



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD JULY 25-26, 2013

The regular meeting of the Ohio Board of Nursing (Board) was held on July 25-26, 2013 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, July 25, 2013 at 8:30 a.m., President Judith Church called the Board meeting to order. On Friday, July 26, 2013 at 8:32 a.m., President Church called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day and President Church recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

#### **BOARD MEMBERS**

Judith Church, RN, President

J. Jane McFee, LPN, Vice-President

Janet Arwood, LPN

Rhonda Barkheimer, RN, Board Supervising Member for Disciplinary Matters

Nancy Fellows, RN

Lisa Klenke, RN

Maryam Lyon, RN

Susan Morano, RN (Absent Thursday and Friday)

Tracy Ruegg, RN

Roberta Stokes, RN

Sheryl Warner, Consumer Member

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

#### **ADMINISTRATIVE MATTERS**

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

On Thursday, the Board Reception was held at 8:00 a.m.; Executive Session was at 10:00 a.m.; and the Board Committee on CPG Appointments met at noon. Open Forum was held at 10:00 a.m. on Friday.

##### **Approval of Minutes of the May 2013 Meeting**

**Action:** It was moved by Lisa Klenke, seconded by Rhonda Barkheimer, that the Board approve the minutes from the May 2013 Board meeting as submitted. Motion adopted by unanimous vote of the Board.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomed Lydie Kisula as an intermittent Clerk 2 in the Fiscal Unit and recognized employees for their state service: Tim Fulk, 25 years; Eric Mays, 20 years; 15 years of service each for Janelle Freeman, Diana Harris, Beth Lewis, Melissa Knauss, and Amy Sala.
- The Board recognized two of the Board investigators, Tim Fulk and Diana Harris, and thanked them for their service.
- The goal for Operation Feed was to raise funds for 1,014 meals. Enough funds were raised for 2,220 meals.
- The Board sent a letter of support for the Ohio Action Coalition's proposal for a State Implementation Program grant to assist the Coalition in implementing two IOM recommendations, data analysis and advancing nursing education. The Board committed \$4,500 from the Special Issues Fund as matching funds since the grant addresses patient safety and health care issues related to the supply and demand for nurses.
- The PCMH Education Advisory Group meeting was held on May 29, 2013. It was reported that all of the thirty nursing scholarships have been awarded, and several nursing schools reported successful implementation of PCMH training and clinical work in their curricula.
- Board Member Sue Morano was interviewed for the July leadership network conference call conducted by the NCSBN Leadership Succession Committee. Lisa Emrich, a member of the Committee, conducted the interview. Sue highlighted her career and leadership roles as a nurse, Board member, and State Senator. Nursing board participants from across the country participated in the call.
- In September, NCSBN will hold an NCLEX Workshop and Lisa Klenke and Betsy Houchen will attend. The Board is requesting that NCSBN, in conjunction with the Board, present the NCLEX Conference in Ohio for nursing educators in 2014.
- Based on the success of the Board's added education program workshop in June that was offered for program administrators and faculty, Board staff will continue to offer the workshop twice each year.
- As of July 19, 2013 there have been 156, 558 license renewals and 98% of these renewed on line.

Board President Judith Church complimented Board staff on its high level of excellence.

### **Legislative Report**

Tom Dilling provided the legislative report. He reported that the Governor's proposed budget appropriation for the Board for the next biennium passed as part of House Bill (HB) 59, the budget bill. The budget bill also established a "Direct Care Worker Advisory Committee" to report findings and recommendations to the legislature by the end of the year regarding certification of direct care workers and Medicaid payments for direct care services.

HB 98, Military Service Credit Applied to Professional Licensing, was introduced in April 2013 and informally passed before the legislature left for the summer. The bill was amended in the Senate with a provision that requires each licensing agency to adopt administrative rules, not later than December 31, 2013 regarding which military programs of training are substantially equivalent to or exceed the requirements for each license the agency issues.

SB 13, Veteran's Academic Credit, would enhance support and services for veterans at state institutions of higher education and require each institution to develop a policy for awarding academic credit to veterans for training received while in the military.

The Governor signed SB 57 that established a Naloxone Pilot Program in Lorain County from August 1, 2013, to July 31, 2014 to authorize qualified emergency responders in that county to obtain and administer naloxone to revive a person suffering from an apparent opioid-related overdose.

HB 170, Naloxone, seeks to remove or limit barriers to providing naloxone to revive a person suffering from an apparent opioid-related overdose by making the kits available to family and friends of an addicted individual, law enforcement and emergency medical responders. The Nursing and Medical Boards have made the sponsors aware of limitations to APRNs' and PAs' ability to "personally furnish" naloxone to patients and the need to eliminate those restrictions to better achieve the goals of this legislation.

The House passed HB 165, Hyperbaric Technologists, in June 2013. As reported by the Legislative Service Commission, the bill exempts certified hyperbaric technologists (CHTs) from the laws governing the practice of respiratory care. Under current law, only a respiratory care professional licensed by the Ohio Respiratory Care Board may administer hyperbaric oxygen therapy. The bill would allow a CHT to provide hyperbaric oxygen therapy without a Board-issued license but would require that the CHT be certified by the National Board of Diving & Hyperbaric Medical Technology and that the CHT administer hyperbaric oxygen therapy under the direct supervision of a physician. Board staff is examining the impact of the bill on nurses and APRNs who are working with hyperbaric technology.

HB 139, APRN Hospital Admitting Privileges, was introduced in April 2013 and proposes to permit certain APRNs (not CRNAs) and physician assistants to admit patients to hospitals. The bill requires an APRN to notify their collaborating physician within 12 hours of admitting the patient to the hospital. The bill also requires the APRN to have a standard care arrangement with a physician who is a member of the medical staff at the hospital where the patient is admitted.

### **Fiscal Report**

Kathy King, Fiscal Officer, presented the year-end report for fiscal year 2013. She reported that the Board completed the year within its budgeted appropriations with \$7,434 unspent for FY13. Revenue exceeded total appropriations by \$3,255,126. The Board thanked her for management of the budget and for providing clear and comprehensive fiscal information.

## **NEW BUSINESS**

### **Administrative Rule Review**

At the May 2013 meeting, the Board reviewed proposed changes and draft rule language, for the five-year review rules including: Ohio Administrative Code Chapters 4723-4, Standards of Practice Relative to RN or LPN; 4723-6, Alternative Program for Chemically Dependent Nurses; 4723-18, Practice Intervention and Improvement Program; and 4723-20, Prevention of Disease Transmission. The Board also reviewed proposed revisions to individual rules not slated for five-year review, but rules that needed to be updated due to changes made by H.B. 303, S.B. 83, and H.B. 490 (129<sup>th</sup> GA), or for technical or non-substantive reasons.

Following the May meeting, the Committee on Prescriptive Governance, the Advisory Group on Continuing Education, the Advisory Group on Nursing Education, and the Advisory Group on Dialysis met, and staff met with interested parties on May 28, 2013 to receive additional comments on the proposed rule language. The Advisory Group on Nursing Education also reviewed military-related proposed rule changes at its June 13, 2013 meeting.

Holly Fischer presented proposed language based on the comments and discussion at these meetings, and she also presented language based on the Board's discussion at the May meeting. Unless otherwise noted, the Board agreed by general consensus with the following revisions:

### **Five-Year Review Rules**

#### **Chapter 4723-4 (Standards of Practice Relative to RN or LPN)**

##### **Rule 4723-4-01**

**(B)(4)** No changes were made since the May Board meeting. In the interested party meeting, P. Dickerson commented that she was supportive of the revised definition of "clinical judgment."

**(B)(10):** The Board reviewed adding a definition of “professional boundaries” at the May meeting and agreed by general consensus not to add a definition. At the interested parties meeting, P. Dickerson again advocated for a definition, but suggested using the very brief definition the Board had added in 2006 with respect to Medication Aides (Rule 4723-27-01 (FF)) and in 2009 for Community Health Workers (Rule 4723-26-01 (L)). This definition was added to the rule for the Board’s consideration.

On June 12, 2013, Jeri Milstead, on behalf of herself and P. Dickerson, submitted a revision to P. Dickerson’s proposed definition of “professional boundaries” as follows: “Professional boundaries means the personal, sexual, and/or financial limits of the professional relationship that impact a safe therapeutic relationship between the licensed nurse and the patient.” The Board discussed this proposed language.

Sheryl Warner asked if there are cases or issues that make it preferable to add a definition, otherwise, she is concerned that the added language does not clarify the issue, and the language could be limiting. Rhonda Barkheimer agreed stating that the existing law and rules have been applied to address disciplinary issues. Lisa Klenke asked about clarity for licensees. H. Fischer noted that the rules describe conduct that violates professional boundaries and the Board cites these rules to describe boundary violations. After discussion, the Board agreed by consensus not to insert a definition of professional boundaries, and directed Board staff to publish additional information in *Momentum* to educate licensees about boundary issues.

**Rule 4723-4-03(B) and Rule 4-04(B):** Language that would have added a requirement that, as part of basic knowledge of duties, responsibilities, and accountabilities, the nurse identify the patients to whom the nurse is to provide care, was removed as agreed by the Board in May.

**Rule 4-4-06**

**(O)(4)(b):** Language was corrected (“evaluating” and “evaluated” in line 2 instead of “supervising” and “supervised”) in the previously submitted draft as discussed at May meeting. At the interested party meeting, the point was raised that registered nurses have an independent scope of practice, and therefore, are not “supervised.” A request was made that the new language regarding supervision and evaluation be removed. P. Dickerson, who had originally requested language to address supervision in settings where a nurse is working without other nursing staff (e.g., schools), was supportive of removing the new language.

The Board considered whether to delete the language. After discussion, the Board agreed by consensus to retain the proposed language stating that if it is part of the employment arrangement that off-site supervision is to occur, this language would apply. The Board acknowledges the independent scope of practice for registered nursing and does not believe the language impacts it.

**(Q):** At the interested parties meeting, concern was expressed that adding a prohibition on using social media to communicate with a patient, or about a patient, for non-healthcare purposes, was too restrictive in that some nurses have a dual relationship with patients who are also friends/neighbors. It was clarified that the new language is “for purposes of paragraphs (I), (J), (K), (L), and (M) of the rule.” In other words, social media, like any other form of communication, should not be used in situations to accomplish or further boundaries violations. It was explained that even if (Q) is not added, if social media is utilized to engage in a boundaries violation discussed in paragraphs (I), (J), (K), (L) or (M), the Board would act on the boundaries violation. The additional reference to “social media” is to promote better awareness among nurses that these methods of communication may accompany boundaries violations. The Board agreed by general consensus to retain the language as proposed.

Lisa Klenke stated that many employers are now concerned with not only the disclosure of confidential information, but also concerned about the unauthorized access of confidential information through electronic health records, and that some employers are conducting audits to identify if confidential records are being accessed. H. Fischer responded that she would review the current rules in light of this and report back at the September meeting.

### **Chapter 4723-6 (Alternative Program for Chemical Dependent Nurses)**

#### **Rule 4723-6-03**

**(B)(10):** Language was revised based on Board discussion at the May Board meeting to exclude “topically applied alcohol-based products used for disinfection purposes.”

**(B)(12):** Language that defined full-time employment as “forty-hours” was deleted as discussed at the May Board meeting.

### **Chapter 4723-18 (PIIP)**

**Rule 4723-18-06 (B)(1):** Input was received from P. Dickerson that the language should read: “meets the requirements” of Chapter 4723-14. This language was added.

### **Technical Changes**

#### **Chapter 4723-5 (Nursing Education)**

##### **Rule 4723-5-12**

###### **(A)(3)(a)**

In June 2013, Governor Kasich signed Executive Order 2013-05K, which requires all boards and commissions to identify, and report by December 31, 2013, legal barriers to the revision of policies and procedures to further streamline the issuance of licenses and certificates based on relevant military

education, training or service. In furtherance of the Governor's objective, staff is recommending adding language to education and training program rules that require programs to establish policies for review of military education, training and service. Programs would be required to award the student credit for any military education or skills training that are substantially similar to the curriculum established in rule. Language was added to reflect this requirement.

### **Student Policies**

Global changes were made in the policies applicable to student conduct to mirror the changes being proposed in the rules for nurse conduct (Rules 4723-4-03, 4723-4-04, 4723-4-06), the disciplinary actions related to nurses imposed by H.B. 303 (Section 4723.28, ORC), and the term "client" was changed to "patient."

### **Rule 4723-5-06 (E)**

Staff recommended changing the 30-day time frame, prior to the Board meeting at which the Board is considering approval status of a program, to 45-days. Currently, programs may submit a large volume of material up to 30 days prior to the Board meeting in response to a survey visit report. This does not permit adequate time for staff to review the materials, meet with the Education Liaison, and, if the direction is to pursue a consent agreement or notice, have the legal documents drafted and/or reviewed by the Assistant Attorney General, and mailed to the Board members, prior to the Board meeting.

### **Chapter 4723-7 (Licensure)**

**Rules 4723-7-04(B)(9), 7-05(B)(4), 7-06(B)(4):** The language reflects that the Board agreed that the CE should be required to qualify as "category A", as defined in Rule 4723-14-01(C).

### **Chapter 4237-9 (Prescriptive Authority)**

**Rule 4723-9-09:** The Committee on Prescriptive Governance met on May 20, 2013 and recommended language be added clarifying that a CTP holder shall not self-prescribe a controlled substance. Language is added to paragraph (K).

### **Chapter 4723-14 (Continuing Education)**

#### **Rule 4723-14-01(I)(1), (2):**

The Advisory Group on Continuing Education met on June 13, 2013, and recommended that these paragraphs be removed based on recent and significant criteria changes made by American Nurses Credentialing Center (ANCC).

#### **Rule 4723-14-03(H):**

The Board discussed adding a reference to renewal, i.e., a nurse cannot use the waiver to meet requirements for renewing a license. However, this is already addressed in 14-03(G) which clarifies that the waiver can be used for purposes of one renewal period only, so language was not added to 14-03(H).

**Rule 4723-14-05(B)(1); (B)(3):**

The Advisory Group on Continuing Education recommended removal of these paragraphs, consistent with criteria changes made by ANCC.

**Rule 4723-14-07(C):** A typographical error will be corrected in paragraph (C) changing “it” to “is.”

**Chapter 4723-23 (Dialysis Technicians)**

H. Fischer reported that the Advisory Group on Dialysis agreed with the revisions discussed by the Board at the May meeting and proposed additional revisions.

**Rule 4723-23-02(E):** The Board agreed that a dialysis intern certificate may be placed on inactive status.

**Rule 4723-23-03:** Board agreed that no language is needed to specify that, in order to obtain an Ohio dialysis technician certificate, the applicant must hold a dialysis technician intern certificate. As a matter of practicality, in-state applicants would need to hold the intern certificate in order to meet the requirement that they have performed dialysis care for not less than twelve months prior to the application for the OCDT (see 4723-23-03(B)(1)(b)).

**23-03(B)(1)(c)** The Board agreed with language clarifying that the Board would deduct from the eighteen months the applicant has to pass the examination the total time enrolled in all training programs.

**23-03(B)(2)(b):** The Advisory Group asked for the words “employed to perform” dialysis care be used to mirror the language in Section 4723.75, ORC. This is reflected in the proposed language.

**23-03(B)(2)(c):** Language was added that is consistent with the language used for nurses. It clarifies that for applicants from another state, the two contact hours qualify as “category A” continuing education.

**23-03(B):** The Advisory Group requested that language be added clarifying that for purposes of paragraph (B)(1) and (B)(2), the word “immediately” means not more than sixty days prior to the date the individual submits an application for a dialysis technician certificate to the Board.

**Rule 4723-23-08**

**23-08(E)(12)**

The discussion related to Chapter 4723-5, and Governor Kasich’s June 2013 Executive Order 2013-05K also would apply to dialysis training programs. Programs would be required to award the student credit for any military education or skills training that is substantially similar to the curriculum

established in rule. Language is added to reflect this requirement. The Advisory Group discussed this matter at its June 18, 2013 meeting and was in agreement.

### **Chapter 4723-25 (NEGP)**

**4723-25-02(K):** The State Budget Bill (Sub. H.B. 59) contains language that defines a “patient centered medical home” as follows:

“Sec. 3701.94. There is hereby established the patient centered medical home program in the department of health. The patient centered medical home model of care is an advanced model of primary care in which care teams attend to the multifaceted needs of patients, providing whole person comprehensive and coordinated patient centered care.”

Paragraph (K) has been updated to use the above definition.

### **Chapter 4723-26 (Community Health Workers)**

#### **Rule 4723-26-12(C)(10)**

The above discussion related to Chapter 4723-5, and Governor Kasich’s June 2013 Executive Order 2013-05K also applies to community health worker training programs. Programs would be required to award the student credit for any military education or skills training that is substantially similar to the curriculum established in rule. Language is added to reflect this requirement.

### **Chapter 4723-27 (Medication Aides)**

#### **Rules 4723-27-04(A)(8); 4723-27-08(E)**

Language is moved from Rule 4723-27-08(E) to Rule 4723-27-04(A)(8), as recommended by staff.

#### **Rule 4723-27-07(C)(12)**

The above discussion related to Chapter 4723-5, and Governor Kasich’s June 2013 Executive Order 2013-05K also applies to medication aide training programs. Programs would be required to award the student credit for any military education or skills training that is substantially similar to the curriculum established in rule. Language is added to reflect this requirement.

H. Fischer reported that the proposed rules will be filed with the Common Sense Initiative Office of the Lieutenant Governor in August, and filed with JCARR in October. The Board will hold the rules hearing in November.

### **Nurse Education Grant Program**

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board award the Nurse Education Grant Program funds, in accordance with Chapter 4723-25, OAC, and Section 4723.063, ORC, for the period beginning September 1, 2013 to August 31, 2015, as follows: Post-licensure programs: Lourdes University (MSN)-\$195,383, University of Cincinnati College of Nursing-

\$198,330, Xavier University Master of Science in Nursing Program-\$200,000; Pre-licensure registered nurse programs: College of Mount St. Joseph Department of Graduate Nursing-\$177,740, Firelands Regional Medical Center School of Nursing-\$133,746.22, James A. Rhodes State College-\$100,486, Kent State University, Associate Degree in Nursing Program-\$159,579.60, Lourdes University (BSN)-\$195,383, Marion Technical College Nursing Department-\$200,000, Mercy College of Ohio-\$193,200, North Central State College Associate Degree Nursing Program-\$84,605.98, Xavier University Bachelor of Science in Nursing Program-\$194,838; and Pre-licensure practical nurse programs: Robert T. White School of Practical Nursing-\$158,816.20, Tri-Rivers Career Center and Center for Adult Education-\$200,000. Motion adopted by unanimous vote of the Board members.

### **EXECUTIVE SESSION**

On July 25, 2013:

**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. Motion adopted by roll call vote. The Board entered Executive Session at 10:05 a.m. and reported out of Executive Session at 10:30 a.m.

### **APPROVALS**

#### **Nursing Education Programs – New Programs**

##### Richard Medical Academy

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Richard Medical Academy. It was further moved that the Program submit progress reports to the Board on or before December 5, 2013 and May 8, 2014. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

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

##### Auburn Practical Nursing Program

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Auburn Practical Nursing Program for a period of three years effective July 25, 2013. It was further moved that the Program submit progress reports to the Board on or before April 17, 2014, April 16, 2015, and March 25, 2016. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

##### Aultman College of Nursing & Health Sciences

**Action:** It was moved by Janet Arwood, seconded by Nancy Fellows, that the Board continue Full approval, in accordance with Rule 4723-5-04, OAC, to Aultman College of Nursing & Health Sciences until May 2017. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

##### Eastern Gateway Community College School of Practical Nursing

**Action:** It was moved by Sheryl Warner, seconded by Rhonda Barkheimer, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to

Eastern Gateway Community College School of Practical Nursing for a period of five years effective July 25, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Athena Career Academy Practical Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board place Athena Career Academy Practical Nursing Program on Provisional approval, effective July 25, 2013 and until the Board's July 2016 meeting, in accordance with Section 4723.06 (A)(7), ORC. After fully considering the survey visit report and the response to the report, the Program has failed to meet and maintain the requirements established in Rules 4723-5-09 (A)(2) and (D)(4); 4723-5-11 (A)(2) and (4); 4723-5-12 (A)(1); 4723-5-14 (A) and (E)(12); 4723-5-20 (B); and 4723-5-21 (D)(3) and (E)(2), OAC. It was further moved that the Program submit progress reports to the Board on or before September 26, 2013; December 19, 2013; March 20, 2014; June 26, 2014; December 18, 2014; June 25, 2015; December 17, 2015; and March 23, 2016. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Norwood

**Action:** It was moved by Nancy Fellows, seconded by Roberta Stokes, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Norwood effective July 25, 2013. Motion failed by majority vote of the Board members with Lisa Klenke abstaining.

**Action:** It was moved by Nancy Fellows, seconded by Roberta Stokes, 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 Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Norwood, 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 of 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 Lisa Klenke abstaining.

Butler Tech Program of Practical Nurse Education

**Action:** It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Butler Tech Program of Practical Nurse Education for a period of five years effective July 25, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Warrensville Heights

The Board reviewed the Board report and the Program's response.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Strongsville

The Board reviewed the Board report and the Program's response.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Youngstown

**Action:** It was moved by Rhonda Barkheimer, seconded by Janet Arwood, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Youngstown for a period of five years effective July 25, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Kaplan College

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Kaplan College for a period of three years effective July 25, 2013. It was further moved that the Program submit progress reports to the Board on or before September 19, 2013, December 19, 2013, June 19, 2014, and June 18, 2015. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Miami Valley Career Technology Center Program of Practical Nurse Education

**Action:** It was moved by Roberta Stokes, seconded by Nancy Fellows, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Miami Valley Career Technology Center Program of Practical Nurse Education for a period of five years effective July 25, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Professional Skills Institute School of Practical Nursing

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Professional Skills Institute School of Practical Nursing for a period of five years effective July 25, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke and J. Jane McFee abstaining.

**Nursing Education Program Requests**

South University

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board approve the corrected completion date for South University's first class of students, as submitted by the Program. It was further moved that the Program submit progress reports to the Board on or before January 24, 2014, June 24, 2014, January 23, 2015, and April 23, 2015. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

**Medication Aide Training Program**

RN & Associates, LLC

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that in accordance with Rule 4723-27-07, OAC, the Board re-approve RN & Associates,

LLC as a medication aide training program for a period of two years effective July 25, 2013. Motion adopted by unanimous vote of the Board members.

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

**Action:** It was moved by J. Jane McFee, seconded by Lisa Klenke, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary permits, initially issued by the Board May 1, 2013 through June 30, 2013 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; dialysis technician intern certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

### **ADJUDICATION AND COMPLIANCE**

On Thursday, July 25, 2013 Courtney Hagele, AAG waived the State's right to respond to comments of Mary Kay Delaney as neither Ms. Delaney, nor her attorney James McGovern were present to make comments.

On Friday, July 26, 2013, Judith Church 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. Maryam Lyon indicated she would be abstaining on all consent agreements.

### **Board Actions**

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

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Ruiz, Sarah E., R.N. 349123, P.N. 117169 (CASE #12-2047); McKinney, Janella, P.N. 104585 (CASE #11-0733); Monty, Robert M., R.N. 203574 (CASE #12-2889); Burns, Ashley K., P.N. 138218 (CASE #12-4670); Cellura, Rita R., P.N. 098234 (CASE #12-1755); Rhodes, Rebecca M., R.N. 365791 (CASE #12-6088); Bennett, Eric D., P.N. 107667 (CASE #13-1982); Redrick, Angela J., P.N. 139115 (CASE #12-2308); Jodziewicz, Ronald E., R.N. 228727 (CASE #13-2972); Carpenter, Sarah R., P.N. 111523 (CASE #13-1168); Goodrick, Kelly L., P.N. 113787 (CASE #12-6204); Gibson, Danelle L., P.N. 131884 (CASE #13-2889); Steigert, Andrew D., R.N. 314079 (CASE #13-1976); Smith, Martha L.C., P.N. 094964 (CASE #12-5359); Shoup, Tammy M., P.N. 120881 (CASE #12-3270); Singer, Lynda, R.N. 205678, NP 06315, RX 06315 (CASE #11-1403); Nemec, Edythe H., P.N. 111422 (CASE #12-6420); Fazio, Lisa P., R.N. 322629 (CASE #12-0453); Johnson, Julia V., R.N. 274919 (CASE #13-1924); Sanford, Linda A., P.N. 121105 (CASE #13-1033); Skaggs, Gretchen M., R.N. 349012 (CASE #13-1034); Shively, Lori S., R.N. 234575 (CASE #13-

2727); Kaneski, Jill A., P.N. 062272 (CASE #11-4355); Letterly, Elizabeth A., R.N. 338603 (CASE #12-4745); Jones, Paul R., P.N. 096534 (CASE #11-2582); Linehan, Matthew J., R.N. 356011 (CASE #13-3157); Snell, Charles D., R.N. 283175 (CASE #13-2635); Pietraszewski, Martin J., R.N. Endorse (CASE #13-2087); Hiatt, Teresa M., P.N. Endorse (CASE #13-2080); Rochford, Jeffrey T., R.N. 309061 (CASE #13-1975); Rohrig, Jeanne M, R.N. 356042 (CASE #13-2314); Thomas, Mary A., R.N. 311039 (CASE #13-2176); Chappellear, Amber L., P.N. 111475 (CASE #13-2736); Lewis, Kelly A., P.N. 094312 (CASE #11-3463); Horton III, Ronald E., P.N. 131525 (CASE #12-5501); Guardo, Melissa A., R.N. 315246 (CASE #12-2694); Beasley, Carla Y., P.N. 109255 (CASE #12-6093); Abernathy II, Paul G., P.N. 110527 (CASE #13-2268); Carlisle, Deborah A., P.N. 106546 (CASE #13-2277); Lee, Keith E., P.N. 105944 (CASE #12-1220); Brown, Danitra L., P.N. 135501 (CASE #13-2371); Ackerley, Miranda C., P.N. 128915 (CASE #13-2026); Porter, Myra L., R.N. 218745 (CASE #13-2816); Perkins, Curtis J., P.N. 084057 (CASE #13-3074); Clark, Jeanette M., R.N. 346226 (CASE #13-0797); Lee, Kari J., P.N. 111279 (CASE #13-0544); Congeni, Karen A., R.N. 293435 (CASE #12-7401); Boyer, Shannon J, R.N. 233622 (CASE #13-2751); Phelps, Kimberly G., R.N. 292971 (CASE #13-3123); Gast, Gregory J., R.N. 208593, NS 09399, RX 09399 (CASE #13-2953); Perry, Katrina L., P.N. 123644, R.N. NCLEX (CASE #12-6795); Gray, Brittany I., R.N. 352574 (CASE #11-4671); Williams, Linda E., R.N. 296487 (CASE #12-0949); Shumaker, Zachariah S., R.N. 378494 (CASE #13-2792); Wismer, Frances, R.N. 316808 (CASE #12-4424); Petit, Sherry L., R.N. 277389 (CASE #13-1977); Hoagland, Brenda L., R.N. 163020 (CASE #12-6727); Stinard, Lori, R.N. 323946 (CASE #10-5744); Heath, Amy L., R.N. 248574 (CASE #12-4177); Mensah, Stacy D., P.N. 144423, R.N. NCLEX (CASE #13-2620); Robinson, Bridget K., P.N. 115469 (CASE #12-1805); Wilson, Chanel L., R.N. 379697, P.N. 118035 (CASE #12-6381); Tonus, Anthony J., R.N. 304216 (CASE #13-2085); Wise, DeWanda G., P.N. 119337, R.N. NCLEX (CASE #13-3599); Yelley, Robert A., R.N. 205279 (CASE #13-1571); Gandy, Thomas A., R.N. 279730 (CASE #13-2115); and Hailey, Adrienne D., R.N. 251446 (CASE #13-2287).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723., ORC for Breckinridge School of Nursing @ ITT Technical Institute, Norwood, (CASE #13-3755).

Motion adopted by majority vote of the Board with Lisa Klenke abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2013 Board Meeting.

### **IMMEDIATE SUSPENSIONS AND NOTICES OF OPPORTUNITY FOR HEARING**

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

Montell, Harry T., P.N. 138127 (CASE #12-1806); Ruiz, Sarah E., R.N. 349123, P.N. 117169 (CASE #12-2047); Steele, Leslie C., R.N. 369535 (CASE #13-0916); Silhavy, Lisa M., R.N. 280775, P.N. 096854 (CASE #12-7202); Isaacson, Barbara M., R.N. 306841 (CASE #12-2172); Gross, Kristen M., R.N. 342504 (CASE #13-0130); Sindelar, Shawn M., R.N. 371675 (CASE #12-6310); O'Husky, Patricia A., R.N. 285785 (CASE #13-3759); Thomas, Julie B., R.N. 273572 (CASE #13-3579); Thomason, Sandra A., R.N. 375998 (CASE #13-3853); Hervet, Stacy L., P.N. 099201 (CASE #13-1049); Gillihan, Sara E., R.N. 341928 (CASE #12-2123); Burgess, Patricia M., R.N. 261520 (CASE #13-4119); and Randleman, Christina S., P.N. 132296 (CASE #13-4274).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2013 Board Meeting.

### **AUTOMATIC SUSPENSIONS AND NOTICES OF OPPORTUNITY FOR HEARING**

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

Schranz, Susan W., R.N. 170742 (CASE #13-1948); Whitenack, Benjamin A., P.N. 128909 (CASE #13-2671); Vargo, William P., R.N. 289290 (CASE #13-2946); Stayrook, Renae L., R.N. 132498 (CASE #13-1968); Daniels, Laura K., R.N. 353182 (CASE #13-3101); Steck, Tracy L., P.N. 129809 (CASE #13-2987); Barlage, Cindy L., R.N. 231325, NP 10234, RX 10234 (CASE #12-5990); Durham, Tanya M., P.N. 140912 (CASE #13-0954); Martin, Jennifer, R.N. 359844 (CASE #13-0557); Martin, Holly R., R.N. 386038, D.T. 01078 (CASE #13-2322); Watson, Russell B., R.N. 227457 (CASE #13-2437); Kotkovskaya, Larisa, R.N. 327532 (CASE #13-1773); and Abat, Eric E., R.N. 254296 (CASE #13-3968).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2013 Board Meeting.

## **POST IMMEDIATE SUSPENSIONS AND NOTICES OF OPPORTUNITY FOR HEARING**

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board Immediately Suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723., ORC for the following case(s):

Lebreton, Karla R., R.N. 368362 (CASE #13-2271); Shearer, Michael R., R.N. 364062 (CASE #13-2355); Domzalski, Audrey M., R.N. 360992 (CASE #13-1739); Keirse, Melinda L., P.N. 122349 (CASE #13-2295); Neuman, Megan M., R.N. 368072 (CASE #13-2269); and Doyle, Ashley E., P.N. 126626 (CASE #12-3418).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

The Immediate Suspension Notices for these cases had already been issued by the time the Notices of Opportunity for Hearing were approved during the meeting.

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2013 Board Meeting.

## **SURRENDERS/WITHDRAWALS**

### **Permanent Voluntary Surrender**

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

Thornton, Donna L., R.N. 239430 (CASE #12-4849); Schwaben, Kathy J., R.N. 269162 (CASE #12-2829); Hejny, Elizabeth J., R.N. 260409 (CASE #13-0336); Rachek, Lisa A., P.N. 134064 (CASE #13-2044); Dutcher, Teresa A., P.N. 106977 (CASE #13-1189); Wetzel, Jennifer M., R.N. 348451 (CASE #12-5202); Gormely, Katherine M., R.N. 303445 (CASE #13-0712); Jarvis, Brenda D., R.N. 228733 (CASE #12-1825); and McKillips, Dena E., R.N. 254455 (CASE #13-2722).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

**Action:** It was moved by Janet Arwood, seconded by Nancy Fellows, that the Board accept the Voluntary Surrender of Conditional Approval and Withdrawal of Consideration of Full Approval status for the following:

Lincoln College of Technology RN Education Program (CASE #13-3617).

Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the July 2013 Board Meeting.

**Voluntary Non-Permanent Withdrawal of NCLEX Application**

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

Fricke Jr., Joseph D., R.N. applicant (CASE #12-0866) and Ford, Leonard M., P.N. applicant (CASE #12-3932).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination shall be maintained in the exhibit book for the July 2013 Board Meeting.

**Voluntary Permanent Withdrawal of Endorsement Application**

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board accept the Voluntary Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

Dahmer, Brian E., R.N. Endorse (CASE #12-5620).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Voluntary Permanent Withdrawal of Application for Licensure by Endorsement shall be maintained in the exhibit book for the July 2013 Board Meeting.

**Voluntary Permanent Withdrawal of NCLEX Application**

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board accept the Voluntary Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

Sorrell, Pamela E., P.N. applicant (CASE #13-1104).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Voluntary Permanent Withdrawal of Application for Licensure by Examination shall be maintained in the exhibit book for the July

2013 Board Meeting.

### **Voluntary Non-Permanent Withdrawal of Endorsement Application**

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

Alden, Lisa A., R.N. Endorse (CASE #12-4680).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement shall be maintained in the exhibit book for the July 2013 Board Meeting.

### **CONSENT AGREEMENTS**

**Action:** It was moved by J. Jane McFee, seconded by Lisa Klenke, that the Board approve the Consent Agreements for violations of Chapter 4723., ORC entered into by and between the Board in the following case(s):

Hartley, Jessica A., P.N. 116558 (CASE #12-2649); Selph, Djhonia L., R.N. 357272, P.N. 114538 (CASE #13-2028); Groover, Sharri L., R.N. 273686 (CASE #12-0198); Fitzwater, Tina M., R.N. 275577 (CASE #11-1943); Shirey, Amanda L., P.N. NCLEX (CASE #13-0215); Michael, Amanda L., P.N. Endorse (CASE #13-1112); Cousino, Jaquelyn E., P.N. 138122 (CASE #11-5005); Lively, Tiffany E., P.N. 130148 (CASE #12-5912); Marvin, Mary F., R.N. 264396 (CASE #12-1205); Middleton, Diane L., R.N. 272117 (CASE #13-2148); Tilley, Matthew E., R.N. 376559, P.N. 097047 (CASE #10-4137); Haynes, Jasmine, P.N. 146607 (CASE #12-5907); Foote, Marvionne D., R.N. 321892 (CASE #12-1652); Bufwack, Robin L., R.N. 347207 (CASE #11-2799); Hartley, Kevin, R.N. NCLEX (CASE #13-0740); Rizor, Shannon M., P.N. NCLEX (CASE #13-1403); Lunney, Melody A., R.N. 332867 (CASE #13-0674); Redifer, Shannon R., P.N. 101388 (CASE #13-1288); Wennerstrom, Janice N., R.N. 334041 (CASE #11-4020); Dixon, Janet W., R.N. 153842, NS 02664, RX 02664 (CASE #12-6388); Matthers, Lavel Y., P.N. 102875 (CASE #12-4906); Hudson, Kimberly N., P.N. 134111 (CASE #11-2044); Strayer, Kristie R., R.N. 280466, NS Applicant (CASE #13-2631); Thompson, Destiny D., P.N. 112863 (CASE #13-1810); Cunningham, Kenyana N., P.N. 134264 (CASE #12-5889); Gates, Kimberly R., P.N. 132053 (CASE #13-0628); Snedden, Jennifer R., R.N. 357910 (CASE #13-2808); Young, Raquel R., P.N. 116576 (CASE #13-1548); Weiner, Crystal K., P.N. 138727 (CASE #12-1856); Kocin, Kristine A., R.N. 286555 (CASE #12-3106); Carrier, Amy N., R.N. NCLEX (CASE #13-0731); Levison, Tania M., P.N. NCLEX (CASE #13-1485); Gott, Jennifer L., R.N. 380529, P.N. 120999 (CASE #12-7271); Young, Marilyn M., P.N. 093764 (CASE #12-7314); Nelloms-Muhammad, Irish G., P.N. 152408 (CASE #13-1503); Holland, Angelia L., P.N. NCLEX (CASE #12-7398); Van Hook, Mark A., R.N. 307927 (CASE

#12-7138); McCord, Holly J., R.N. 367877 (CASE #12-6720); Stoneburner, Reed R., R.N. 240800 (CASE #12-1440); Smith, Deborah A., P.N. NCLEX (CASE #13-1349); Workman, Penny C., R.N. 247668 (CASE #13-2112); Hopkins, Kathryn S., R.N. 257422 (CASE #11-4000); Allen-Carter, Myra G., P.N. 132456 (CASE #11-3122); Windham, Tyshawna B., R.N. 324343 (CASE #11-0919); Greenfield, Melissa L., P.N. 096718 (CASE #12-3017); Taylor, Misty K., R.N. 335528, P.N. 107330 (CASE #12-3822); Welling, Jill M., R.N. 371258 (CASE #12-5833); Morales, Amanda L., R.N. 269011 (CASE #13-2863); Reda, Ashly, P.N. NCLEX, TC 1 03786 (CASE #12-5881); Roberts, Shawna M., R.N. 383110, P.N. 099144 (CASE #12-7153); Dalgleish, Kelly J., R.N. 167754 (CASE #13-2835); Crine, Christine E., R.N. 327156 (CASE #13-2962); VanGundy, Amy J., R.N. 355861, P.N. 134118 (CASE #13-0013); Middleton, David P., R.N. 353638 (CASE #12-5018); Griffin, Jennifer S., R.N. 286323 (CASE #11-3265); Tyzzer, Laretta M., R.N. 349835 (CASE #11-5183); Tuttle, Jessica M., P.N. 107760 (CASE #12-4784); Russelo, Richard D., R.N. 199818 (CASE #13-1510); Ostrander, Cheri K., R.N. 289851, P.N. 104197 (CASE #12-6834); Rogers, Jeanette M., R.N. 383480 (CASE #13-0830); Walker, Gale A., R.N. 231742, NS 05258 (CASE #13-2704); Hunt, Holly M., P.N. 140635 (CASE #12-7273); Rogers, Lashonda D., P.N. NCLEX (CASE #12-4739); Richmond, Christopher J., R.N. NCLEX (CASE #13-0467); Iacovacci, Jami A., P.N. 105332 (CASE #12-1658); Agnew, Harriet A., R.N. Endorse (CASE #13-0941); Wimberly, Taquita M., P.N. 118366 (CASE #10-5503); Blevins, Brian K., R.N. 390127 (CASE #13-0538); Testa, David J., R.N. 254128 (CASE #13-1237); Jannuzzi, Cynthia K., P.N. 092451 (CASE #12-0912); Sprague, Troy A., R.N. 351953 (CASE #12-3571); Struna, Kathryn M., R.N. 240855 (CASE #12-6367); Frazier, Amy M., P.N. 104527 (CASE #12-6228); Bissell, Misty D., R.N. 275767 (CASE #12-6065); Lavender, Larry A., R.N. 376326, NA 12937 (CASE #12-6263); Barfell, Jayme R., R.N. 313739, P.N. 107990 (CASE #11-2163); York, Anne M., R.N. 250085 (CASE #11-4630); Dotson, Latrina M., P.N. 123838 (CASE #12-1791); Frazier, Stephanie L., P.N. 125282 (CASE #12-3271); Gruver, Jennifer M., R.N. 267385 (CASE #12-2173); Peoples, Lisa A., R.N. 307465 (CASE #11-5050); Bowersox, Elaine E., R.N. 252827 (CASE #12-5731); Garrett, Laura A., R.N. 260879 (CASE #13-0014); Ketcham, Tricia A., P.N. NCLEX (CASE #13-1734); Rigg, Megan J., R.N. 363695 (CASE #12-3230); Cox, Sandra K., P.N. 088247 (CASE #12-7118); Miller, Carrie L., R.N. 250301 (CASE #13-2151); Noblet, Susan M., R.N. 342369, P.N. 109533 (CASE #12-1372); Michael, Kelly J., R.N. 282869 (CASE #12-3965); Doll, Regina A., R.N. 275515 (CASE #12-0604); Sem, Seim, P.N. 143661 (CASE #12-6883); Greene, Angela M., R.N. NCLEX, P.N. 110879 (CASE #13-2259); Warnick, Margaret S., P.N. 077535 (CASE #13-3129); Hoffman, Jacqueline P., R.N. 334186 (CASE #13-0402); Zimmerman, Beverly H., R.N. 205235 (CASE #11-2511); Fields, Enid V., P.N. 119793 (CASE #13-3127); Beanblossom, Rebecca L., R.N. NCLEX (CASE #13-1652); Marshall, Angela M., P.N. NCLEX (CASE #13-1805); Honey, Susan A., R.N. 293804, P.N. 076603 (CASE #12-1554); Hampton, Alison R., P.N. NCLEX (CASE #12-1514); Newkirk, Pamela S., R.N. 221808 (CASE #13-2390); Hinkle, Sean C., R.N. 354252 (CASE #12-5635); Taylor, Elyn L., R.N. 352186 (CASE #13-0060); Silvers, Sarah V., R.N. 378103 (CASE #13-0470); Lamuth-Gregory,

Marguerite C., R.N. 348944 (CASE #12-4393); Burnette, Jennifer L., P.N. 125320 (CASE #12-5580); Parente, Mary A., P.N. 109425 (CASE #12-6735); Breckinridge School of Nursing @ ITT Technical Institute, Warrensville Heights (CASE #13-3753); Branham, Jessica D., P.N. Endorse (CASE #13-3244); Breckinridge School of Nursing @ ITT Technical Institute, Strongsville (CASE #13-3754); Floyd, Shonda L., R.N. 310635 (CASE #13-1966); Kinsey, Barbara J., R.N. 388574, P.N. 112223 (CASE #13-2864); Guardi, Krista M., R.N. 304647 (CASE #12-7415); Wilson, Kennis "Kelly" W., P.N. 084984 (CASE #12-0746); Kuyers, Kelly J., R.N. 270771 (CASE #13-2399); Doss, Elizabeth A., R.N. 208051 (CASE #12-7102); Wilt, Jo A., R.N. 243707 (CASE #11-3264); Prelipp, Dorothy S., P.N. 075147 (CASE #12-5582); Parrett, Sandy M., R.N. 363203, P.N. 110310 (CASE #12-0484); Moser, Carol J., P.N. 094455 (CASE #12-0579); Lombardo, Pamela J., R.N. 339858 (CASE #12-4227); McAvinew, Jodi M., R.N. 350188 (CASE #12-6999); Smiley, Michael V., P.N. NCLEX (CASE #12-6089); Glynn, Theresa M., P.N. 093609 (CASE #12-5291); King, Sandra M., D.T. 01938, R.N. NCLEX (CASE #13-1674); Barrett, Sara C., R.N. NCLEX (CASE #13-0011); Simkins, Deanna, P.N. 107929, R.N. NCLEX (CASE #13-0643); Stovall, Monica Y., P.N. 123168 (CASE #11-3871); Amaha, Delila, R.N. NCLEX (CASE #13-0540); and Jorsch, Melissa A., R.N. 368761 (CASE #11-4656).

Maryam Lyon abstained from voting on all cases. Rhonda Barkheimer and Judith Church abstained from voting on all cases except for Breckinridge School of Nursing @ ITT Technical Institute, Warrensville Heights (CASE #13-3753); and Breckinridge School of Nursing @ ITT Technical Institute, Strongsville (CASE #13-3754). Lisa Klenke abstained from voting on Breckinridge School of Nursing @ ITT Technical Institute, Warrensville Heights (CASE #13-3753); and Breckinridge School of Nursing @ ITT Technical Institute, Strongsville (CASE #13-3754) only. Tracy Ruegg abstained from voting on Van Hook, Mark A., R.N. 307927 (CASE #12-7138) and Taylor, Elyn L., R.N. 352186 (CASE #13-0060) only.

Janet Arwood voted no on Struna, Kathryn M., R.N. 240855 (CASE #12-6367) and Miller, Carrie L., R.N. 250301 (CASE #13-2151) only. Nancy Fellows voted no on Allen-Carter, Myra G., P.N. 132456 (CASE #11-3122) only. Tracy Ruegg voted no on the following cases only: Shirey, Amanda L., P.N. NCLEX (CASE #13-0215); Lively, Tiffany E., P.N. 130148 (CASE #12-5912); Morales, Amanda L., R.N. 269011 (CASE #13-2863); Tyzzer, Lauletta M., R.N. 349835 (CASE #11-5183); Tuttle, Jessica M., P.N. 107760 (CASE #12-4784); Frazier, Amy M., P.N. 104527 (CASE #12-6228); and Barrett, Sara C., R.N. NCLEX (CASE #13-0011). J. Jane McFee voted no on the following cases only: Shirey, Amanda L., P.N. NCLEX (CASE #13-0215); Tilley, Matthew E., R.N. 376559, P.N. 097047 (CASE #10-4137); Griffin, Jennifer S., R.N. 286323 (CASE #11-3265); Tuttle, Jessica M., P.N. 107760 (CASE #12-4784); Gruver, Jennifer M., R.N. 267385 (CASE #12-2173); and Parrett, Sandy M., R.N. 363203, P.N. 110310 (CASE #12-0484). Roberta Stokes voted no on Tuttle, Jessica M., P.N. 107760 (CASE #12-4784) only. Sheryl Warner voted no on the following cases only: Fitzwater, Tina M., R.N. 275577 (CASE #11-1943); Cousino, Jaquelyn E., P.N. 138122

(CASE #11-5005); Tilley, Matthew E., R.N. 376559, P.N. 097047 (CASE #10-4137); Young, Marilyn M., P.N. 093764 (CASE #12-7314); Welling, Jill M., R.N. 371258 (CASE #12-5833); VanGundy, Amy J., R.N. 355861, P.N. 134118 (CASE #13-0013); Griffin, Jennifer S., R.N. 286323 (CASE #11-3265); Warnick, Margaret S., P.N. 077535 (CASE #13-3129); Honey, Susan A., R.N. 293804, P.N. 076603 (CASE #12-1554); Silvers, Sarah V., R.N. 378103 (CASE #13-0470); Kuyers, Kelly J., R.N. 270771 (CASE #13-2399); Parrett, Sandy M., R.N. 363203, P.N. 110310 (CASE #12-0484); and Simkins, Deanna, P.N. 107929, R.N. NCLEX (CASE #13-0643).

Motion adopted by majority vote of the Board members.

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board not approve the Consent Agreement Proposal for violations of Chapter 4723, ORC, for Donchess, Sheri L., R.N. 260078 (CASE #12-6401) that was submitted to the Board by Attorney Jeffrey Jurca.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the July 2013 Board Meeting.

#### **HEARING EXAMINER'S REPORT AND RECOMMENDATION**

Dunn, Steven S., R.N. 259720 (CASE #12-002330)

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board accept all of the Findings of Fact and Conclusions of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **STEVEN SCOTT DUNN's** application for reinstatement of his license to practice nursing as a registered nurse in the State of Ohio be **DENIED**, and that that **MR. DUNN's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. DUNN's** license be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with the **Permanent Practice** and **Permanent Narcotic Restrictions** set forth below.

The rationale for the modification is the following:

As worded, the Recommendation to grant reinstatement, then suspend the license, with conditions for reinstatement, is not administratively efficient, when the same recommended outcome is achieved by denying reinstatement, suspending the license, and establishing conditions for reinstatement.

In addition, the record reflects significant aggravating circumstances that merit a longer period of license suspension. Despite twenty years of sobriety **MR.**

**DUNN** has relapsed and since doing so has had no sustained period of sobriety. **MR. DUNN** also has displayed a pattern of criminal misconduct, and nursing employment issues related to his substance abuse disorder. The Board has determined in its expertise that **MR. DUNN's** practice would be a danger to the public without a longer period of suspension and clean drug/alcohol screens prior to reinstatement, and permanent restrictions from independent practice settings, which pose a higher public safety risk, and from access to narcotics.

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

1. **MR. DUNN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. DUNN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. DUNN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. DUNN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. DUNN's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MR. DUNN** 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. DUNN's** history. **MR. DUNN** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. DUNN** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. DUNN** 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. DUNN'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. DUNN** shall be negative, except for substances prescribed, administered, or

dispensed to him by another so authorized by law who has full knowledge of **MR. DUNN's** history.

7. Within thirty (30) days prior to **MR. DUNN** initiating drug screening, **MR. DUNN** 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. DUNN**.
8. After initiating drug screening, **MR. DUNN** 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. DUNN** 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.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. DUNN** 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. DUNN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
10. **Prior to requesting reinstatement by the Board, MR. DUNN** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. DUNN** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. DUNN's** license, and a statement as to whether **MR. DUNN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
11. **MR. DUNN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. DUNN's** license.

#### **Reporting Requirements of MR. DUNN**

12. **MR. DUNN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MR. DUNN** 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. DUNN** 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. DUNN** 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. DUNN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MR. DUNN** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. DUNN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Monitoring**

3. **MR. DUNN** 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. DUNN's** history. **MR. DUNN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. DUNN** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. DUNN** 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. DUNN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. DUNN's** history.
6. **MR. DUNN** 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. DUNN** 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. DUNN** 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. DUNN** 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. DUNN** 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. DUNN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. DUNN** 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. DUNN** shall **notify the Board, in writing.**
11. **MR. DUNN** 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 nursing employment.** **MR. DUNN** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. DUNN** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. DUNN**

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

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MR. DUNN** 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. DUNN's suspension shall be lifted and MR. DUNN's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. DUNN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. DUNN** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. DUNN** 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. DUNN** has complied with all aspects of this Order; and (2) the Board determines that **MR. DUNN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. DUNN** and review of the reports as required herein. Any period during which **MR. DUNN** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Wright, Frederick L., P.N. 115955 (CASE #11-5614)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact and Conclusions of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **FREDERICK LOUIS WRIGHT's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **FREDERICK WRIGHT** to surrender his frameable wall certificate for his practical nursing license, P.N. #115955, immediately.

The rationale for the modification is the following:

The Oklahoma Board of Nursing revoked **MR. WRIGHT's** license to practice nursing in the State of Oklahoma in November 2011 based upon **MR. WRIGHT's** non-compliance with a September 2011 Stipulation, Settlement and Order, which granted him a license in Oklahoma subject to his enrollment in Oklahoma's Peer Assistance Program. **MR. WRIGHT** is not eligible to apply for reinstatement of his Oklahoma license for a period of two years. The record reflects significant aggravating evidence that **MR. WRIGHT** has a long history of criminal misconduct, in addition to nursing practice issues. The Board has determined in its expertise that **MR. WRIGHT's** practice would be a danger to the public.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Preston, Michael W., R.N. 355078, P.N. 102426 (CASE #12-3567)

**Action:** It was moved by Janet Arwood, seconded by Sheryl Warner, that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, including the Recommendation that the Board not sanction **MR. PRESTON** for violation of Section 4723.28(A), ORC, and ordered that **MICHAEL WAYNE PRESTON's** licenses to practice nursing as a registered nurse and licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years, with the conditions for reinstatement set forth below, and following reinstatement, **MR. PRESTON's** licenses to practice nursing as a registered nurse and licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set

forth below for a minimum period of three (3) years, with the **Temporary Practice Restrictions** set forth below.

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

1. **MR. PRESTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. PRESTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. PRESTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. PRESTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. PRESTON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. PRESTON** shall submit documentation of his full compliance with the terms and conditions imposed by the Cuyahoga Court of Common Pleas in Case Number CR-11-548380-A.

#### **Monitoring**

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

### **Reporting Requirements of MR. PRESTON**

7. **MR. PRESTON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
8. **MR. PRESTON** 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.
9. **MR. PRESTON** 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. **MR. PRESTON** 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. **MR. PRESTON** 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. **MR. PRESTON** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MR. PRESTON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MR. PRESTON** shall **notify the Board, in writing**.
4. **MR. PRESTON** 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 nursing employment**. **MR. PRESTON** 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 **beginning within thirty (30) days of accepting nursing employment**. **MR. PRESTON** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. PRESTON**

5. **MR. PRESTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MR. PRESTON** 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.
7. **MR. PRESTON** 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. **MR. PRESTON** 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. **MR. PRESTON** 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. **MR. PRESTON** shall verify that the reports and documentation required by this Order are received in the Board office.

11. **MR. PRESTON** 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, MR. PRESTON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Practice Restrictions**

**MR. PRESTON** shall not practice nursing as a registered nurse or 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 **MR. PRESTON** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**MR. PRESTON** 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. PRESTON's suspension shall be lifted and MR. PRESTON's** licenses to practice nursing as a registered nurse and as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. PRESTON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. PRESTON** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. PRESTON** 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. PRESTON** has complied with all aspects of this Order; and (2) the Board determines that **MR. PRESTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. PRESTON** and review of the reports as required herein. Any period during which **MR. PRESTON** 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 and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Galaviz, Jessica L., R.N. 246757 (CASE #12-3445)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board consolidate case number 12-005987 and case number 12-003445. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation in Case No. 2012-003445. Further, in Case No. 12-005987, upon consideration of the charges stated against **JESSICA L. GALAVIZ** in the November 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GALAVIZ** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice.

The Ohio Board of Nursing ORDERS that **MS. GALAVIZ'S** license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JESSICA L. GALAVIZ** to surrender her frameable wall certificate for her registered nursing license, R.N. #246757, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Delaney, Mary Kay, P.N. 120306 (CASE #09-4103)

**Action:** It was moved by J. Jane McFee, seconded by Nancy Fellows, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and the Recommendation in the Hearing Examiner's Report and Recommendation, and found that **MARY KAY DELANEY** committed acts in violation of the Nurse Practice Act as set forth in the November 16, 2012 Default Order issued by the Board, and that **MS. DELANEY'S** failure to attend the examination ordered by the Board was not due to circumstances beyond her control. Further, the Board ordered that **MARY KAY DELANEY's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time effective November 16, 2012, with the conditions for reinstatement as set forth in the attached November 16, 2012 Default Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Crouch, Julie A., P.N. 126779 (CASE #12-0016)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **JULIE ANN CROUCH's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **JULIE ANN CROUCH** to surrender her frameable wall certificate for her practical nursing license, P.N. #126779, immediately.

The rationale for the modification is the following:

**MS. CROUCH** has a long history of drug use, has stolen drugs from two different employers, and provided nursing care while using stolen narcotics. Aggravating circumstances include **MS. CROUCH'S** admission during the hearing that her conduct grew so increasingly reckless that, while working as a nurse at Autumn Court, **MS. CROUCH** stole Vicodin from a contingency box and replaced it with Metformin, a diabetes medication that resembled Vicodin. In doing this, **MS. CROUCH** put patients at risk for medical complications. The Board finds that **MS. CROUCH's** nursing practice would be a threat to public safety and **MS. CROUCH'S** actions warrant permanent revocation.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Gardner, Gail M., R.N. 286838 (CASE #10-5020)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, 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 **GAIL MARIE GARDNER's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **GAIL MARIE GARDNER** to surrender her frameable wall certificate for her registered nurse license, R.N. #286838, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Gash, Erica M., R.N. 380636 (CASE #12-2653)

**Action:** It was moved by Tracy Ruegg, seconded by Maryam Lyon, 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 **ERICA MARIE GASH's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **ERICA MARIE GASH** to surrender her frameable wall certificate for her registered nurse license, R.N. #380636, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Weigel, Jeanette S., P.N. 072817 (CASE #12-0767)

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and the Recommendation in the Hearing Examiner's Report and Recommendation, and found that **JEANETTE SUE WEIGEL** committed acts in violation of the Nurse Practice Act as set forth in the January 25, 2013 Default Order issued by the Board, and that **MS. WEIGEL'S** failure to attend the examination ordered by the Board was not due to circumstances beyond her control. Further, the Board ordered that **JEANETTE SUE WEIGEL's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time effective January 25, 2013, with the conditions for reinstatement as set forth in the attached January 25, 2013 Default Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **BOARD HEARING COMMITTEE**

Masselli, Vivian L., R.N. 265502 (CASE #12-3703)

**Action:** It was moved by Roberta Stokes, seconded by Janet Arwood, that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Committee's Report and Recommendation, and ordered that **VIVIAN LISA MASSELLI's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. MASSELLI's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2)

years, with the **Permanent Practice and Permanent Narcotic Restrictions** set forth below.

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

1. **MS. MASSELLI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MASSELLI** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. MASSELLI** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MASSELLI**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MASSELLI's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

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

7. **MS. MASSELLI** 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. MASSELLI's** license.
8. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. MASSELLI** 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. MASSELLI'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. MASSELLI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MASSELLI's** history.
9. Within thirty (30) days prior to **MS. MASSELLI** initiating drug screening, **MS. MASSELLI** 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. MASSELLI**.
10. After initiating drug screening, **MS. MASSELLI** 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. MASSELLI** 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 three (3) months immediately prior to requesting reinstatement, MS. MASSELLI** 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. MASSELLI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. MASSELLI**

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

### **DURATION**

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

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

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

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

### **Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MASSELLI** 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. MASSELLI** shall **notify the Board, in writing.**
11. **MS. MASSELLI** 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 nursing employment.** **MS. MASSELLI** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MASSELLI** 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.

### **Reporting Requirements of MS. MASSELLI**

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

18. **MS. MASSELLI** 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. MASSELLI** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

**The following Permanent Narcotic Restriction is in effect unless otherwise modified by the Board:**

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

#### **Permanent Practice Restrictions**

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

Upon receipt of this notice, **MS. MASSELLI** 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. MASSELLI** has complied with all aspects of this Order; and (2) the Board determines that **MS. MASSELLI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MASSELLI** and review of the reports as required herein. Any period during which **MS. MASSELLI** 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 and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and J. Jane McFee abstaining.

Stephenson, Kimberlee Y., R.N. 277061 (CASE #12-1272)

**Action:** It was moved by Janet Arwood, seconded by Nancy Fellows, that the Board grant the State's motion to redact the social security number in exhibit 6. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Committee's Report and Recommendation, and ordered that **KIMBERLEE YASMIN STEPHENSON's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and following reinstatement, **MS. STEPHENSON's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with the **Temporary Practice Restrictions** set forth below.

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

1. **MS. STEPHENSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STEPHENSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. STEPHENSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. STEPHENSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. STEPHENSON's** criminal

records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

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

#### **Reporting Requirements of MS. STEPHENSON**

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

### **DURATION**

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

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

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

### **Monitoring**

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

6. **MS. STEPHENSON** 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. STEPHENSON** 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. STEPHENSON** 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. STEPHENSON** 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. STEPHENSON** 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. STEPHENSON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. STEPHENSON** 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. STEPHENSON** shall **notify the Board, in writing.**
11. **MS. STEPHENSON** 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 nursing employment.** **MS. STEPHENSON** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. STEPHENSON** 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.

### **Reporting Requirements of MS. STEPHENSON**

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

### **Temporary Narcotic Restriction**

**The following Temporary Narcotic Restriction is in effect if recommended in MS. STEPHENSON's required chemical dependency evaluation:**

**MS. STEPHENSON** shall not administer, have access to, or possess (except as prescribed for **MS. STEPHENSON's** use by another so authorized by law who has full knowledge of **MS. STEPHENSON's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. STEPHENSON**

shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. STEPHENSON** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

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

**MS. STEPHENSON** 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. STEPHENSON's** suspension shall be lifted and **MS. STEPHENSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. STEPHENSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. STEPHENSON** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MS. STEPHENSON** 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. STEPHENSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. STEPHENSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STEPHENSON** and review of the reports as required herein. Any period during which **MS. STEPHENSON** 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 and is hereby entered upon the Journal of the Board for the 26<sup>th</sup> day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and J. Jane McFee abstaining.

### **NO REQUEST FOR HEARING**

Cain, Katrina Y., P.N. 137330 (CASE #12-5601)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that upon consideration of the charges stated against **KATRINA YVONNE CAIN** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CAIN** 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. CAIN'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.

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

1. **MS. CAIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CAIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. CAIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CAIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CAIN's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. CAIN** shall submit documentation of an unencumbered license in the Commonwealth of Pennsylvania.

### **Reporting Requirements of MS. CAIN**

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

#### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Cardwell, Philip L., R.N. 268808 (CASE #12-7430)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **PHILIP LEROY CARDWELL** in the January 10, 2013 Order of Summary Suspension and Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. CARDWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Order of Summary Suspension and Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. CARDWELL'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **PHILIP LEROY CARDWELL** to surrender his frameable wall certificate for his registered nurse license R.N. #268808, immediately.

This ORDER shall become effective immediately and is hereby entered upon

the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Carlson, Bryan K., R.N. 327277 (CASE #12-7048)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon consideration of the charges stated against **BRYAN KEITH CARLSON** in the January 25, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. CARLSON** 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. CARLSON'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, **MR. CARLSON's** license to practice nursing as a registered nurse 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. **MR. CARLSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CARLSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. CARLSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. CARLSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. CARLSON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

4. **MR. CARLSON** 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. CARLSON's** history. **MR. CARLSON** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. CARLSON** shall abstain completely from the use of alcohol or any

products containing alcohol.

6. **Prior to requesting reinstatement by the Board, MR. CARLSON** 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. CARLSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. CARLSON** 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. CARLSON's** license, and a statement as to whether **MR. CARLSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. CARLSON** 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. CARLSON's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. CARLSON** 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. CARLSON'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. CARLSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CARLSON's** history.
9. Within thirty (30) days prior to **MR. CARLSON** initiating drug screening, **MR. CARLSON** 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. CARLSON**.
10. After initiating drug screening, **MR. CARLSON** 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. CARLSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. CARLSON** 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. CARLSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **Upon the request of the Board or its designee, and prior to requesting reinstatement by the Board, MR. CARLSON** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. CARLSON** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CARLSON's** license, and a statement as to whether **MR. CARLSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  13. **MR. CARLSON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. CARLSON's** license.
  14. **Within six (6) months prior to requesting reinstatement by the Board, MR. CARLSON** shall, at his own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MR. CARLSON's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MR. CARLSON's** comprehensive physical examination and with a comprehensive assessment regarding **MR. CARLSON's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MR. CARLSON** shall provide the Board approved physician with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. CARLSON** shall execute releases to permit the Board approved physician

performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician 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. CARLSON's** license to practice, and stating whether **MR. CARLSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

15. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MR. CARLSON's** license.

### **Reporting Requirements of MR. CARLSON**

16. **MR. CARLSON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MR. CARLSON** 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.
18. **MR. CARLSON** 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.
19. **MR. CARLSON** 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.
20. **MR. CARLSON** 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.
21. **MR. CARLSON** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MR. CARLSON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. CARLSON** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MS. CARLSON's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

3. **MR. CARLSON** 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. CARLSON's** history. **MR. CARLSON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. CARLSON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. CARLSON** 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. CARLSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CARLSON's** history.
6. **MR. CARLSON** 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. CARLSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon the request of the Board or its designee, MR. CARLSON** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. CARLSON** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall

execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CARLSON's** license, and a statement as to whether **MR. CARLSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

### **Treating Practitioners and Reporting**

9. Within sixty (60) days of the execution of the probationary period, **MR. CARLSON** 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. CARLSON** 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.
10. **MR. CARLSON** 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. CARLSON** throughout the duration of this Order.
11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. CARLSON** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time and with every employer, **MR. CARLSON** shall **notify the Board, in writing.**
13. **MR. CARLSON** 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 nursing employment. MR. CARLSON** 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 **beginning within thirty (30) days of accepting nursing employment. MR. CARLSON** 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 Automatic Suspension and Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MR. CARLSON**

14. **MR. CARLSON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. **MR. CARLSON** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MR. CARLSON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. CARLSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. CARLSON** 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.
19. **MR. CARLSON** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. CARLSON** 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.
21. Prior to working as a nurse, if requested by the Board or its designee, **MR. CARLSON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MR. CARLSON** 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. CARLSON's** suspension shall be lifted and **MR. CARLSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. CARLSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. CARLSON** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. CARLSON** 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. CARLSON** has complied with all aspects of this Order; and (2) the Board determines that **MR. CARLSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. CARLSON** and review of the reports as required herein. Any period during which **MR. CARLSON** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Cross-Bazzoli, Laurie A., P.N. 060298 (CASE #12-2570)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that upon

consideration of the charges stated against **LAURIE CROSS-BAZZOLI** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CROSS-BAZZOLI** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. CROSS-BAZZOLI'S** license to practice nursing as a licensed practical nurse is **Reprimanded and Fined**.

**Within six (6) months of the effective date of this Order, MS. CROSS-BAZZOLI** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

**Within six (6) months of the effective date of this Order, MS. CROSS-BAZZOLI** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Professional Duty/Responsibility related to Patient Safety.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Davidson, Clark K., R.N. 250655 (CASE #12-6966)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the charges stated against **CLARK KENDALL DAVIDSON** in the January 25, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DAVIDSON** 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. DAVIDSON'S** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. DAVIDSON'S** license to practice nursing as a registered nurse 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. **MR. DAVIDSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MR. DAVIDSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. DAVIDSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. DAVIDSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. DAVIDSON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

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

- prior to requesting reinstatement, MR. DAVIDSON** 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. DAVIDSON'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. DAVIDSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. DAVIDSON's** history.
9. Within thirty (30) days prior to **MR. DAVIDSON** initiating drug screening, **MR. DAVIDSON** 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. DAVIDSON**.
  10. After initiating drug screening, **MR. DAVIDSON** 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. DAVIDSON** 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 requesting reinstatement, MR. DAVIDSON** 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. DAVIDSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **Upon the request of the Board or its designee, and prior to requesting reinstatement by the Board, MR. DAVIDSON** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. DAVIDSON** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed

on **MR. DAVIDSON's** license, and a statement as to whether **MR. DAVIDSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

#### **Reporting Requirements of MR. DAVIDSON**

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

#### **DURATION**

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

documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MS. DAVIDSON's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

### **Monitoring**

3. **MR. DAVIDSON** 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. DAVIDSON's** history. **MR. DAVIDSON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. DAVIDSON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. DAVIDSON** 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. DAVIDSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. DAVIDSON's** history.
6. **MR. DAVIDSON** 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. DAVIDSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon request by the board or its designee and within sixty (60) days of such request,, MR. DAVIDSON** shall, at his own expense, obtain a chemical dependency and/or psychiatric evaluation from a Board approved chemical dependency professional/psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. DAVIDSON** shall provide the evaluator with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing

and shall execute releases to permit the evaluator to obtain any information deemed appropriate and necessary for the evaluation. The evaluator 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. DAVIDSON's** license, and a statement as to whether **MR. DAVIDSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

8. **If an evaluation is requested pursuant to the above paragraph, MR. DAVIDSON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the evaluator 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. DAVIDSON's** license.

### **Treating Practitioners and Reporting**

9. Within sixty (60) days of the execution of the probationary period, **MR. DAVIDSON** 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. DAVIDSON** 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.
10. **MR. DAVIDSON** 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. DAVIDSON** throughout the duration of this Order.
11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. DAVIDSON** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time and with every employer, **MR. DAVIDSON** shall **notify the Board, in writing.**
13. **MR. DAVIDSON** 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 nursing employment.** **MR. DAVIDSON** 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 **beginning within thirty (30) days of**

**accepting nursing employment.** **MR. DAVIDSON** 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 Automatic Suspension and Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. DAVIDSON**

14. **MR. DAVIDSON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. **MR. DAVIDSON** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MR. DAVIDSON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. DAVIDSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. DAVIDSON** 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.
19. **MR. DAVIDSON** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. DAVIDSON** 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.
21. Prior to working as a nurse, **MR. DAVIDSON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

prescriptions or prescription refills.

### **Permanent Practice Restrictions**

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

**MR. DAVIDSON** 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. DAVIDSON's** suspension shall be lifted and **MR. DAVIDSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. DAVIDSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. DAVIDSON** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. DAVIDSON** 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. DAVIDSON** has complied with all aspects of this Order; and (2) the Board determines that **MR. DAVIDSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. DAVIDSON** and review of the reports as required herein. Any period during which **MR. DAVIDSON** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Duvall, Cheryl A., R.N. 270526 (CASE #12-2354)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **CHERYL ANN DUVALL** in the November 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DUVALL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. DUVALL'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHERYL ANN DUVALL** to surrender her frameable wall certificate for her registered nurse license, R.N. #270526, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and J. Jane McFee abstaining.

Endicott, Jamie L., R.N. 322111 (CASE #12-2990)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **JAMIE LYNN ENDICOTT** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ENDICOTT** 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. ENDICOTT'S** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ENDICOTT'S** license to practice nursing as a registered nurse 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. ENDICOTT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ENDICOTT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. ENDICOTT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ENDICOTT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ENDICOTT'S** criminal records check reports to the

Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MS. ENDICOTT** 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: six (6) hours of Substance Abuse.

### **Monitoring**

5. **MS. ENDICOTT** 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. ENDICOTT's** history. **MS. ENDICOTT** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. ENDICOTT** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. ENDICOTT** 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. ENDICOTT** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ENDICOTT** 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. ENDICOTT's** license, and a statement as to whether **MS. ENDICOTT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. ENDICOTT** 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. ENDICOTT's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. ENDICOTT** 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. ENDICOTT'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. ENDICOTT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ENDICOTT's** history.
10. Within thirty (30) days prior to **MS. ENDICOTT** initiating drug screening, **MS. ENDICOTT** 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. ENDICOTT**.
  11. After initiating drug screening, **MS. ENDICOTT** 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. ENDICOTT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. ENDICOTT** 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. ENDICOTT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. ENDICOTT** 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. ENDICOTT** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ENDICOTT's** license, and a statement as to whether **MS. ENDICOTT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  14. **MS. ENDICOTT** 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. ENDICOTT's** license.

### **Reporting Requirements of MS. ENDICOTT**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. ENDICOTT's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. ENDICOTT** 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. ENDICOTT** shall **notify the Board, in writing**.
11. **MS. ENDICOTT** 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 nursing employment**. **MS. ENDICOTT** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. ENDICOTT** 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.

### **Reporting Requirements of MS. ENDICOTT**

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. ENDICOTT** 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. ENDICOTT's suspension shall be lifted and MS. ENDICOTT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. ENDICOTT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ENDICOTT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ENDICOTT** 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. ENDICOTT** has complied with all aspects of this Order; and (2) the Board determines that **MS. ENDICOTT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ENDICOTT** and review of the reports as required herein. Any period during which **MS. ENDICOTT** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Kerchief, Kelly M., R.N. 308234 (CASE #12-5029)

**Action:** It was moved by Janet Arwood, seconded by Tracy Ruegg, that upon consideration of the charges stated against **KELLY MICHEL KERCHIEF** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KERCHIEF** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. KERCHIEF'S** application for reinstatement of her license to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**, and **MS. KERCHIEF'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KELLY MICHEL KERCHIEF** to surrender her frameable wall certificate for her registered nurse license, R.N. #308234, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Lupo, Jennifer L., R.N. 227736 (CASE #12-5996)

**Action:** It was moved by Sheryl Warner, seconded by Lisa Klenke, that upon consideration of the charges stated against **JENNIFER LYNN LUPO** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LUPO** 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. LUPO's** request for reinstatement of her licensed to practice nursing as a

registered nurse is hereby DENIED, and **MS. LUPO'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. LUPO's** license to practice nursing as a registered nurse 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. LUPO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LUPO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. LUPO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LUPO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LUPO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Educational Needs Assessment and Learning Plan**

4. **Prior to requesting reinstatement by the Board, MS. LUPO** 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. LUPO** shall have the educator provide the Board with a written report of an assessment of **MS. LUPO**, which identifies **MS. LUPO's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. LUPO** 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. LUPO** 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. LUPO's** employer(s), former employers, and Board staff. Following the assessment, **MS. LUPO** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. LUPO** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. LUPO** 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. LUPO** shall complete such learning plan. **Prior to requesting reinstatement by**

- the Board, MS. LUPO** 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. LUPO** has successfully completed the learning plan and prior to requesting 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. LUPO's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. LUPO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. LUPO** 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. LUPO's** license.
  6. In the event that the educator's recommendations require **MS. LUPO** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. LUPO** 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. LUPO'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. LUPO's** license shall be terminated. **MS. LUPO** 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.

### **Monitoring**

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

### **Reporting Requirements of MS. LUPO**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. LUPO's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

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

### **Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LUPO** 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. LUPO** shall **notify the Board, in writing**.
11. **MS. LUPO** 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 nursing employment**. **MS. LUPO** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. LUPO** 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.

### **Reporting Requirements of MS. LUPO**

12. **MS. LUPO** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. LUPO** 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. LUPO** 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. LUPO** 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. LUPO** 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. LUPO** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. LUPO** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**MS. LUPO** shall not provide direct, hands-on patient care or management or supervision of direct, hands-on patient care.

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

**MS. LUPO** 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. LUPO's suspension shall be lifted and MS. LUPO's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LUPO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LUPO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LUPO** 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. LUPO** has complied with all aspects of this Order; and (2) the Board determines that **MS. LUPO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LUPO** and review of the reports as required herein. Any period during which **MS. LUPO** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Matt, Alexandra N., P.N. 142875 (CASE #12-2469)

**Action:** It was moved J. Jane McFee, seconded by Nancy Fellows, that upon consideration of the charges stated against **ALEXANDRA N. MATT** in the July 27, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MATT** 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. MATT'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. MATT's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Practice Restrictions** set forth below.

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

1. **MS. MATT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MATT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. MATT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MATT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MATT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Reporting Requirements of MS. MATT**

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

### **DURATION**

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

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

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. MATT** shall **notify the Board, in writing.**
4. **MS. MATT** 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 nursing employment.** **MS. MATT** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MATT** 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.

### **Reporting Requirements of MS. MATT**

5. **MS. MATT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MATT** 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. MATT** 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. MATT** 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. MATT** 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. MATT** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MATT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. MATT** shall complete a nurse refresher course or extensive orientation

approved in advance by the Board.

### **Permanent Practice Restrictions**

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

**MS. MATT** 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. MATT's suspension shall be lifted and MS. MATT's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MATT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MATT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MATT** 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. MATT** has complied with all aspects of this Order; and (2) the Board determines that **MS. MATT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MATT** and review of the reports as required herein. Any period during which **MS. MATT** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

McDermott, Cari C., R.N. 207170 (CASE #12-7022)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon

consideration of the charges stated against **CARI COREEN MCDERMOTT** in the January 25, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCDERMOTT** 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. MCDERMOTT's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MCDERMOTT's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Permanent Narcotic and Temporary Practice Restrictions** set forth below.

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

1. **MS. MCDERMOTT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCDERMOTT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. MCDERMOTT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCDERMOTT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCDERMOTT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. MCDERMOTT** 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 Ohio Nursing Law and Rules and five (5) hours of Professional Accountability.

#### **Monitoring**

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

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

11. After initiating drug screening, **MS. MCDERMOTT** 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. MCDERMOTT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. MCDERMOTT** 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. MCDERMOTT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to requesting reinstatement by the Board, MS. MCDERMOTT** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MCDERMOTT's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. MCDERMOTT's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MCDERMOTT's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. MCDERMOTT** shall provide the Board approved physician with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. MCDERMOTT** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician 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. MCDERMOTT's** license to practice, and stating whether **MS. MCDERMOTT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. MCDERMOTT's** license.

#### **Reporting Requirements of MS. MCDERMOTT**

15. **MS. MCDERMOTT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. MCDERMOTT's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

### **Monitoring**

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

11. **MS. MCDERMOTT** 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 nursing employment.** **MS. MCDERMOTT** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MCDERMOTT** 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.

#### **Reporting Requirements of MS. MCDERMOTT**

12. **MS. MCDERMOTT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MCDERMOTT** 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. MCDERMOTT** 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. MCDERMOTT** 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. MCDERMOTT** 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. MCDERMOTT** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MCDERMOTT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. MCDERMOTT** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Permanent Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

**MS. MCDERMOTT** 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. MCDERMOTT's** suspension shall be lifted and **MS. MCDERMOTT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MCDERMOTT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MCDERMOTT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MCDERMOTT** 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. MCDERMOTT** has complied with all aspects of this Order; and (2) the Board determines that **MS. MCDERMOTT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MCDERMOTT** and review of the reports as required herein. Any period during which **MS. MCDERMOTT** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

McGee, Bobbie S., P.N. 100506 (CASE #11-0224)

**Action:** It was moved Lisa Klenke, seconded by Nancy Fellows, that upon consideration of the charges stated against **BOBBIE SHANNON MCGEE** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCGEE** 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. MCGEE'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. MCGEE's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. MCGEE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCGEE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. MCGEE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCGEE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCGEE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

4. **MS. MCGEE** 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. MCGEE's** history. **MS. MCGEE** shall self-administer the prescribed drugs

only in the manner prescribed.

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

**MCGEE.**

10. After initiating drug screening, **MS. MCGEE** 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. MCGEE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MCGEE** 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. MCGEE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

**Reporting Requirements of MS. MCGEE**

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

**DURATION**

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

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

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

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

### **Monitoring**

3. **MS. MCGEE** 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. MCGEE's** history. **MS. MCGEE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MCGEE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. MCGEE** 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. MCGEE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MCGEE's** history.
6. **MS. MCGEE** 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. MCGEE** 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. MCGEE** 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. MCGEE** 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. MCGEE** 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. MCGEE** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MCGEE** 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. MCGEE** shall **notify the Board, in writing.**
11. **MS. MCGEE** 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 nursing employment.** **MS. MCGEE** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MCGEE** 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.

#### **Reporting Requirements of MS. MCGEE**

12. **MS. MCGEE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MCGEE** 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. MCGEE** 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. MCGEE** 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. MCGEE** 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. MCGEE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MCGEE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. MCGEE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. MCGEE** 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. MCGEE's suspension shall be lifted and MS. MCGEE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MCGEE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MCGEE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MCGEE** 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. MCGEE** has complied with all aspects of this Order; and (2) the Board determines that **MS. MCGEE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MCGEE** and review of the reports as required herein. Any period during which **MS. MCGEE** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Mendenhall, Kari S., R.N. 322321 (CASE #12-1580)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the charges stated against **KARI SUZANNE MENDENHALL** in the November 16, 2012 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MENDENHALL** 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. MENDENHALL'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 June 2012, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MENDENHALL's** license to practice nursing as a registered nurse 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. MENDENHALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MS. MENDENHALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. MENDENHALL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MENDENHALL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MENDENHALL's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

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

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

#### **Reporting Requirements of MS. MENDENHALL**

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

#### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. MENDENHALL's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

#### **Monitoring**

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

any products containing alcohol.

5. During the probationary period, **MS. MENDENHALL** 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. MENDENHALL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MENDENHALL's** history.
6. **MS. MENDENHALL** 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. MENDENHALL** 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. MENDENHALL** 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. MENDENHALL** 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. MENDENHALL** 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. MENDENHALL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MENDENHALL** 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. MENDENHALL** shall **notify the Board, in writing.**
11. **MS. MENDENHALL** 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 nursing employment.** **MS. MENDENHALL** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MENDENHALL** 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.

### **Reporting Requirements of MS. MENDENHALL**

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

### Temporary Narcotic Restriction

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

### Permanent Practice Restrictions

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

**MS. MENDENHALL** 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. MENDENHALL's suspension shall be lifted and MS. MENDENHALL's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MENDENHALL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MENDENHALL** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MENDENHALL** 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. MENDENHALL** has complied with all aspects of this Order; and (2) the Board determines that **MS. MENDENHALL** is able to practice according to acceptable and prevailing standards of safe nursing care

without Board monitoring, based upon an interview with **MS. MENDENHALL** and review of the reports as required herein. Any period during which **MS. MENDENHALL** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Ortega, Ronald J., P.N. 088774 (CASE #12-4466)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **RONALD JOSEPH ORTEGA** in the November 16, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ORTEGA** 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. ORTEGA'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, **MR. ORTEGA's** license to practice nursing as a licensed practical nurse 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. **MR. ORTEGA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. ORTEGA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. ORTEGA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. ORTEGA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. ORTEGA's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. ORTEGA** shall, in addition to the requirements of licensure renewal, successfully complete

and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Documentation, ten (10) hours of Medication Administration, and ten (10) hours of Chemical Dependency/Substance Abuse.

### **Monitoring**

5. **MR. ORTEGA** 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. ORTEGA's** history. **MR. ORTEGA** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. ORTEGA** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MR. ORTEGA** 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. ORTEGA** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. ORTEGA** 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. ORTEGA's** license, and a statement as to whether **MR. ORTEGA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. ORTEGA** 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. ORTEGA's** license.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. ORTEGA** 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. ORTEGA'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. ORTEGA** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ORTEGA's** history.
10. Within thirty (30) days prior to **MR. ORTEGA** initiating drug screening, **MR. ORTEGA** 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. ORTEGA**.
  11. After initiating drug screening, **MR. ORTEGA** 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. ORTEGA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. ORTEGA** 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. ORTEGA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. ORTEGA**

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

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

18. **MR. ORTEGA** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. ORTEGA** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. ORTEGA's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

6. **MR. ORTEGA** 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. ORTEGA** 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. ORTEGA** 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. ORTEGA** 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. ORTEGA** 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. ORTEGA** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. ORTEGA** 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. ORTEGA** shall **notify the Board, in writing.**
11. **MR. ORTEGA** 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 nursing employment.** **MR. ORTEGA** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. ORTEGA** 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 Automatic Suspension and Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. ORTEGA**

12. **MR. ORTEGA** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. ORTEGA** 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. ORTEGA** 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. ORTEGA** 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. ORTEGA** 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. ORTEGA** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. ORTEGA** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MR. ORTEGA** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

**MR. ORTEGA** 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. ORTEGA's suspension shall be lifted and MR. ORTEGA's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. ORTEGA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. ORTEGA** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. ORTEGA** 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. ORTEGA** has complied with all aspects of this Order; and (2) the Board determines that **MR. ORTEGA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. ORTEGA** and review of the reports as required herein. Any period during which **MR. ORTEGA** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Rice, Melissa J., R.N. 324180 (CASE #12-6209)

**Action:** It was moved by Roberta Stokes, seconded by Sheryl Warner, that upon consideration of the charges stated against **MELISSA JANE RICE** in the January 25, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RICE** 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. RICE's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. RICE's** license to practice nursing as a registered nurse 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 **Permanent Practice Restrictions** set forth below.

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

1. **MS. RICE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RICE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. RICE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RICE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. RICE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Educational Needs Assessment and Learning Plan**

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

- shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. RICE** 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. RICE** has successfully completed the learning plan and prior to requesting 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. RICE's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. RICE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. RICE** 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. RICE's** license.
  6. In the event that the educator's recommendations require **MS. RICE** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. RICE** 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. RICE'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. RICE's** license shall be terminated. **MS. RICE** 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. RICE**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. RICE's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.**

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. RICE** shall **notify the Board, in writing.**
4. **MS. RICE** 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 nursing employment.** **MS. RICE** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. RICE** 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.

### **Reporting Requirements of MS. RICE**

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

- professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. RICE** 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. RICE** 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. RICE** 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. RICE** 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. RICE** shall verify that the reports and documentation required by this Order are received in the Board office.
  11. **MS. RICE** 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. RICE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Practice Restrictions**

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

**MS. RICE** 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. RICE's suspension shall be lifted and MS. RICE's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. RICE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RICE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RICE** 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. RICE** has complied with all aspects of this Order; and (2) the Board determines that **MS. RICE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RICE** and review of the reports as required herein. Any period during which **MS. RICE** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Ruffin, Lapetha M., P.N. 099459 (CASE #11-2680)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **LAPETHA MONEK RUFFIN** in the July 27, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RUFFIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. RUFFIN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LAPETHA MONEK RUFFIN** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #099459, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Seek, Christine F., P.N. 130997 (CASE #12-2080)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that upon consideration of the charges stated against **CHRISTINE FRANCES SEEK** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SEEK** 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. SEEK'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. SEEK's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Practice Restrictions** set forth below.

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

1. **MS. SEEK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SEEK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. SEEK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SEEK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SEEK's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. SEEK** 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 Ohio Nursing Law and Rules, four (4) hours of Ethics, and five (5) hours of Professional Responsibility.

#### **Reporting Requirements of MS. SEEK**

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

#### **DURATION**

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

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

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

#### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. SEEK shall notify the Board, in writing.**
4. **MS. SEEK** 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 nursing employment.** **MS. SEEK** 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 **beginning within thirty**

**(30) days of accepting nursing employment.** **MS. SEEK** 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.

### **Reporting Requirements of MS. SEEK**

5. **MS. SEEK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. SEEK** 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. SEEK** 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. SEEK** 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. SEEK** 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. SEEK** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. SEEK** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. SEEK** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Permanent Practice Restrictions**

**MS. SEEK** 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. SEEK** to provide nursing services for fees,

compensation, or other consideration or as a volunteer.

**MS. SEEK** 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. SEEK's suspension shall be lifted and MS. SEEK's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. SEEK** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SEEK** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SEEK** 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. SEEK** has complied with all aspects of this Order; and (2) the Board determines that **MS. SEEK** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SEEK** and review of the reports as required herein. Any period during which **MS. SEEK** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Stone, Tammy A., P.N. 105737 (CASE #12-3509)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **TAMMY ANNETTE STONE** in the July 27, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STONE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. STONE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TAMMY ANNETTE STONE** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #105737, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Toth, Stacy A., P.N. 101646 (CASE #12-5699)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon consideration of the charges stated against **STACY ANN TOTH** in the January 25, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TOTH** 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. TOTH'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. TOTH's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Practice Restrictions** set forth below.

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

1. **MS. TOTH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TOTH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. TOTH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TOTH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. TOTH's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. TOTH** 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: one (1) hour of Time Management, two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Professional Accountability, five (5) hour of Medication Administration, and eight (8) hours of Documentation.

### **Educational Needs Assessment and Learning Plan**

5. **Prior to requesting reinstatement by the Board, MS. TOTH** 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. TOTH** shall have the educator provide the Board with a written report of an assessment of **MS. TOTH**, which identifies **MS. TOTH's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. TOTH** 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. TOTH** 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. TOTH's** employer(s), former employers, and Board staff. Following the assessment, **MS. TOTH** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. TOTH** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. TOTH** 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. TOTH** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. TOTH** 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. TOTH** has successfully completed the learning plan and prior to requesting 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. TOTH's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. TOTH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. TOTH** shall be responsible for all costs associated with meeting this requirement.
6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. TOTH's** license.
7. In the event that the educator's recommendations require **MS. TOTH** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. TOTH** 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. TOTH'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. TOTH's**

license shall be terminated. **MS. TOTH** 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.

### **Monitoring**

8. **MS. TOTH** 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. TOTH's** history. **MS. TOTH** shall self-administer the prescribed drugs only in the manner prescribed.
9. **MS. TOTH** shall abstain completely from the use of alcohol or any products containing alcohol.
10. **Prior to requesting reinstatement by the Board, MS. TOTH** 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. TOTH** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. TOTH** 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. TOTH's** license, and a statement as to whether **MS. TOTH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
11. **MS. TOTH** 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. TOTH's** license.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TOTH** 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. TOTH'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. TOTH** shall be negative, except for substances prescribed, administered, or dispensed to

- her by another so authorized by law who has full knowledge of **MS. TOTH's** history.
13. Within thirty (30) days prior to **MS. TOTH** initiating drug screening, **MS. TOTH** 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. TOTH**.
  14. After initiating drug screening, **MS. TOTH** 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. TOTH** 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.
  15. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TOTH** 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. TOTH** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  16. **Prior to requesting reinstatement by the Board, MS. TOTH** 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. TOTH** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. TOTH's** license, and a statement as to whether **MS. TOTH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  17. **MS. TOTH** 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. TOTH's** license.

### **Reporting Requirements of MS. TOTH**

18. **MS. TOTH** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
19. **MS. TOTH** 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.
20. **MS. TOTH** 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.
21. **MS. TOTH** 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.
22. **MS. TOTH** 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.
23. **MS. TOTH** shall verify that the reports and documentation required by this Order are received in the Board office.
24. **MS. TOTH** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. TOTH** 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. TOTH's** history. **MS. TOTH** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. TOTH** shall abstain completely from the use of alcohol or any products containing alcohol.
5. For a minimum period of **one (1) year** in which **MS. TOTH** is working in a position that requires a nursing license, **MS. TOTH** 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. TOTH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TOTH's** history. At any time after the one-year period previously described, **MS. TOTH** may submit a written request to the Board to have this restriction re-evaluated.
6. For a minimum period of **one (1) year** in which **MS. TOTH** is working in a position that requires a nursing license, **MS. TOTH** 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. TOTH** shall provide satisfactory documentation of such attendance to the Board every six (6) months. At any time after the one-year period previously described, **MS. TOTH** may submit a written request to the Board to have this restriction re-evaluated.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. TOTH** 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. TOTH** 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. TOTH** 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. TOTH** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TOTH** 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. TOTH** shall **notify the Board, in writing.**
11. **MS. TOTH** 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 nursing employment.** **MS. TOTH** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. TOTH** 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.

### **Reporting Requirements of MS. TOTH**

12. **MS. TOTH** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. TOTH** 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. TOTH** 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. TOTH** 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. TOTH** 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. TOTH** shall verify that the reports and documentation required by this

Order are received in the Board office.

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

### **Temporary Practice Restrictions**

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

**MS. TOTH** 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. TOTH's suspension shall be lifted and MS. TOTH's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. TOTH** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. TOTH** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. TOTH** 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. TOTH** has complied with all aspects of this Order; and (2) the Board determines that **MS. TOTH** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. TOTH** and review of the reports as required herein. Any period during which **MS. TOTH** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Vacha, Michelle L., P.N. 133436 (CASE #11-5350)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that upon consideration of the charges stated against **MICHELLE LYNN VACHA** in the July 27, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. VACHA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. VACHA'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MICHELLE LYNN VACHA** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #133436, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Wilson, Tywana R., R.N. 184646 (CASE #10-5355)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the charges stated against **TYWANA R.E. WILSON** in the November 18, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WILSON** 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. WILSON'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. WILSON's** license to practice nursing as a registered nurse 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. WILSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WILSON** shall appear in person for interviews before the full Board or

its designated representative as requested by the Board.

3. **Prior to requesting reinstatement by the Board, MS. WILSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WILSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WILSON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MS. WILSON** 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. WILSON's** history. **MS. WILSON** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. WILSON** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. WILSON** 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. WILSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WILSON** 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. WILSON's** license, and a statement as to whether **MS. WILSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. WILSON** 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. WILSON's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. WILSON** 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. WILSON'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. WILSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILSON's** history.
9. Within thirty (30) days prior to **MS. WILSON** initiating drug screening, **MS. WILSON** 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. WILSON**.
  10. After initiating drug screening, **MS. WILSON** 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. WILSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. WILSON** 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. WILSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. WILSON**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. WILSON's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

6. **MS. WILSON** 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. WILSON** 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. WILSON** 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. WILSON** 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. WILSON** 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. WILSON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WILSON** 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. WILSON** shall **notify the Board, in writing.**
11. **MS. WILSON** 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 nursing employment.** **MS. WILSON** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. WILSON** 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.

### **Reporting Requirements of MS. WILSON**

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. WILSON** 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. WILSON's suspension shall be lifted and MS. WILSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. WILSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. WILSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. WILSON** 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. WILSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. WILSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WILSON** and review of the reports as required herein. Any period during which **MS. WILSON** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Wright, Julie A., P.N. 115799 (CASE #12-5115)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **JULIE ANN WRIGHT** in the

November 16, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WRIGHT** 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. WRIGHT'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. WRIGHT's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Practice Restrictions** set forth below.

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

1. **MS. WRIGHT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WRIGHT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. WRIGHT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WRIGHT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WRIGHT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

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

### **Reporting Requirements of MS. WRIGHT**

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

### **DURATION**

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

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

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

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

### **Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WRIGHT** 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. WRIGHT** shall **notify the Board, in writing.**
11. **MS. WRIGHT** 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 nursing employment.** **MS. WRIGHT** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. WRIGHT** 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.

### **Reporting Requirements of MS. WRIGHT**

12. **MS. WRIGHT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. WRIGHT** 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. WRIGHT** 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. WRIGHT** 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. WRIGHT** 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. WRIGHT** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. WRIGHT** shall inform the Board within five (5) business days, in

writing, of any change in employment status or of any change in residential or home address or telephone number.

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

### **Temporary Practice Restrictions**

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

**MS. WRIGHT** 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. WRIGHT's suspension shall be lifted and MS. WRIGHT's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. WRIGHT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. WRIGHT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. WRIGHT** 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. WRIGHT** has complied with all aspects of this Order; and (2) the Board determines that **MS. WRIGHT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WRIGHT** and review of the reports as required herein. Any period during which **MS. WRIGHT** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda

Barkheimer and Judith Church abstaining.

Zucco, Rachel E., R.N. 347008 (CASE #12-6084)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **RACHEL ELIZABETH ZUCCO** in the January 25, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ZUCCO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. ZUCCO'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **RACHEL ELIZABETH ZUCCO** to surrender her frameable wall certificate for her registered nurse license, R.N. #347008, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Bowman, Jessica J., P.N. 117743 (CASE #12-3073)

**Action:** It was moved by Janet Arwood, seconded by Nancy Fellows, that upon consideration of the charges stated against **JESSICA JOLENE BOWMAN** in the November 16, 2012 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOWMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. BOWMAN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JESSICA JOLENE BOWMAN** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #117743, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Beckler, Amy M., R.N. 145440 (CASE #11-3460)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that upon consideration of the charges stated against **AMY MARIE BECKLER** in the November 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BECKLER** 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. BECKLER'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. BECKLER's** license to practice nursing as a registered nurse 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. BECKLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BECKLER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. BECKLER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BECKLER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BECKLER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Educational Needs Assessment and Learning Plan**

4. **Prior to requesting reinstatement by the Board, MS. BECKLER** 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. BECKLER** shall have the educator provide the Board with a written report of an assessment of **MS. BECKLER**, which identifies **MS. BECKLER's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. BECKLER** 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. BECKLER** 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. BECKLER's** employer(s), former employers, and Board staff. Following the assessment, **MS. BECKLER** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. BECKLER** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. BECKLER** 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. BECKLER** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. BECKLER** 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. BECKLER** has successfully completed the learning plan and prior to requesting 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. BECKLER's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. BECKLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. BECKLER** 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. BECKLER's** license.
  6. In the event that the educator's recommendations require **MS. BECKLER** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. BECKLER** 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. BECKLER'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. BECKLER's** license shall be terminated. **MS. BECKLER** 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.

### **Monitoring**

7. **MS. BECKLER** 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. BECKLER's** history. **MS. BECKLER** shall self-administer the prescribed drugs only in the manner prescribed.
8. **MS. BECKLER** shall abstain completely from the use of alcohol or any products containing alcohol.
9. **Prior to requesting reinstatement by the Board, MS. BECKLER** 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. BECKLER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS.**

- BECKLER** 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. BECKLER's** license, and a statement as to whether **MS. BECKLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. BECKLER** 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. BECKLER's** license.
  11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. BECKLER** 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. BECKLER'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. BECKLER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BECKLER's** history.
  12. Within thirty (30) days prior to **MS. BECKLER** initiating drug screening, **MS. BECKLER** 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. BECKLER**.
  13. After initiating drug screening, **MS. BECKLER** 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. BECKLER** 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.
  14. **For a minimum, continuous period of six (6) months immediately**

**prior to requesting reinstatement, MS. BECKLER** 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. BECKLER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. BECKLER**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. BECKLER's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BECKLER** 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. BECKLER** shall **notify the Board, in writing.**
11. **MS. BECKLER** 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 nursing employment.** **MS. BECKLER** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. BECKLER** 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.

### **Reporting Requirements of MS. BECKLER**

12. **MS. BECKLER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. BECKLER** 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. BECKLER** 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. BECKLER** 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. BECKLER** 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. BECKLER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. BECKLER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. BECKLER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. BECKLER** 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. BECKLER's suspension shall be lifted and MS. BECKLER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BECKLER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BECKLER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BECKLER** 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. BECKLER** has complied with all aspects of this Order; and (2) the Board determines that **MS. BECKLER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BECKLER** and review of the reports as required herein. Any period during which **MS. BECKLER** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Gerger, Nancy A., R.N. 146294 (CASE #12-6406)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon consideration of the charges stated against **NANCY ANN GERGER** in the January 25, 2013 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GERGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. GERGER'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. GERGER's** license to practice nursing as a registered nurse 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. GERGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GERGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. GERGER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GERGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause

BCII to submit **MS. GERGER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MS. GERGER** 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 Ohio Nursing Law and Rules and five (5) hours of Professional Accountability.

### **Monitoring**

5. **MS. GERGER** 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. GERGER's** history. **MS. GERGER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. GERGER** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. GERGER** 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. GERGER** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. GERGER** 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. GERGER's** license, and a statement as to whether **MS. GERGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. GERGER** 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. GERGER's** license.
9. **For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, MS. GERGER** 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. GERGER'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. GERGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GERGER's** history.
10. Within thirty (30) days prior to **MS. GERGER** initiating drug screening, **MS. GERGER** 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. GERGER**.
  11. After initiating drug screening, **MS. GERGER** 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. GERGER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, **MS. GERGER** 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. GERGER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. GERGER**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. GERGER's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

5. During the probationary period, **MS. GERGER** 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. GERGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GERGER's** history.
6. **MS. GERGER** 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. GERGER** 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. GERGER** 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. GERGER** 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. GERGER** 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. GERGER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GERGER** 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. GERGER** shall **notify the Board, in writing.**
11. **MS. GERGER** is under a continuing duty to provide a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. GERGER** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. GERGER** 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 Temporary Suspension and Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MS. GERGER**

12. **MS. GERGER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. GERGER** 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. GERGER** 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. GERGER** 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. GERGER** 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. GERGER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. GERGER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. GERGER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

cabinets, drawers, or containers. **MS. GERGER** shall not call in or order prescriptions or prescription refills.

### **Permanent Practice Restrictions**

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

**MS. GERGER** 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. GERGER's** suspension shall be lifted and **MS. GERGER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. GERGER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GERGER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GERGER** 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. GERGER** has complied with all aspects of this Order; and (2) the Board determines that **MS. GERGER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GERGER** and review of the reports as required herein. Any period during which **MS. GERGER** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Oliver, Barbara J., P.N. 058181 (CASE #12-6496)

**Action:** It was moved by Lisa Klenke, seconded in Nancy Fellows, that upon consideration of the charges stated against **BARBARA J. OLIVER** in the January 25, 2013 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. OLIVER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. OLIVER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **BARBARA J. OLIVER** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #058181, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Pinkelton, Juanita C., P.N. Endorse (CASE #08-0481)

**Action:** It was moved by Tracy Ruegg, seconded by Maryam Lyon, that upon consideration of the charges stated against **JUANITA CARMEL PINKELTON** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PINKELTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. PINKELTON'S** application for licensure by endorsement to practice nursing as a licensed practical nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

West, Geoffrey W., R.N. 324004 (CASE #12-2476)

**Action:** It was moved by Maryam Lyon, seconded by Sheryl Warner, that upon consideration of the charges stated against **GEOFFREY W. WEST** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WEST** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. WEST'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **GEOFFREY W. WEST** to surrender his frameable

will certificate for his registered nurse license R.N. #324004, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Gifford, Cheri A., R.N. 296226 (CASE #12-1814)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **CHERI ANNETTE GIFFORD** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GIFFORD** 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. GIFFORD'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. GIFFORD's** license to practice nursing as a registered nurse 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. GIFFORD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GIFFORD** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. GIFFORD** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GIFFORD**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. GIFFORD's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. GIFFORD** 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: six (6) hours of Substance Abuse.

## Monitoring

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

- MS. GIFFORD** 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. GIFFORD**.
11. After initiating drug screening, **MS. GIFFORD** 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. GIFFORD** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. GIFFORD** 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. GIFFORD** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. GIFFORD** 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. GIFFORD** 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. GIFFORD's** license, and a statement as to whether **MS. GIFFORD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  14. **MS. GIFFORD** 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. GIFFORD's** license.

#### **Reporting Requirements of MS. GIFFORD**

15. **MS. GIFFORD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation

or information directly to the Board.

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

#### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. GIFFORD's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

3. **MS. GIFFORD** 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. GIFFORD's** history. **MS. GIFFORD** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GIFFORD** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. GIFFORD** 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. GIFFORD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GIFFORD's** history.
6. **MS. GIFFORD** 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. GIFFORD** 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. GIFFORD** 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. GIFFORD** 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. GIFFORD** 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. GIFFORD** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GIFFORD** 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. GIFFORD** shall **notify the Board, in writing**.
11. **MS. GIFFORD** 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 nursing employment**. **MS. GIFFORD** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. GIFFORD** 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.

### **Reporting Requirements of MS. GIFFORD**

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. GIFFORD** 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. GIFFORD's suspension shall be lifted and MS. GIFFORD's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. GIFFORD** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GIFFORD** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GIFFORD** 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. GIFFORD** has complied with all aspects of this Order; and (2) the Board determines that **MS. GIFFORD** is able to practice

according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GIFFORD** and review of the reports as required herein. Any period during which **MS. GIFFORD** 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 and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **WITHDRAWAL OF NOTICE(S) OF OPPORTUNITY FOR HEARING**

McKinney, Janella, P.N. 104585 (CASE #11-0733)

**Action:** It was moved by Janet Arwood, seconded by Tracy Ruegg, that the Board withdraw the November 16, 2012 Notice of Opportunity for Hearing that was issued to McKinney, Janella, P.N. 104585 (CASE #11-0733), based on additional information received in accordance with Section(s) 2953.32 and/or 2953.52 of the Ohio Revised Code.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Jodziewicz, Ronald E., R.N. 228727 (CASE #97-0206)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board withdraw the November 17, 1997 Notice of Opportunity for Hearing that was issued to Jodziewicz, Ronald E., R.N. 228727 (CASE #97-0206).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Hesel, Camille R., R.N. 351604, NP 10831, RX 10831 (CASE #12-6881)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that the Board withdraw the January 25, 2013 Notice of Opportunity for Hearing that was issued to Hesel, Camille R., R.N. 351604, NP 10831, RX 10831 (CASE #12-6881), as Ms. Hesel is deceased.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Wise, DeWanda G., P.N. 119337 (CASE #12-3081)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board withdraw the March 22, 2013 Notice of Immediate Suspension and Opportunity for Hearing that was issued to Wise, DeWanda G., P.N. 119337 (CASE #12-3081), and ratify the June 26, 2013 Notice of Lift of Immediate Suspension, for the reasons stated in the Notice of Lift of Immediate Suspension.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Carpenter, Sarah R., P.N. 111523 (CASE #12-3140)

**Action:** It was moved by Tracy Ruegg, seconded by Sheryl Warner, that the Board withdraw the January 25, 2103 Notice of Opportunity for Hearing that was issued to Carpenter, Sarah R., P.N. 111523 (CASE #12-3140), upon evidence that Ms. Carpenter's address of record at the time, 277 W. Meadowbrook, Tiffin, Ohio 48833, contains an incorrect zip code, and the January 2013 Notice was mailed to this zip code and may not have been received by Ms. Carpenter.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **NOTICE OF TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING**

Tramontozzi, Joseph R., P.N. 122541 (CASE #13-2596)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board Temporarily Suspend the license and issue a Notice of Opportunity for Hearing for violations of Chapter 4723 for Tramontozzi, Joseph R., P.N. 122541 (CASE #13-2596).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **DEFAULT ORDERS**

Borba, Jennifer J., R.N. 291419 (CASE #12-0884)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board find that finds that **MS. BORBA** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. BORBA** has admitted the truth of the allegations set forth in the May 29, 2012 Examination Order issued to **MS. BORBA** and that **MS. BORBA's** ability to safely practice nursing is impaired. The Board **ORDERS** that **MS. BORBA's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

### **CONDITIONS FOR REINSTATEMENT**

1. **MS. BORBA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BORBA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **Prior to requesting reinstatement by the Board, MS. BORBA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BORBA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BORBA's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MS. BORBA** shall, at her own expense, submit to a psychiatric examination, specifically addressing her fitness to function in a clinical nursing capacity, by The University of Cincinnati Physicians Company ("UC"), 260 Stetson Street, Suite 3200, Cincinnati, Ohio 45219 within ninety (90) days of the mailing of this Order (Examiner). Prior to the evaluation, **MS. BORBA** shall provide the Examiner with a copy of this Order and the October 26, 2010 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. BORBA's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BORBA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care
5. **MS. BORBA** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency, psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 4., above. If the Board and **MS. BORBA** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

In accordance with Chapter 119, ORC, **MS. BORBA** is hereby informed that **MS. BORBA** is entitled to a hearing on this matter. If **MS. BORBA** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

**MS. BORBA** is hereby further informed that, if **MS. BORBA** timely requests a hearing, **MS. BORBA** is entitled to appear at such hearing in person, by **MS. BORBA's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. BORBA** may present **MS. BORBA's** position, arguments, or contentions in writing. At the hearing **MS. BORBA** may also present evidence and examine witnesses appearing for and against **MS. BORBA**.

Should **MS. BORBA** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410**, or to the email address, [hearing@nursing.ohio.gov](mailto:hearing@nursing.ohio.gov).

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Wagner, Tyler R., R.N. 353969 (CASE #11-0046)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the allegations contained in the January 24, 2012 examination order and the findings contained in the September 2012 Default Order, the Board finds that **MR. WAGNER** has committed acts in violation of the Nurse Practice Act, as set forth in the September 2012 Default Order, and the Board orders that **MR. WAGNER's** license to practice as a registered nurse in the State of Ohio be indefinitely suspended, as of September 21, 2012, with conditions for reinstatement set forth in the September 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Blanton, Desiree N., P.N. NCLEX (CASE #12-6761)

**Action:** It was moved by Lisa Klenke, seconded by Janet Arwood, that the Board find that **MS. BLANTON** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can deny an application or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. BLANTON** has admitted the truth of the allegations set forth in the March 15, 2013 Examination Order issued to **MS. BLANTON** and that **MS. BLANTON's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. BLANTON's** Application is hereby denied, with conditions for reapplication set forth below:

#### **CONDITIONS FOR REAPPLICATION FOR INITIAL LICENSURE**

1. **MS. BLANTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BLANTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. BLANTON** shall, at her own expense, submit to a mental health examination, specifically addressing her capacity to function in a clinical

- nursing capacity, by The University of Cincinnati Physicians Company, 260 Stetson Street, Suite 3200, Cincinnati, Ohio 45219, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. BLANTON** shall provide the Examiner with a copy of this Order and the March 15, 2013 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. BLANTON's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BLANTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. BLANTON** may submit a new application for licensure to practice nursing as a licensed practical nurse by examination following the Board's receipt of the Examiner's written opinion. Upon re-applying, and meeting all the requirements for licensure, **MS. BLANTON** may be authorized to take the NCLEX-PN. Prior to the Board authorizing **MS. BLANTON** to take the NCLEX, **MS. BLANTON** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. BLANTON** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of MS. BLANTON**

5. **MS. BLANTON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. BLANTON** 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. BLANTON** 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. BLANTON** 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 Monitoring Unit of the Board.

9. **MS. BLANTON** 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. BLANTON** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. BLANTON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

In accordance with Chapter 119, ORC, **MS. BLANTON** is hereby informed that **MS. BLANTON** is entitled to a hearing on this matter. If **MS. BLANTON** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

**MS. BLANTON** is hereby further informed that, if **MS. BLANTON** timely requests a hearing, **MS. BLANTON** is entitled to appear at such hearing in person, by **MS. BLANTON's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. BLANTON** may present **MS. BLANTON's** position, arguments, or contentions in writing. At the hearing **MS. BLANTON** may also present evidence and examine witnesses appearing for and against **MS. BLANTON**.

Should **MS. BLANTON** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Miller, Heidi S., R.N. 268835 (CASE #12-5841)

**Action:** It was moved by Nancy Fellows, seconded by Sheryl Warner, that the Board find that **MS. MILLER** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. MILLER** has admitted the truth of the allegations set forth in the February 22, 2013 Examination Order issued to **MS.**

**MILLER** and that **MS. MILLER** is impaired. The Board ORDERS that **MS. MILLER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. MILLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MILLER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. MILLER** shall, at her own expense, submit to a fitness for duty examination, specifically addressing her capacity to function in a clinical nursing capacity, by The University of Cincinnati Physicians Company, 260 Stetson Street, Suite 3200, Cincinnati, Ohio 45219, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. MILLER** shall provide the Examiner with a copy of this Order and the February 22, 2013 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. MILLER's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. MILLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. MILLER** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. MILLER** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

5. **MS. MILLER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.

6. **MS. MILLER** 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. MILLER** 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. MILLER** 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 Monitoring Unit of the Board.
9. **MS. MILLER** 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. MILLER** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MILLER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

In accordance with Chapter 119, ORC, **MS. MILLER** is hereby informed that **MS. MILLER** is entitled to a hearing on this matter. If **MS. MILLER** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

**MS. MILLER** is hereby further informed that, if **MS. MILLER** timely requests a hearing, **MS. MILLER** is entitled to appear at such hearing in person, by **MS. MILLER's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. MILLER** may present **MS. MILLER's** position, arguments, or contentions in writing. At the hearing **MS. MILLER** may also present evidence and examine witnesses appearing for and against **MS. MILLER**.

Should **MS. MILLER** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, [hearing@nursing.ohio.gov](mailto:hearing@nursing.ohio.gov).**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Sarantou, Anthony E., P.N. 096243 (CASE #12-1468)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board find that **MR. SARANTOU** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond his control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MR. SARANTOU** has admitted the truth of the allegations set forth in the March 15, 2013 Examination Order issued to **MR. SARANTOU** and that **MR. SARANTOU's** ability to safely practice nursing is impaired. The Board ORDERS that **MR. SARANTOU's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MR. SARANTOU** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. SARANTOU** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MR. SARANTOU** shall, at his own expense, submit to a chemical dependency examination, specifically addressing his ability to safely function in a clinical nursing capacity, by Dr. Michael A. Gureasko, located at the Christ Hospital Medical Office Building, 2123 Auburn Ave., Suite 306, Cincinnati, Ohio 45219. Prior to the evaluation, **MR. SARANTOU** shall provide the Examiner with a copy of this Order and the March 15, 2013 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MR. SARANTOU's** practice. The Examiner shall provide an opinion to the Board regarding whether **MR. SARANTOU** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MR. SARANTOU** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment, or other treatment recommended, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MR. SARANTOU** are unable to agree to terms,

conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

5. **MR. SARANTOU** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. SARANTOU** 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.
7. **MR. SARANTOU** 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. **MR. SARANTOU** 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 Monitoring Unit of the Board.
9. **MR. SARANTOU** 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. **MR. SARANTOU** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. SARANTOU** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

In accordance with Chapter 119, ORC, **MR. SARANTOU** is hereby informed that **MR. SARANTOU** is entitled to a hearing on this matter. If **MR. SARANTOU** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

**MR. SARANTOU** is hereby further informed that, if **MR. SARANTOU** timely requests a hearing, **MR. SARANTOU** is entitled to appear at such hearing in person, by **MR. SARANTOU's** attorney, or by such other representative as is permitted to practice before the Board, or **MR. SARANTOU** may present **MR. SARANTOU's** position, arguments, or contentions in writing. At the hearing **MR. SARANTOU** may also present evidence and examine witnesses appearing for and against **MR. SARANTOU**.

Should **MR. SARANTOU** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Bunge, Kristen M., R.N. 311610 (CASE #11-5009)

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board find that **MS. BUNGE** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2013 Default Order, and the Board orders that **MS. BUNGE's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of March 22, 2013, with conditions for reinstatement set forth in the March 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Reinhard, Paul M., R.N. 240848 (CASE #11-2202)

**Action:** It was moved by Janet Arwood, seconded by Nancy Fellows, that the Board find that **MR. REINHARD** has committed acts in violation of the Nurse Practice Act, as set forth in the May 2013 Default Order, and the Board orders that **MR. REINHARD's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 17, 2013, with conditions for reinstatement set forth in the May 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Skeese, Susan M., R.N. 216255 (CASE #12-3033)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board find that **MS. SKEESE** has committed acts in violation of the Nurse Practice Act, as set forth in the May 2013 Default Order, and the Board orders that **MS. SKEESE's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 17, 2013, with conditions for reinstatement set forth in the May 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

Kohut, Heather A., P.N. 123068 (CASE #12-0407)

**Action:** It was moved by Maryam Lyon, seconded by Sheryl Warner, that the Board finds that **MS. KOHUT** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. KOHUT** has admitted the truth of the allegations set forth in the March 21, 2013 Examination Order issued to **MS. KOHUT** and that **MS. KOHUT's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. KOHUT's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. KOHUT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KOHUT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. KOHUT** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Craig T. Pratt or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. KOHUT** shall provide the Examiner with a copy of this Order and the March 21, 2013 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. KOHUT's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. KOHUT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. KOHUT** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by

the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. KOHUT** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

In accordance with Chapter 119, ORC, **MS. KOHUT** is hereby informed that **MS. KOHUT** is entitled to a hearing on this matter. If **MS. KOHUT** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

**MS. KOHUT** is hereby further informed that, if **MS. KOHUT** timely requests a hearing, **MS. KOHUT** is entitled to appear at such hearing in person, by **MS. KOHUT's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. KOHUT** may present **MS. KOHUT's** position, arguments, or contentions in writing. At the hearing **MS. KOHUT** may also

present evidence and examine witnesses appearing for and against **MS. KOHUT**.

Should **MS. KOHUT** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 26th day of July, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **VOLUNTARY RETIREMENT**

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following:

Todhunter, Robin, R.N. 180376 (CASE #12-6669).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING Franklin, Amy L., R.N. 307806 (CASE #13-2763)**

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board Summarily Suspend the license of Franklin, Amy L., R.N. 307806 (CASE #13-2763) and issue a notice of Opportunity for Hearing for violations of Chapter 4723 ORC., retroactive to the date it was issued on July 12, 2013, due to the fact that continue practice by Ms. Franklin presents a danger of immediate and serious harm to the public.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **MONITORING**

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

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from their respective Consent Agreements or Adjudication Orders:

Burch, Craig T., R.N. 216747 (CASE #09-3883); Curtis, Ellen L., R.N. 165382 (CASE #10-2666); Brown, Jaimie J., R.N. 280013 (CASE #09-4311); Mattoni, Cynthia L., R.N. 270359, NP 10788, RX 10788 (CASE #12-1028); Spinks, Amanda R., R.N. 346310 (CASE #09-4552); Quarles, Casey M., P.N. 136328 (CASE #09-4285); and Bryant, Janet L., R.N. 213986, P.N. 065848 (CASE #09-4328).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

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

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their respective Consent Agreements or Adjudication Orders:

Milledge, Daron L., R.N. 351227 (CASE #11-3957) and Sampson, Adrianna M., R.N. 346600 (CASE #08-2857).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

**LIFT OF SUSPENSION/PROBATION ONLY PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Sheryl Warner, seconded by Nancy Fellows, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from their consent agreements with the exception of the permanent practice restriction(s) that will remain in effect:

Loeffler, Christina, R.N. 298049 (CASE #09-4791) and Wright, Liguori, P.N. 086671 (CASE #10-1551).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining. Roberta Stokes was absent for the vote.

**LIFT OF SUSPENSION/PROBATION ONLY – EARLY RELEASE – TEMPORARY PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Janet Arwood, seconded by Sheryl Warner, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their consent agreements with the exception of the temporary practice restriction(s) that will remain in effect:

Justus, Lora D., R.N. 296181 (CASE #11-0855).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining. Roberta Stokes was absent for the vote.

**LIFT OF SUSPENSION/PROBATION ONLY – EARLY RELEASE – PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Maryam Lyon, seconded by Tracy Ruegg, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their consent agreements with the exception of the permanent practice restriction(s) that will remain in effect:

Gorby, Barbara J., R.N. 262415, NA 02097 (CASE #11-0416) and Logan, Courtney A., R.N. 328430 (CASE #10-3652).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining. Roberta Stokes was absent for the vote.

**LIFT OF SUSPENSION/PROBATION ONLY – EARLY RELEASE – PERMANENT AND TEMPORARY PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their consent agreements with the exception of the permanent and temporary practice restriction(s) that will remain in effect:

Michell, Leslie, R.N. 353449, P.N. 120937 (CASE #10-2230)

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

**LIFT OF SUSPENSION/PROBATION ONLY – EARLY RELEASE – PERMANENT PRACTICE AND NARCOTIC RESTRICTION(S) REMAIN**

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their consent agreements with the exception of the permanent practice and narcotic restriction(s) that will remain in effect:

German, Timothy R., R.N. 205719 (CASE #04-1986) and Johnson, Randy L., R.N. 279535 (CASE #08-1527).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **LIFT OF TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from the temporary narcotic restriction(s) within their September 24, 2010 consent agreement:

Williams, Susan A., R.N. 293485 (CASE #08-3369).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER**

**Action:** It was moved by Sheryl Warner, seconded by Janet Arwood, that the Board reinstate the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, subject to the probationary terms of the November 17, 2006 adjudication order:

Durbin, Christina M., R.N. 255669 (CASE #05-2821).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

#### **MOTION TO APPROVE**

**Action:** It was moved by Janet Arwood, seconded by Sheryl Warner, that the Board accept the following approvals made by Rhonda Barkheimer, Supervising Member for Disciplinary Matters:

Perry, Chad A., R.N. 315589 (CASE #12-0042)- Approval to attend Village Chapel Community Life Group for weekly meeting attendance requirement per paragraph 11 of the March 22, 2013 Consent agreement.

Grandison, Lois A., R.N. 171181 (CASE #09-4746)- Approval to seek nursing employment.

Lawson, Bambi L., R.N. 280517 (CASE #07-1064)- Approval to accept unit manager position with The Rehabilitation and Health Center of Gahanna.

Wilms, Jennifer A., R.N. 228818 (CASE #10-5630)- Approval for release from employment condition restricting employment to Southwest General Hospital for a minimum period of 1 year.

Tomaro, Mirella N., P.N. 112188 (CASE #08-1676)- Approval to seek nursing employment.

Tombragel, Jodi L., R.N. 262522 (CASE #12-1096)- Approval to accept position with Comprehensive Home Health Care in Cincinnati, Ohio.

Hunter, Robin M., P.N. 078779 (CASE #08-1762)- Approval to accept nursing position with Wellcare Home Health, Inc. in Dayton, Ohio.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

### **MISCELLANEOUS MONITORING MOTION**

**Action:** It was moved by Roberta Stokes, seconded by J. Jane McFee, that the Board notify Mullen, Leslie A., R.N. 368745 (CASE #10-4986), that the Ohio Board of Nursing does not agree to terminate or otherwise modify the terms, conditions, and limitations of Ms. Mullen's March 2011 Consent Agreement.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Judith Church abstaining.

## **REPORTS TO THE BOARD**

### **Open Forum – Friday, July 26, 2013 at 10:00 a.m.**

There were no participants for Open Forum.

### **Reports**

#### **Continuing Education**

Janet Arwood, Chair, reported that the Advisory Group on Continuing Education (CE) met on June 21, 2013. The group reviewed issues related to the review of pharmacology hours and precepting; discussed new ANCC requirements; and made suggestions for additional CE rule changes.

#### **Dialysis**

Maryam Lyon, Chair, reported that the Advisory Group on Dialysis met on June 18, 2013. The group discussed the proposed rule revisions for Chapter 4723-23. The group is asking the Ohio Department of Health (ODH) to provide information about how ODH verifies that a dialysis training program is compliant with the federal requirements, so the Board could determine if Board approval of dialysis training programs is still needed.

#### **Nursing Education**

Lisa Klenke, Chair, reported the Advisory Group on Nursing Education met on June 13, 2013. An update was provided about Susan Hassmiller's visit to Ohio for the Ohio Action Coalition; the changes enacted through HB 303 were reviewed; requirements of Executive Order 2013-05K were discussed. The Group stated the Program Administrator June workshop was well received, and they expressed interest in having the Board, in conjunction with NCSBN, hosting a state NCLEX conference. The group discussed several questions. First, what should the Board allow as the maximum timeframe for a proposed education program to implement its new program? The general consensus of the group was if the program is not implemented in one year, the program should be required to submit either an updated status report or a new full proposal. Secondly, how long is it acceptable for a program to have recurrent low NCLEX pass rates when it is compliant with other Board requirements? The group asked that Board staff contact other states about how those states' requirements for these types of programs. The group will continue to discuss both these questions.

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

Tracy Ruegg reported that CPG met on May 20, 2013 and reviewed the Formulary and new drug requests, including requests made by OAAPN. The group discussed the Joint Regulatory Statement on the Prescription of Naloxone to High-Risk Individuals and the Guidelines for Prescribing Opioids for the Treatment of Chronic, Non-Terminal Pain (80 mg of a Morphine Equivalent Daily Dose (MED) "Trigger Point"). The group also reviewed administrative rules related to prescribing and recommended language be added to prohibit self-prescribing controlled substances.

#### **Board Committee on CPG Appointment**

**Action:** it was moved by J. Jane McFee, seconded by Janet Arwood that the Board appoint Pamela Bolton, Clinical Nurse Specialist, to the Committee on Prescriptive Governance, in accordance with Section 4723.49 ORC, to fill the term that ends in May 2014. Motion adopted by unanimous vote of the Board members.

#### **NEGP Quarterly Report**

L. Emrich provided the quarterly report for the Nurse Education Grant Program and answered questions.

#### **GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

#### **BOARD GOVERNANCE**

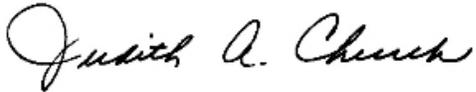
##### **Designation of Hotel for 2014**

Board members agreed by general consensus to continue to use the same hotel in 2014. Joseph Kirk will provide information for Board members to make their reservations for 2014 at a later meeting.

#### **EVALUATION OF MEETING AND ADJOURNMENT**

The meeting was adjourned for the day on Thursday, July 25, 2013 at 1:10 p.m.  
On Friday, July 26, 2013, the meeting adjourned at 10:02 a.m.

Judith Church, DHA, MSN, RN  
President

Handwritten signature of Judith A. Church in cursive script.

Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

Handwritten signature of Betsy J. Houchen in cursive script.