. PUTKA** 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. PUTKA** shall have the educator provide the Board with a written report of an assessment of **MS. PUTKA**, which identifies **MS. PUTKA's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. PUTKA** shall provide the nursing educator with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. PUTKA** 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. PUTKA's** employer(s), former employers, and Board staff. Following the assessment, **MS. PUTKA** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. PUTKA** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. PUTKA** 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. PUTKA** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. PUTKA** 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. PUTKA** has successfully completed the learning plan and prior to seeking

- reinstatement by the Board, 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. PUTKA's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. PUTKA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. PUTKA** shall be responsible for all costs associated with meeting this requirement.
5. If an assessment is requested, the Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. PUTKA's** license.
 6. In the event that the educator's recommendations require **MS. PUTKA** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. PUTKA** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. PUTKA's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. PUTKA's** license shall be terminated. **MS. PUTKA** agrees that she shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. PUTKA

7. **MS. PUTKA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
8. **MS. PUTKA** 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.
9. **MS. PUTKA** 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.
10. **MS. PUTKA** 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.
11. **MS. PUTKA** 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.

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

DURATION

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

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

1. **MS. PUTKA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PUTKA** 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. PUTKA** shall notify the Board.
4. **Upon request by the Board or its designee, MS. PUTKA** 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. PUTKA** 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. PUTKA** 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. PUTKA

5. **MS. PUTKA** shall sign releases of information forms allowing health

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

6. **MS. PUTKA** 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. PUTKA** 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. PUTKA** 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. PUTKA** 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. PUTKA** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. PUTKA** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. PUTKA** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Practice Restrictions

MS. PUTKA 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. PUTKA** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. PUTKA 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. PUTKA's suspension shall be lifted and MS. PUTKA's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. PUTKA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. PUTKA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. PUTKA** 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. PUTKA** has complied with all aspects of this Order; and (2) the Board determines that **MS. PUTKA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PUTKA** and review of the reports as required herein. Any period during which **MS. PUTKA** 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 **KAREN L. PUTKA** to surrender her licensed practical nurse license #P.N. 073597 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Pavish, Ann, E. R.N. 185496 (CASE #08-0012)

Action: It was moved by Kathleen O'Dell, seconded by Patricia Burns, that upon consideration of the charges stated against **ANN E. PAVISH** in the July 21, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PAVISH** 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. PAVISH's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PAVISH** 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 and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. PAVISH** shall obey all federal, state, and local laws, and all laws and

rules governing the practice of nursing in Ohio.

2. **MS. PAVISH** 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. PAVISH** 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: two (2) hours of Ethics.

Monitoring

4. **MS. PAVISH** 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. PAVISH's** history. **MS. PAVISH** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. PAVISH** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. PAVISH** 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. PAVISH** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. PAVISH** 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. PAVISH's** license, and a statement as to whether **MS. PAVISH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. PAVISH** 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. PAVISH's** license.
8. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. PAVISH** 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. PAVISH'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. PAVISH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PAVISH's** history.
9. Within thirty (30) days prior to **MS. PAVISH** initiating drug screening, **MS. PAVISH** 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. PAVISH**.
 10. After initiating drug screening, **MS. PAVISH** 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. PAVISH** 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 nine (9) months immediately prior to seeking reinstatement, MS. PAVISH** 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. PAVISH** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. PAVISH

12. **MS. PAVISH** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. PAVISH** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
19. **MS. PAVISH** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. PAVISH** 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. PAVISH's** history. **MS. PAVISH** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PAVISH** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. PAVISH** 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. PAVISH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PAVISH's** history.

6. **MS. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. PAVISH** 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. PAVISH** shall notify the Board.
11. **MS. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH

12. **MS. PAVISH** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** 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. PAVISH** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. PAVISH** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. PAVISH** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

MS. PAVISH 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. PAVISH** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. PAVISH 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. PAVISH's suspension shall be lifted and MS. PAVISH's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. PAVISH** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. PAVISH** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. PAVISH** 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. PAVISH** has complied with all aspects of this Order; and (2) the Board determines that **MS. PAVISH** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PAVISH** and review of the reports as required herein. Any period during which **MS. PAVISH** 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 **ANN E. PAVISH** to surrender her registered nurse license #R.N. 185496 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Riggle, Karen, M. R.N. 275490 (CASE #07-2728)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **KAREN MARIE RIGGLE** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RIGGLE** 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. RIGGLE'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KAREN MARIE RIGGLE** to surrender her registered nurse license #R.N. 275490 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Dunphy, Kerry, Jo R.N. 300504 (CASE #07-1971)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **KERRY JO DUNPHY** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DUNPHY** 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. DUNPHY'S** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years retroactive to September 2008, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DUNPHY** 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 Temporary Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. DUNPHY** 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. DUNPHY'S** history. **MS. DUNPHY** shall self-administer the prescribed drugs only in the manner prescribed.

4. **MS. DUNPHY** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. DUNPHY** 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. DUNPHY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. DUNPHY** 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. DUNPHY's** license, and a statement as to whether **MS. DUNPHY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. DUNPHY** 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. DUNPHY's** license.
7. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. DUNPHY** 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. DUNPHY'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. DUNPHY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUNPHY's** history.
8. Within thirty (30) days prior to **MS. DUNPHY** initiating drug screening, **MS. DUNPHY** 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. DUNPHY**.
9. After initiating drug screening, **MS. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. DUNPHY

11. **MS. DUNPHY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. DUNPHY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. DUNPHY** shall submit to a BCI criminal records check.

DURATION

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

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

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

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

Monitoring

3. **MS. DUNPHY** 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. DUNPHY's** history. **MS. DUNPHY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DUNPHY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. DUNPHY** 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. DUNPHY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DUNPHY's** history.
6. **MS. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** throughout the duration of this Order.
 9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DUNPHY** 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. DUNPHY** shall notify the Board.
11. **MS. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY

12. **MS. DUNPHY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** 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. DUNPHY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. DUNPHY** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. DUNPHY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

MS. DUNPHY 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. DUNPHY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. DUNPHY 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. DUNPHY's suspension shall be lifted and MS. DUNPHY's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DUNPHY** has violated or breached any terms or conditions of this Order. Following the automatic

suspension, the Board shall notify **MS. DUNPHY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DUNPHY** 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. DUNPHY** has complied with all aspects of this Order; and (2) the Board determines that **MS. DUNPHY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DUNPHY** and review of the reports as required herein. Any period during which **MS. DUNPHY** 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 **KERRY JO DUNPHY** to surrender her registered nurse license #R.N. 300504 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

DeStella, Lisa, A. R.N. 336621 (CASE #08-1607)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **LISA A. DESTELLA** in the July 21, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DESTELLA** 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. DESTELLA'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, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DESTELLA** 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 and the Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. DESTELLA** 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. DESTELLA's** history. **MS. DESTELLA** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. DESTELLA** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. DESTELLA** 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. DESTELLA** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. DESTELLA** 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. DESTELLA's** license, and a statement as to whether **MS. DESTELLA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. DESTELLA** 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. DESTELLA's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. DESTELLA** 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. DESTELLA'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. DESTELLA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DESTELLA's** history.
8. Within thirty (30) days prior to **MS. DESTELLA** initiating drug screening,

- MS. DESTELLA** 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. DESTELLA**.
9. After initiating drug screening, **MS. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. DESTELLA

11. **MS. DESTELLA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** shall verify that the reports and documentation required by this Order are received in the Board office.

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

18. **MS. DESTELLA** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. DESTELLA** 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. DESTELLA's** history. **MS. DESTELLA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DESTELLA** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. DESTELLA** 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. DESTELLA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DESTELLA's** history.
6. **MS. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DESTELLA** 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. DESTELLA** shall notify the Board.
11. **MS. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA

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

13. **MS. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** 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. DESTELLA** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. DESTELLA** 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. If requested by the Board or its designee, prior to working as a nurse, **MS. DESTELLA** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Practice Restrictions

MS. DESTELLA 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. DESTELLA** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. DESTELLA 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. DESTELLA's suspension shall be lifted and MS. DESTELLA's license to practice nursing as a registered nurse will be

automatically suspended if it appears to the Board that **MS. DESTELLA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DESTELLA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DESTELLA** 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. DESTELLA** has complied with all aspects of this Order; and (2) the Board determines that **MS. DESTELLA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DESTELLA** and review of the reports as required herein. Any period during which **MS. DESTELLA** 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 **LISA A. DESTELLA** to surrender her registered nurse license #R.N. 336621 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Anderson, Rebecca, M. P.N. 088845 (CASE #06-0884)

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **REBECCA MARIE ANDERSON** in the August 7, 2008 Notice of Immediate Suspension and Opportunity for Hearing and the September 22, 2008 Notice of Opportunity for Hearing (Notices) and evidence supporting the charges, the Board finds that **MS. ANDERSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MS. ANDERSON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **REBECCA MARIE ANDERSON** to surrender her licensed practical nurse license #P.N. 088845 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax,

Johnnie Maier, and Eric Yoon abstaining.

Barnett, Lisa, A. P.N. 111589 (CASE #06-0364)

Action: It was moved by Patricia Protopapa, seconded by Patricia Burns, that upon consideration of the charges stated against **LISA ANN BARNETT** in the November 20, 2006 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARNETT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MS. BARNETT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LISA ANN BARNETT** to surrender her licensed practical nurse license #P.N. 088845 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 16th day of January, 2009.

Elizabeth Buschmann opposed the motion. Motion adopted by majority vote of the Board members with Johnnie Maier and Eric Yoon abstaining.

Corey Kessler, Trisha , L. R.N. 306329 (CASE #08-0840)

Action: It was moved by Patricia Burns, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **TRISHA L. COREY-KESSLER** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COREY-KESSLER** 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. COREY-KESSLER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TRISHA L. COREY-KESSLER** to surrender her registered nurse license #R.N. 275490 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Ellsworth, Susan, J. P.N. 077075 (CASE #07-1218)

Action: It was moved by Kathleen O'Dell, seconded by Janet Boeckman, that upon consideration of the charges stated against **SUSAN J. ELLSWORTH** in the November 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ELLSWORTH** 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. ELLSWORTH's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations for a minimum period of one (1) year.

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

1. **MS. ELLSWORTH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ELLSWORTH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **By April 1, 2009, MS. ELLSWORTH** 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: two (2) hours of Ethics; two (2) hours of Emergency Care; and two (2) hours of Ohio nursing law and rules.

Educational Needs Assessment and Learning Plan

4. **By May 1, 2009, MS. ELLSWORTH** 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. ELLSWORTH** shall have the educator provide the Board with a written report of an assessment of **MS. ELLSWORTH**, which identifies **MS. ELLSWORTH's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH's** employer(s), former employers, and Board staff. Following the assessment, **MS. ELLSWORTH** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. ELLSWORTH** and shall obtain approval of the learning plan by the Board or its designee. The learning

- plan shall identify specific remediation that **MS. ELLSWORTH** 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. ELLSWORTH** shall complete such learning plan. **MS. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. ELLSWORTH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. ELLSWORTH** 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. ELLSWORTH's** license.

Employment Conditions

6. **MS. ELLSWORTH** shall notify the Board, in writing, of the name and address of any current employer **within fifteen (15) days of the mailing of this Order**, or any new employer prior to accepting employment.
7. **MS. ELLSWORTH, within fifteen (15) days of the mailing 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. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH

8. **MS. ELLSWORTH** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. **MS. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH** 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. ELLSWORTH** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **MS. ELLSWORTH** 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.

FAILURE TO COMPLY

The stay of **MS. ELLSWORTH's** suspension shall be lifted and **MS. ELLSWORTH's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. ELLSWORTH** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ELLSWORTH** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MS. ELLSWORTH** 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. ELLSWORTH** has complied with all aspects of this Order; and (2) the Board determines that **MS. ELLSWORTH** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ELLSWORTH** and review of the reports as required herein. Any period during which **MS. ELLSWORTH** 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax,

Johnnie Maier, and Eric Yoon abstaining.

Spradling, James, F. R.N. 249048 (CASE #07-0640)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **JAMES F. SPRADLING** in the May 24, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SPRADLING** 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. SPRADLING'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JAMES F. SPRADLING** to surrender his registered nurse license #R.N. 249048 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, and Eric Yoon abstaining.

Lundy, Kimberly, Q. P.N. 088068 (CASE #07-1226)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **KIMBERLY Q. LUNDY** in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LUNDY** 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. LUNDY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KIMBERLY Q. LUNDY** to surrender her licensed practical nurse license #P.N. 088068 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Johnnie Maier and Eric Yoon abstaining.

Mupanduki, Egenia, N. R.N. 310536 (CASE #04-1418)

Action: It was moved by Janet Boeckman, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **EGENIA NANCY MUPANDUKI** in the May 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MUPANDUKI** 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. MUPANDUKI'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. MUPANDUKI** 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.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Educational Needs Assessment and Learning Plan

3. Prior to seeking reinstatement by the Board, **MS. MUPANDUKI** 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. MUPANDUKI** shall have the educator provide the Board with a written report of an assessment of **MS. MUPANDUKI**, which identifies **MS. MUPANDUKI's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI's** employer(s), former employers, and Board staff. Following the assessment, **MS. MUPANDUKI** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. MUPANDUKI** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. MUPANDUKI** 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. MUPANDUKI** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. MUPANDUKI** 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. MUPANDUKI** has successfully completed the learning plan and prior to seeking reinstatement by the Board, 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. MUPANDUKI's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. MUPANDUKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. MUPANDUKI** shall be responsible for all costs associated with meeting this requirement.
4. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. MUPANDUKI's** license.
 5. In the event that the educator's recommendations require **MS. MUPANDUKI** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. MUPANDUKI** a license to practice nursing as a registered nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. MUPANDUKI's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. MUPANDUKI's** license shall be terminated. **MS. MUPANDUKI** agrees that she shall not gain or attempt to gain employment as a registered nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. MUPANDUKI

6. **MS. MUPANDUKI** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. MUPANDUKI** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. MUPANDUKI** shall submit to a BCI criminal records check.

DURATION

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

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

1. **MS. MUPANDUKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MUPANDUKI** 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. MUPANDUKI** shall notify the Board.
4. **MS. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI

5. **MS. MUPANDUKI** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** 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. MUPANDUKI** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MUPANDUKI** 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, **MS. MUPANDUKI** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Workplace Monitor

When working as a nurse, **MS. MUPANDUKI** shall only work in settings in which a registered nurse supervisor is present on-site at all times. **MS. MUPANDUKI** shall have a work site registered nurse ("Workplace Monitor") who supervises **MS. MUPANDUKI**, agrees to monitor **MS. MUPANDUKI's** work performance and progress, and agrees to be in contact with the Board or its designee. **MS. MUPANDUKI** shall provide the Workplace Monitor with a copy of this Order and Notice of Opportunity for Hearing and have the Workplace Monitor contact the Board or its designee prior to **MS. MUPANDUKI** working as a nurse. **MS. MUPANDUKI** shall have the Workplace Monitor maintain contact with the Board or its designee and provide written progress reports at intervals requested by the Board or its designee.

In the event that the Workplace Monitor becomes unable or unwilling to serve in this capacity, **MS. MUPANDUKI** must notify the Board, in writing, within three (3) business days, and make arrangements acceptable to the Board or its designee for another Workplace Monitor to monitor **MS. MUPANDUKI's** performance and progress as soon as practicable. Upon approval in advance by the Board or its designee, workplace monitoring may cease after the Board or its designee determines that **MS. MUPANDUKI** has successfully demonstrated that she has consistently practiced in accordance with the standards of safe nursing care.

FAILURE TO COMPLY

The stay of MS. MUPANDUKI's suspension shall be lifted and MS. MUPANDUKI's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MUPANDUKI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MUPANDUKI** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MUPANDUKI** 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. MUPANDUKI** has complied with all aspects of this Order; and (2) the Board determines that **MS. MUPANDUKI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MUPANDUKI** and review of the reports as required herein. Any period during which **MS. MUPANDUKI** 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 **EGENIA NANCY MUPANDUKI** to surrender her registered nurse license #R.N. 310536 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Delphenia Gilbert, Johnnie Maier, and Eric Yoon abstaining.

Vickers, Anthony, M. R.N. 267584 (CASE #07-3918)

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **ANTHONY M. VICKERS** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. VICKERS** 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. VICKERS's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than four (4) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. VICKERS** 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 and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MR. VICKERS** 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. VICKERS's** history. **MR. VICKERS** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MR. VICKERS** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MR. VICKERS** 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. VICKERS** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. VICKERS** 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. VICKERS's** license, and a statement as to whether **MR. VICKERS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MR. VICKERS** 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. VICKERS's** license.

7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. VICKERS** 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. VICKERS'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. VICKERS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. VICKERS's** history.
8. Within thirty (30) days prior to **MR. VICKERS** initiating drug screening, **MR. VICKERS** 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. VICKERS**.
9. After initiating drug screening, **MR. VICKERS** 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. VICKERS** 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, MR. VICKERS** 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. VICKERS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. VICKERS

11. **MR. VICKERS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MR. VICKERS** 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.

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

DURATION

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

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

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

Monitoring

3. **MR. VICKERS** 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. VICKERS's** history. **MR. VICKERS** shall self-administer prescribed drugs only in the manner prescribed.

4. **MR. VICKERS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. VICKERS** 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. VICKERS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. VICKERS's** history.
6. **MR. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. VICKERS** 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. VICKERS** shall notify the Board.
11. **MR. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS

12. **MR. VICKERS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS** 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. VICKERS** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. VICKERS** 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, **MR. VICKERS** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

MR. VICKERS shall not administer, have access to, or possess (except as prescribed for **MR. VICKERS's** use by another so authorized by law who has

full knowledge of **MR. VICKERS's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MR. VICKERS** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. VICKERS** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

MR. VICKERS 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. VICKERS** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MR. VICKERS 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. VICKERS's suspension shall be lifted and MR. VICKERS's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. VICKERS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. VICKERS** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. VICKERS** 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. VICKERS** has complied with all aspects of this Order; and (2) the Board determines that **MR. VICKERS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. VICKERS** and review of the reports as required herein. Any period during which **MR. VICKERS** 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 **ANTHONY M. VICKERS** to surrender his registered nurse license #R.N. 267584 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Elizabeth Buschmann, Johnnie Maier, and Eric Yoon abstaining.

Thigpen, Timothy, P.N. 091340 (CASE #08-0885)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **TIMOTHY T. THIGPEN** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. THIGPEN** 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 **MR. THIGPEN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **TIMOTHY T. THIGPEN** to surrender his licensed practical nurse license #P.N. 091340 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Debra Broadnax, Johnnie Maier, Patricia Protopapa, and Eric Yoon abstaining.

Keyes, Kacie, A. P.N. 114763 (CASE #05-0661)

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **KACIE A. KEYES** in the September 19, 2005 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KEYES** 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. KEYES's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KEYES** 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 and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. KEYES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MS. KEYES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MS. KEYES** 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. KEYES's** history. **MS. KEYES** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. KEYES** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. KEYES** 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. KEYES** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. KEYES** 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. KEYES's** license, and a statement as to whether **MS. KEYES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. KEYES** 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. KEYES's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. KEYES** 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. KEYES'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. KEYES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS.**

KEYES's history.

8. Within thirty (30) days prior to **MS. KEYES** initiating drug screening, **MS. KEYES** 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. KEYES**.
9. After initiating drug screening, **MS. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. KEYES

11. **MS. KEYES** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. KEYES** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. KEYES** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. KEYES** 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. KEYES's** history. **MS. KEYES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KEYES** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. KEYES** 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. KEYES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KEYES's** history.

6. **MS. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. KEYES** 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. KEYES** shall notify the Board.
11. **MS. KEYES** 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. KEYES** 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. KEYES** 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. KEYES

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

13. **MS. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** 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. KEYES** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. KEYES** 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. KEYES** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

MS. KEYES 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. KEYES** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. KEYES 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. KEYES's suspension shall be lifted and MS. KEYES's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. KEYES** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KEYES** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KEYES** 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. KEYES** has complied with all aspects of this Order; and (2) the Board determines that **MS. KEYES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KEYES** and review of the reports as required herein. Any period during which **MS. KEYES** 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 **KACIE A. KEYES** to surrender her licensed practical nurse license #P.N. 114763 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 16th day of January, 2009.

Motion adopted by majority vote of the Board members with Johnnie Maier and Eric Yoon abstaining.

MONITORING

LIFTS OF SUSPENSION/PROBATION

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, 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:

Hummer, Jeanne, A. R.N. 168048 (CASE #04-2221); Dean, Elaina, D. P.N. 120257 (CASE #05-2072); Evans, Carolyn, R.N. 338619 (CASE #07-0532); Bankhead-Coffer, Sophia, L. P.N. 129163 (CASE #07-2246); Shropshire, Stephanie, L. P.N. 128566 (CASE #07-2204); Foster, Alicia, N P.N. 129165 (CASE #07-3026); Jones, Matthew, A R.N. 337820 (CASE #07-1403);

Bednarik, Lisa, D. R.N. 328994 (CASE #06-1419); Stohrel, Davida, K. P.N. 067034 (CASE #06-2329); Wyckoff, Erin, M. R.N. 332500 (CASE #06-3487); and Green, Robert, S. P.N. 104655 (CASE #06-2103).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon 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:

Lipp, Aaron, J. R.N. 295708 (CASE #06-2214); Blackburn, Shelly, R. R.N. 252881 (CASE #05-2574); Jakubowski, Zenith, A. R.N. 288784 (CASE #05-3080); Blevins, Deborah, E P.N. 104001 (CASE #07-1440); Marsh, Robin, L. P.N. 093632 (CASE #05-2811); Crowe, Barbara, L. R.N. 305355 (CASE #06-1140); and Cutcher, Elaine, E. R.N. 252827 (CASE #04-2544).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

LIFTS OF SUSPENSION/PROBATION - PERMANENT WORK RESTRICTION(S) REMAINS

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudications order with exception of the permanent work restriction(s) that will remain in effect:

Cognati, Kelly, A. P.N. 124122 (CASE #06-1596) and Cales, Jodie, L. P.N. 124121 (CASE #06-1818).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

LIFT OF SUSPENSION PROBATION – PERMANENT PEDIATRIC AND WORK RESTRICTION(S) REMAIN

Action: It was moved by Elizabeth Buschmann, 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 from the terms and

conditions of the Consent Agreement with the exception of the permanent practice and pediatric restriction(s) that will remain in effect:

Tarnor, Heather, M. P.N. 121881 (CASE #06-0046).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

LIFT OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT WORK RESTRICTION(S) REMAINS

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their consent agreements or adjudications order with the exception of the permanent work restriction(s) that will remain in effect:

Maddox, Regina, R.N. 280975 (CASE #06-0259)

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

LIFT OF NARCOTIC RESTRICTION

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann 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:

Oberholtzer, Brandy, L. P.N. 103502 (CASE #08-0144).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

EARLY LIFT OF NARCOTIC RESTRICTION

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their narcotic restrictions within their respective consent agreement:

Gitcheff, Candy, B. R.N. 252843 (CASE #06-1107).

Motion adopted by majority vote of the Board members with Anne Barnett, Debra Broadnax, and Johnnie Maier abstaining.

REPORTS TO THE BOARD

Board Committee Reports

Practice (January 15, 2009)

J. Jane McFee reported on the Board Committee on Practice. The Committee discussed the current statutory and administrative rule requirements by reviewing a summary of the provisions. The Committee discussed aspirating an IV prior to flushing, administering anticoagulants, and PICC lines. Board staff will summarize the areas discussed and distribute information for public review and comment prior to the next meeting. The next Committee meeting will be at noon on March 19, 2009.

Open Forum – Thursday, January 15, 2009 and Friday, January 16, 2009.

Helen Bykov, owner of ATS Institute of Technology, Associate of Applied Science Degree Program, addressed the Board regarding the status of the program's approval status during Open Forum on Thursday. There were no participants for Open Forum on Friday.

Advisory Group Reports

Committee on Prescriptive Governance (CPG)

Eric Yoon stated that CPG met on January 12, 2009 and continues to discuss creating an exclusionary APN Formulary. The Ohio Association of Advanced Practice Nurses is considering using the APN Formulary to establish a user-friendly web based system. At the next meeting, CPG will begin discussing the structure of an exclusionary Formulary. There was also a discussion about expansion of the prescriptive authority for Schedule II drugs.

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

Other Reports

Nursing Education Study Committee

The Board received the final report of the Nursing Education Study Committee. J. Boeckman noted that the Executive Summary of the report explains each issue the Committee addressed. The Board thanked J. Boeckman for serving on the Committee.

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that discussion on this topic be extended fifteen minutes. Motion adopted by unanimous vote of the Board members.

The Board reviewed a draft letter regarding three of the Committee's recommendations. The Board agreed by general consensus to submit the letter to Senator Morano, Chair of the Committee.

NEGP Annual Report

Board members reviewed and discussed the NEGP Annual Report, noting the increases in student enrollment being achieved by education programs.

Medication Aide Pilot Program – Draft Report

L. Emrich presented the draft Medication Aide Pilot Program report. J. Maier expressed concern that the legislation authorized the program to expand statewide after the Pilot Program, regardless of the results of the Pilot Program. The Board approved the draft report by general consensus. If substantial revisions are made as a result of additional data received, Board staff will review the information with the Board President for approval.

GENERAL INFORMATION (FYI)

L. Klenke reviewed the General Information items and asked if Board members had questions. There were no questions.

BOARD GOVERNANCE

Review of Board Policies

B. Houchen reviewed each Board Policy and highlighted the recommended revisions. The Board discussed their understanding that in addition to each Board Member's review of cases, participation in deliberations is required in order to vote on disciplinary cases that are considered during deliberations.

Action: It was moved by J. Jane McFee and seconded by Anne Barnett to approve the Board Policies as amended. Motion adopted by unanimous vote of the Board members.

Board Retreat

The Board reviewed the suggested topics for the Board Retreat agenda. Additional recommendations were to discuss disciplinary cases when the Board is unable to locate individuals, APNs delegating medication administration to medical assistants, and assisting educational programs in identifying potential clinical sites.

The Board agreed that the Retreat would be held at the Drury Inn at 6170 Parkcenter Circle, Dublin, Ohio, on April 16 and 17, 2009. Joseph Kirk will make the necessary arrangements.

Reminder Regarding Financial Disclosure Statements

L. Klenke reminded Board Members that Financial Disclosure Statements must be filed with the Ohio Ethics Commission by April 15, 2009. If Board Members

submit them to J. Kirk, staff will file them for each Board Member, or Board Members can file the form themselves.

Determination of Board Member Attendance at NCSBN Mid-Year Meeting

L. Klenke reported that this year NCSBN will pay for two Board representatives to attend the Mid-Year Meeting and based on the tentative agenda, she recommended the Board President and Vice-President attend the meeting. B. Houchen will also attend as a NCSBN Board Member. No state funds will be expended because NCSBN will cover the expenses. The Board agreed by general consensus.

Board Governance Survey

L. Klenke reminded Board Members to submit the Board Governance Survey to her and she will compile the results for the Board Retreat.

Designation of Mentor for New Board Member

J. Jane McFee volunteered to mentor new member J. Maier. L. Klenke extended an invitation to Board Members to attend Case Review and hearings as part of their orientation.

Ethics Training for Board Members

H. Fischer reviewed the requirement that Board Members have ethics training provided by the Governor's Office every two years and provided a 2009 schedule to Board Members.

EVALUATION OF MEETING AND ADJOURNMENT

K. O'Dell commended the Compliance Unit for their work. D. Broadnax thanked the Compliance Unit for making her job as Board Supervising Member for Disciplinary Matters easier. She also thanked L. Emrich and L. Robinson for staffing the Dialysis Advisory Group. L. Klenke thanked D. Broadnax, E. Buschmann, and K. O'Dell for their service as Board Members.

The meeting adjourned on January 16, 2009 at 11:00 a.m.

Lisa Klenke, MBA, RN, CNA
President



Attest:

Betsy Houchen, RN, MS, JD
Secretary

