



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JULY 17-18, 2008

The regular meeting of the Ohio Board of Nursing (Board) was held on July 17-18, 2008 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 17, at 8:32 a.m., President Lisa Klenke called the Board meeting to order. On Friday, July 18, at 8:32 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

BOARD MEMBERS

Lisa Klenke, MBA, RN, CNA-A, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, BSN, RNC, CWS (absent after 12:00 p.m. on July 18, 2008)
Janet L. Boeckman, RN, DNP, CPNP
Elizabeth Buschmann, LPN (absent July 18, 2008)
Debra Broadnax, MSN, RN, CNS, Supervising Member, Disciplinary Matters
Patricia Burns, LPN
Kathleen Driscoll, JD, MS, RN
Delphenia Gilbert, BA, RN, M.Ed, LSN
Kathleen O'Dell, RN, M.Ed, NCSN
Eric Yoon, MSN, ACNP, CCNS

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. A noon meeting of the Board Committee on Practice (Chapter 4723-4 Review) was held.
- On Friday, Cynthia Warner and her attorney, Elizabeth Collis, addressed the Board at 8:30 a.m. Open Forum was held at 10:00 a.m.

On Thursday and Friday President Klenke recognized students, welcomed the gallery, and requested that Board members introduce themselves and indicate their practice areas and hometowns.

Minutes of May 15-16, 2008 Board Meeting

Action: It was moved by Janet Boeckman, seconded by Debra Broadnax to approve the minutes of the May 15-16, 2008 Board meeting as amended. Motion adopted by a unanimous vote of the Board members.

Executive Director Report

B. Houchen introduced new staff members, Jayme Lang, Compliance Administrative Assistant, and Cindy Gossard, working at the front desk. Jennifer Smallwood will rejoin the Board in August to work as the Practice Consultant. B. Houchen reported that Tom Dilling assumed the role of Legislative Liaison in conjunction with his work as an adjudication coordinator. B. Houchen commended Carol Polanski and Angela White for their work on Operation Feed and thanked staff for their generosity. The Board raised 2,031 meals for the 2008 campaign. B. Houchen also congratulated the following staff for state service: Tim Fulk (20 years); Eric Mays (15 years); Janelle Freeman, Diana Harris, Emeline Kelly, Melissa Knauss, Beth Lewis, Amy Sala, Brian Torrence (10 years).

B. Houchen announced that Dennis Corrigan, Board investigator, was appointed to the NCSBN Disciplinary Resources Committee and Joyce Zurmehly, Board Education Consultant, was appointed to the NCSBN Education Innovations Committee. Lisa Emrich will continue as Chair of the TERCAP Committee.

B. Houchen congratulated staff for the LPN on-line renewal rate which is at 87%, as compared to the 20% rate for the last LPN renewal period.

The State Auditor's Office completed their on-site work for the biennial audit but the final report has not been received. Board members will receive a copy of the final report at their home addresses.

Lisa Ferguson-Ramos and Holly Fischer updated the Board on the Administrative Adjudication Center. They, along with T. Dilling, attended a meeting convened by the Department of Administrative Services. Other agencies attending were the Department of Natural Resources, the Respiratory Care Board, and the Department of Public Safety. Another meeting is scheduled to discuss current disciplinary processes.

B. Houchen reviewed Executive Order 2008-13S, regarding the Minority Business Enterprise (MBE) and Encouraging Diversity, Growth and Equity Programs (EDGE) and stated that Kathy King is the Procurement Officer and EEO Officer for purposes of MBE and EDGE.

E. Yoon expressed concern about the increase in nursing education programs and recommended that information be included in the next issue of *Momentum* regarding the Ohio Department of Job and Family Services, Bureau of Labor Market Information presentation to the Board in May 2008 showing an oversupply of LPNs for the number of LPN positions in Ohio. The Board agreed and asked staff to prepare an article.

B. Houchen reported that seventy-one medication aide certificates have been issued. She reported that the Board received a request from a registered nurse working in a juvenile detention facility requesting that the Board consider the utilization of medication aides in a detention facility and offered to have his facility as a "test site." Upon discussion, the Board members agreed by general consensus that current law does not authorize expansion of the medication aide program to other sites.

Legislative Status Report

T. Dilling provided the legislative report and described the reformatting of the report. He reported that for future reports, bills that are not moving may be removed. Board members complimented staff on the new format. T. Dilling asked Board members to contact him if they have questions regarding legislation and stated that he would send information to them between Board meetings on emerging issues.

T. Dilling also reported that staff are reviewing the legislative initiatives of the Board and looking at legislative options. T. Dilling is aware of the extensive work already done toward drafting omnibus legislation addressing a host of issues. Finishing that draft, finding a sponsor and seeing it passed will be a priority. It is a project that needs to be successfully completed in the next General Assembly beginning in January 2009. T. Dilling provided information and answered questions regarding the scope and meaning of HB148; HB 182; HB 253; HB 346; HB 428; HB 543; HB 580; SB 13; SB 61; and SB 203.

Action: It was moved Anne Barnett, seconded by Kathleen Driscoll that discussion be extended for 15 minutes. Motion adopted by unanimous vote of the Board members.

Action: It was moved Kathleen O'Dell, seconded by Elizabeth Buschmann that discussion be extended for 15 minutes. Motion adopted by unanimous vote of the Board members.

Fiscal Report

K. King provided the third quarter fiscal report and answered questions. A. Barnett stated that she appreciated the cover memo explaining the report. K. King reported the Board ended fiscal year 2008 within its spending limits and she

would present the year-end report at the September 2008 meeting. L. Emrich commended K. King for her work with the Auditor's Office during the biennial audit. E. Buschmann asked if the fiscal report could be further broken down by program area. K. King will look into this possibility.

NEW BUSINESS

Review of Chapters 4723-4; 4723-6; and 4723-18

Board staff provided a review of the proposed changes to the administrative rules and answered questions. The Board agreed to the following:

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

4723-4-05 (D)(3): Technical change

4723-4-06 (L)(3) & (4): Clarify that boundaries violations, related to involvement in patients' personal relationships, includes involvement in patients' financial matters.

4723-4-06 (N): Clarify that the licensed nurse serving in an administrator role is responsible for verifying that each nurse or dialysis technician has a current, valid license or certificate. Also, add medication aide to this paragraph.

4723-4-06 (P): Expand the prohibition on making false or misleading statements to parties including facilities in which or organizations for which the nurse works temporarily or through agency assignment, clients/families, other members of the health care team and law enforcement personnel.

For clarity, the Board asked staff to revise paragraph 4723-4-06(P)(5) to insert the word "client" before "families" and before "significant others." An ONA representative requested that only "false" statements to clients be included as prohibited due to misunderstandings that may occur in the patient care context.

Chapter 4723-6 (Alternative Program for Chemically Dependent Nurses)

4723-6-01: Revise the definition of "drug of abuse" to clarify statutory references, and clarify that the AP is a program unit of the Board.

4723-6-02: Clarify the role of the Board Supervising Member, to add references to community health workers, and to add refusal to cooperate in an investigation as a potential grounds for ineligibility.

4723-6-03: Streamline reporting processes and add references to community health workers.

4723-6-04 (C): Change language to reflect that AP is a program unit of the Board and thus, waiver to release information to the Board is not necessary.

4723-6-05 (C): Change language to reflect that individual may be terminated for failure to practice in accordance with prevailing standards of safe care, irrespective of whether the failure is related to chemical dependency.

4723-6-06: Change language to reflect options regarding peer support or twelve-step, as that language is used in current monitoring agreements, and to reflect in (C), that the AP is a program unit of the Board and a waiver to release information is unnecessary.

Chapter 4723-18 (PIIP)

Board staff presented proposed changes to streamline PIIP, emphasize the role of the workplace monitor/employer, and reduce administrative burden on the workplace monitor and employer.

4723-18-01: Eliminate “correspondence study.”

4723-18-03 (C): Eliminate current language requiring PIIP candidate to provide verification of CE for the six years preceding the application date.

4723-18-04: Change language throughout to allow flexibility in incorporating terms and conditions in the PIIP participatory agreement, rather than specifying the terms in rule.

4723-18-06 and 18-07: Change language throughout to lessen the documentation burden on the educational provider.

4723-18-08 (C): Eliminate the requirement that the workplace monitor enter into a separate agreement with PIIP.

Review of Chapter 4723-20

Board staff presented changes to OAC Chapter 4723-20 that would primarily update the language of the rules. Rule 4723-20-05 would require nurses to handle and dispose of contaminated waste in accordance with the requirements established by their employer, the facility in which the care is provided, or the case management agency (in the case of independent providers).

Review of Additional Rules

Board staff presented the proposed revisions to additional administrative rules. The Board agreed to the proposed revisions, unless noted otherwise below:

Chapter 4723-5 (Nursing Education Program)

4723-5-04 (A): Technical correction.

4723-5-10 & 5-11: Technical corrections.

4723-5-10 (C) & 5-11 (C): New language would allow an individual who is foreign educated, and thus has not completed a nursing education program located in a “jurisdiction” (i.e., a program approved by a member of the National Council of State Board’s of Nursing), to serve in an administrative, faculty or instructive capacity if the individual meets all of the other requirements and has practiced nursing as a registered nurse in Ohio for at least five years.

After discussion, the Board agreed by general consensus to change the proposed five years to two years in rules 4723-5-10(C) and 4723-5-11(C).

Chapter 4723-7 (Examination and Licensure)

4723-7-05 & 06 (Endorsement): Change the language in these rules to reflect rule changes effective in February 2008 related to “current, valid” licensure rather than “in good standing”; changes to require “verification of current, valid licensure directly from the jurisdiction in which the applicant most recently practiced nursing.”

4723-7-07 (A): Language modified to eliminate mandatory wallet card issuance. Technical changes to (E).

The Board agreed by general consensus to review other administrative rules related to elimination of wallet cards for certificate holders.

4723-7-09 (M): Change the language in this rule to reflect HB 372, which added special licensee/certificate holder renewal and continuing education exceptions for persons involved in active military duty. These changes were reflected in amendments to Section 5903.10 and 5903.12, ORC.

Chapter 4723-8-07 (Certification, Registration of Nurse-Midwife and Other Specialties)

4723-08-07 (D): Revision to clarify APNs must provide documentation, if national certification expires at a time prior to expiration of the certificate of

authority, to the Board of re-certification prior to the national certification expiration date.

After discussion, the Board agreed by general consensus not to make the proposed revision to this rule, as they believe the current language is clear.

Chapter 4723-9 (Course in Study in Advanced Pharmacology)

4723-9-04 (C)(2): Change language to allow the 1,000 hours of indirect experience within the three years immediately preceding “or subsequent to” the application for prescriptive authority.

Chapter 4723-14 (Continuing Nursing Education)

4723-14-01 (A): Change language to require that Category A (Ohio nursing law and rules) continuing education must be approved by an OBN Approver or an OBN approved provider unit, as recommended by the CE Advisory Group and discussed at the May Board meeting.

4723-14-02: Change language to reflect HB 372, which added special licensee/certificate holder renewal and continuing education exceptions for persons involved in active military duty. These changes were reflected in amendments to Section 5903.10 and 5903.12, ORC.

Chapter 4723-27 (Medication Aides)

4723-27-05 (K): Change language to reflect HB 372, which added special licensee/certificate holder renewal and continuing education exceptions for persons involved in active military duty. These changes were reflected in amendments to Section 5903.10 and 5903.12, ORC.

4723-27-06 (A): Require that Ohio nursing law and rules continuing education must be approved by an OBN Approver or an OBN approved provider unit.
(K): Military exemption language added.

APPROVALS

New Nursing Education Program Approval

Felbry College Licensed Practical Nurse Program

Action: It was moved by Anne Barnett, seconded Elizabeth Buschmann, that the Board grant conditional approval to Felbry College Licensed Practical Nurse Program. It was further moved that the Program submit conditional approval progress reports to the Board on or before January 7, 2009 and June 10, 2009.

Motion adopted by majority vote of the Board members. Kathleen Driscoll abstained.

Nursing Education-Determination of Program Approval Status

Terra Community College Associate Degree Program

Action: It was moved by Debra Broadnax, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to Terra Community College Associate Degree Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Akron Institute Associate Degree in Nursing

Action: It was moved by Kathleen Driscoll, seconded by J. Jane McFee, that the Board grant full approval for a period of five years to Akron Institute Associate Degree in Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Hondros College School of Nursing Registered Nursing Program

Action: It was moved by Debra Broadnax, seconded by Kathleen O'Dell, that the Board grant full approval for a period of five years to Hondros College School of Nursing Registered Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Stark State College of Technology Associate Degree in Nursing

Action: It was moved by J. Jane McFee, seconded by Delphenia Gilbert, that the Board grant full approval to Stark State College of Technology Associate Degree in Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

University of Cincinnati College of Nursing

Action: It was moved by Kathleen O'Dell, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to the University of Cincinnati College of Nursing, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by majority vote of the Board members. Kathleen Driscoll abstained.

University of Cincinnati Raymond Walters College Associate Program in Nursing

Action: It was moved by Anne Barnett, seconded by Delphenia Gilbert, that the Board grant full approval for a period of five years to the University of Cincinnati, Raymond Walters College, Associate Degree Program in Nursing, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by majority vote of the Board members. Kathleen Driscoll abstained.

Belmont Technical College Practical Nursing Program

Action: It was moved by Debra Broadnax, seconded by Kathleen Driscoll, that the Board grant full approval for a period of five years to Belmont Technical College Practical Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Belmont Technical College Associate Degree Nursing Program

Action: It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that the Board grant full approval for a period of five years to Belmont Technical College Associate Degree Nursing Program effective July 17, 2008 in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Brown Mackie College Practical Nursing Program

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the Board place Brown Mackie College Practical Nursing program on provisional approval for a period of one year, effective July 17, 2008, based on the survey visit report and after fully considering the program's response to the report, which demonstrate that the program has failed to meet and maintain the requirements of the Board established in rule 4723-5-11 and 4723-5-14, OAC. It was further moved that the program submit progress reports to the Board on or before December 8, 2008 and April 6, 2009 that address the program's compliance with the requirements of Chapter 4723-5, OAC. Motion adopted by unanimous vote of the Board members.

Cleveland State University BSN Program

Action: It was moved by J. Jane McFee, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to Cleveland State University Baccalaureate in Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Walsh University Baccalaureate Degree in Nursing Program

Action: It was moved by Debra Broadnax, seconded by Kathleen O'Dell, that the Board grant full approval for a period of five years to Walsh University Baccalaureate Degree in Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Huron School of Nursing

Action: It was moved by J. Jane McFee, seconded by Kathleen Driscoll, that the Board grant full approval for a period of five years to Huron School of Nursing, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Capital University School of Nursing

Action: It was moved by Kathleen O'Dell, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to Capital University School of Nursing, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining

Clark State Community College

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board grant full approval for a period of five years to Clark State Community College Practical Nursing Program, effective July 17, 2008, in accordance with rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Trumbull Career & Technical Center School of Practical Nursing, Secondary

Action: It was moved by Anne Barnett, seconded by Elizabeth Buschmann, that the Board continue its provisional approval of Trumbull Career and Technical Center School of Practical Nursing, Secondary, in accordance with rule 4723-5-23, OAC, effective July 17, 2008 for a period of two years or until the program closes in 2010. It was further moved that the program submit progress reports to the Board on or before December 1, and June 1 of each year the program is in operation that reflect its work towards complying with the requirements of Chapter 4723-5, OAC. Motion adopted by unanimous vote of the Board members.

Medication Aide Pilot Program Facilities

Glencare Center Nursing Home

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board approve Glencare Center Nursing Home as a nursing home participant in the Medication Aide Pilot Program. Motion adopted by unanimous vote of the Board members.

Salida Woods Residential Care Facility

Action: It was moved by Anne Barnett, seconded by Debra Broadnax, that the Board approve Salida Woods Residential Care Facility as a residential care facility participant in the Medication Aide Training Program. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Programs – New

Ohio Medical Career College Medication Aide Training Program

Action: It was moved by Debra Broadnax, seconded by Kathleen O'Dell, that the Board approve Ohio Medical Career College as a Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by majority vote of the Board members. Anne Barnett and Elizabeth Buschmann abstained.

Salida Woods Assisted Living

Action: It was moved by Janet Boeckman, seconded by Kathleen Driscoll, that the Board approve Salida Woods Assisted Living as a Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by majority vote of the Board members. Anne Barnett and Elizabeth Buschmann abstained.

Medication Aide Training Programs – Re-Approval

Absolute Health Care

Action: It was moved by Janet Boeckman, seconded by Elizabeth Buschmann, that the Board re-approve Absolute Health Care Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by unanimous vote of the Board members.

Arden Courts of Anderson

Action: It was moved Debra Broadnax, seconded by Elizabeth Buschmann, that the Board re-approve Arden Courts of Anderson Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by unanimous vote of the Board members.

Arden Courts of Parma

Action: It was moved by Janet Boeckman, seconded by Elizabeth Buschmann, that the Board re-approve Arden Courts of Parma Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by unanimous vote of the Board members.

Otterbein North Shore Retirement Community

Action: It was moved by Debra Broadnax, seconded by Kathleen Driscoll, that the Board re-approve Otterbein North Shore Retirement Community Medication Aide Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-27-07, OAC. Motion adopted by unanimous vote of the Board members.

Community Health Worker Training Program Re-Approval

Chatfield College Community Health Worker Program

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that the Board re-approve Chatfield College Community Health Worker Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-26-14, OAC. Motion adopted by unanimous vote of the Board members.

Dialysis Training Program Re-Approval

DCI Dialysis Technician Training Program, Portsmouth

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

Board re-approve DCI Dialysis Technician Training Program for a period of two years, effective July 17, 2008, in accordance with rule 4723-23-07, OAC. Motion adopted by unanimous vote of the Board members.

Extension of Start Date

Academy of Holistic Health

Action: It was moved by Anne Barnett, seconded by Delphenia Gilbert, that the Board approve the request of the Ohio Academy of Holistic Health, Inc. Registered Nurse Program for an extension of its start date to January 5, 2009. Motion adopted by unanimous vote of the Board members.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by Anne Barnett seconded by Kathleen Driscoll, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board of Nursing from May 1, 2008 through June 30, 2008, to the following: registered nurses, licensed practical nurses, certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists, all certificates to prescribe (CTP and CTP-externship), Ohio certified dialysis technicians, and medication aides pilot program certificates, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

Executive Session

On Thursday July 17, 2008:

Action: It was moved by J. Jane McFee, that the Board adjourn into executive session to discuss pending or imminent court action with legal counsel. Following executive session the Board will deliberate on cases pending before the Board. Motion adopted by a unanimous roll call vote of the Board members.

On Friday July 18, 2008:

The Board adjourned to deliberate on cases. A unanimous roll call vote of the Board members present at 10:17 a.m. was taken. The Board came out of deliberation at 10:32 a.m.

ADJUDICATION AND COMPLIANCE

Academy of Holistic Health Practical Nurse Program

Action: It was moved by J. Jane McFee, seconded by Kathleen Driscoll that the Board propose to deny full approval and withdraw conditional approval to Ohio Academy of Holistic Health, Inc. Nursing Education Program, Practical Nursing Program, effective July 18, 2008, in accordance with rule 4723-5-04, OAC, and Section 4723.06(A)(6), ORC, based upon the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5,

OAC, as set forth in the July 18, 2008 Notice of Opportunity For Hearing. Motion adopted by unanimous vote of the Board members.

Auburn Practical Nurse Program

Action: It was moved by Debra Broadnax, seconded by Eric Yoon, that the Board propose to deny full approval and withdraw conditional approval to Auburn Practical Nursing Program, effective July 18, 2008, in accordance with rule 4723-5-04, OAC, and Section 4723.06(A)(6), ORC, based upon the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, as set forth in the July 18, 2008 Notice Of Opportunity For Hearing. Motion adopted by unanimous vote of the Board members.

Action: It was moved by J. Jane McFee, seconded by Anne Barnett, that the Board withdraw its motion to issue a notice of opportunity for hearing for the Ohio Academy of Holisitc Health, Inc and Auburn Practical Nursing Program. Motion adopted by majority vote of the Board members with Patricia Burns abstaining.

Healthcare integrity and Protection Data Bank (HIPDB)

B. Houchen discussed the Healthcare Integrity and Protection Data Bank (HIPDB) letter received by the Board. NCSBN is the Board's agent to send disciplinary information to HIPDB, after the Board submits the information to NURSUS. NCSBN has been working on the clean-up project in conjunction with HIPDB. Although NCSBN met the deadlines stipulated, HIPDB used the clean-up data and calculated that all the states contracting with NCSBN were not in compliance with the reporting requirement. NCSBN met with federal officials regarding this error, and the federal officials agreed the data should not have been used for this purpose. The Board submitted a letter to federal officials to explain how the Board is maintaining compliance with the reporting deadline.

Board Actions

On Friday, July 18, 2008, President Klenke requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, July 18, 2008, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Fry, Barbara, J. R.N. 115411 (CASE #04-2915); Taylor, Lori, R.N. 238798 (CASE #07-1634); Mayer, Matthew, S R.N. 179345 (CASE #08-1272);

Muranda, Lindsey, S. P.N. 106539 (CASE #07-3850); Carson, Stephen, A R.N. 164007 (CASE #07-3491); Denton, Denise, R. D.T. 00495 (CASE #07-0185); Eldridge, Joan, M. P.N. 109590 (CASE #06-3136); Green, Linda, D P.N. 124153 (CASE #07-1037); Noles (Givens), Teresa, M. P.N. 077266 (CASE #07-0210); Watson, Gary, L. R.N. 175133 (CASE #04-2540); Lange, Heather, R. P.N. 117298 (CASE #08-0252); Baxter, Melissa, A. R.N. 322185 (CASE #07-2397); Carpenter, James R.N. 318818 (CASE #07-3856); Liddell, Chinna, M P.N. 106597 (CASE #08-0518); Auburn Practical Nursing Program, (CASE #08-2005); Ohio Academy of Holistic Health PN Nursing Program (CASE #08-1935); Pelton, Karen, M. R.N. 229775 (CASE #05-1458); Voth, Kristen, R. P.N. 101134 (CASE #07-3371); Booher, Christopher, R. P.N. 115676 (CASE #08-0566); and Kotnik, Michael, J R.N. 247158 (CASE #08-1752).

Motion adopted by majority vote of the members with Debra Broadnax abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2008 Board meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Roberts, Andrea, M R.N. 160917 (CASE #07-3708); Martin, Stephanie, E R.N. 286486 (CASE #08-1717); Hoffhines, William, D R.N. 161729 (CASE #08-1703); Whitt, Janet, L P.N. 113015 (CASE #08-1586); Thigpen, Karen, J P.N. 114795 (CASE #07-1083); Hernandez, Cynthia, S P.N. 118388 (CASE #07-3401); Wenske, Willie, D P.N. 125473 (CASE #07-3824); Soliday, Michelle, L. P.N. 105393 (CASE #07-2837); Pavish, Ann, E. R.N. 185496 (CASE #08-0012); Svoboda, Karen, R.N. 190729 (CASE #08-0737); and Hilton, Janine, M. R.N. 328043 (CASE #08-1497).

Motion adopted by majority vote of Board members with Debra Broadnax abstaining.

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

DeStella, Lisa, A R.N. 336621 (CASE #08-1607); Stitt, Angela, M P.N. 128567 (CASE #08-1331); and Sharp, Brandy, S P.N. 113420 (CASE #08-1619).

Motion adopted by majority vote of Board members with Debra Broadnax abstaining.

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

SURRENDERS

Voluntary Retirement

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

Starrett, Ruth, A R.N. 162356 (CASE #07-3761); Cole, Laura, K. R.N. 273994 (CASE #06-2435); Dickie, Jackie, A R.N. 139134 (CASE #08-1031);

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

Complete copies of the Voluntary Retirements shall be maintained in the exhibit book for the July 2008 Board meeting.

CONSENT AGREEMENTS

On Friday, July 18, 2008, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

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

Ball, Barbara, A. R.N. 173604 (CASE #06-3022); Blair, Janet, D. P.N. 092993 (CASE #06-3423); Ruiz, Nichole, L. P.N. 110286 (CASE #07-3606); Walker, Tavette, Z. P.N. 089712 (CASE #07-1897); Pace, Cheryl, A. R.N. 244020 (CASE #04-2719); Harding, Christina, L. P.N. 118588 (CASE #07-2943); Stewart, Joshua, R.N. 327845 (CASE #07-3004); Dillard, Sioban, M. R.N. 300157 (CASE #07-2224); Fox, Julie, L R.N. NCLEX (CASE #08-0906);

Elsasser, Martha, C R.N. NCLEX (CASE #07-0533); Brady, Debra, J R.N. NCLEX (CASE #08-0567); Buck, Karen, E R.N. 168756 (CASE #08-1260); Papenfuse, Cynthia, J P.N. 118543 (CASE #08-0223); Scott, Mary Jane, P.N. 042428 (CASE #08-0270); Miller, Patricia, D R.N. 294339 (CASE #08-0263); Kemp, Danielle, L P.N. 116877 (CASE #07-3344); Parker, Gionna, V P.N. NCLEX (CASE #07-3689); Mahan, Monica, L. P.N. 065427 (CASE #08-0149); Morelli, Ericka, C P.N. NCLEX (CASE #08-0472); Quimpo, Joy, O R.N. endorse (CASE #08-1392); Byrum, Kellie, A RN endorse (CASE #08-0547); Gover, Troy, CHW applicant (CASE #07-1472); Morgan, George, A P.N. 127962 (CASE #08-0637); Duck, Deborah, A. P.N. 104302 (CASE #06-2270); Eckstein, Favian, R.N. 327573 (CASE #08-1330); Baldwin, Tharner, D P.N. NCLEX (CASE #07-3911); Cowans, David, J P.N. 109962 (CASE #07-1628); Hirschfeld, Barbara, J. R.N. 223847 (CASE #06-2459); Schaffter, Amanda, R R.N. NCLEX (CASE #08-0727); Smathers, Flynt, J R.N. NCLEX (CASE #08-0411); Hansbarger, Jody, C. R.N. 320006 (CASE #07-3715); Fahey, Robert, W R.N. 227394 (CASE #07-0913); Gravitt, Brandy, N. P.N. NCLEX, OCDT (CASE #08-0070); Claywell, Alicia, J. R.N. 275793 (CASE #06-3384); McCreary, Kari, A R.N. 320317 (CASE #08-1526); Wooten, Carol, A. P.N. 106543 (CASE #06-0327); Hernandez, Michelle, M. R.N. 172976 (CASE #06-3057); Combs, Karen, D. P.N. 096935 (CASE #04-2916); Donaldson, Cheryl, E R.N. 253256 (CASE #07-0863); Darfus, Angela, M R.N. 310932 (CASE #08-1570); Bloor, Marcella, M. R.N. 233532 (CASE #05-0789); Hyden, Samuel, J. P.N. 103146 (CASE #05-2447); Gavalier, Kara, M. R.N. 261582 (CASE #06-2888); Hubbard, Kathy, R P.N. 092765 (CASE #08-0544); Martin, Ronika, I P.N. NCLEX (CASE #08-0834); Gribbons, Shari, M. P.N. NCLEX (CASE #07-1932); Arensberg, Mark, S. TC 1 applicant (CASE #08-0196); Mahnen, Emily, A P.N. 120378 (CASE #07-3081); McKnight, Kathryn, S P.N. NCLEX (CASE #07-1550); Abbott, Nancy, L R.N. 231692 (CASE #08-1605); Griffin, Sharon, L. R.N. 106438 (CASE #07-2664); Smith, Timothy, D. R.N. 289396 (CASE #04-2636); Constantino, Lisa, R.N. 332961 (CASE #08-1608); Trenary, Christopher, A. R.N. 234285 (CASE #07-2200); Kohut, Donna, M R.N. 133647 (CASE #08-1606); Copley, Michelle, L R.N. 306814 (CASE #08-0065); Hardulak, Irena, R.N. 326343 (CASE #07-3109); Ringenbach, Laura, A P.N. 091331 (CASE #08-1623); Nutter, Tracey, L R.N. 298299 (CASE #08-1081); Gresh, Sheryl, I. P.N. 116948 (CASE #07-0071); Goebel, Diane, K R.N. 122873 (CASE #07-3473); Antonelli, Catherina, M. R.N. 247946 (CASE #08-1864); Martinez, Patricia, A. R.N. 310787 (CASE #08-0636); Grassman, Jacqualin, L R.N. 190815 (CASE #08-0893); Welsh, Sarah, M. R.N. 295561 (CASE #07-2949); McGroder, Danielle, S-M P.N. 108018 (CASE #08-1329); Bynes, Willie, M P.N. 083044 (CASE #06-1456); Wagner, Justin, P R.N. 319925 (CASE #08-1327); Johnson, Randy, L R.N. 279535 (CASE #08-1527); Boicourt, Jeffrey, A R.N. 176766 (CASE #08-1837); Shields, Natasha, R P.N. NCLEX (CASE #07-3934); Nance, Amelia, I R.N. 290924 (CASE #07-3967); Moore, Darryl, S. P.N. 103082 (CASE #08-1896); Sutton, Elaine, A P.N. NCLEX (CASE #07-3239); Cotterman, Jamie, R P.N. 108703 (CASE #08-1199); Cobb, Heather, DT Applicant 02565 (CASE #07-

3879); Taylor, Tracy, L R.N. NCLEX (CASE #07-4021); and Ogg, Julie, R R.N. 283163 (CASE #07-2967).

Kathleen Driscoll voted no on Hyden, Samuel, J. P.N. 103146 (CASE #05-2447) only. Patricia Burns voted no on Smith, Timothy, D. R.N. 289396 (CASE #04-2636) only. Kathleen O'Dell voted no on the following cases only: Cowans, David, J P.N. 109962 (CASE #07-1628) and Welsh, Sarah, M. R.N. 295561 (CASE #07-2949). J. Jane McFee voted no on the following cases only: Wooten, Carol, A. P.N. 106543 (CASE #06-0327); Bloor, Marcella, M. R.N. 233532 (CASE #05-0789); Hyden, Samuel, J. P.N. 103146 (CASE #05-2447); Grassman, Jacqualin, L R.N. 190815 (CASE #08-0893); and Taylor, Tracy, L R.N. NCLEX (CASE #07-4021). Eric Yoon voted no on the following cases only: Blair, Janet, D. P.N. 092993 (CASE #06-3423); Mahan, Monica, L. P.N. 065427 (CASE #08-0149); Cowans, David, J P.N. 109962 (CASE #07-1628); Hirschfeld, Barbara, J. R.N. 223847 (CASE #06-2459); Hansbarger, Jody, C. R.N. 320006 (CASE #07-3715); Gravitt, Brandy, N. P.N. NCLEX, OCDT (CASE #08-0070); McCreary, Kari, A R.N. 320317 (CASE #08-1526); Wooten, Carol, A. P.N. 106543 (CASE #06-0327); Darfus, Angela, M R.N. 310932 (CASE #08-1570); Hyden, Samuel, J. P.N. 103146 (CASE #05-2447); Goebel, Diane, K R.N. 122873 (CASE #07-3473); Welsh, Sarah, M. R.N. 295561 (CASE #07-2949); and McGroder, Danielle, S-M P.N. 108018 (CASE #08-1329). Debra Broadnax abstained from voting on all cases. Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the July 2008 Board meeting.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board approve the consent agreement for violations of Chapter 4723. ORC entered into by and between the Board and Randleman, Tierra, L P.N. NCLEX (CASE #07-0461).

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

A complete copy of the Consent Agreement shall be maintained in the exhibit book for the July 2008 Board meeting.

Action: It was moved by Anne Barnett, seconded by Delphenia Gilbert, that the Board approve the consent agreement for violations of Chapter 4723. ORC entered into by and between the Board and ATS Institute, of Technology, (CASE #08-1931).

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

A complete copy of the Consent Agreement shall be maintained in the exhibit book for the July 2008 Board meeting.

WITHDRAWAL NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that was issued by the Board on January 18, 2008 for Barker, Gary, N. R.N. 171303 (CASE #07-2493), having received information that Mr. Barker is deceased.

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

HEARING EXAMINER REPORT AND RECOMMENDATION

Sapp, Gladys, M. P.N. 095411 (CASE #06-0443)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board accept all of the Findings of Fact, Conclusions of Law, modify the recommendation in the Hearing Examiner's Report and Recommendation and ordered that Gladys Sapp's license to practice nursing as a licensed practical nurse in the State of Ohio be suspended, retroactive to July 2007, and that the suspension shall be stayed subject to probationary terms, conditions, and limitations for a minimum period of one (1) year with the Temporary Practice Restrictions set forth below for the violation of Section 4723.28(B), ORC. The Board will not take any disciplinary action for the violation of Section 4723.23(A), ORC. The rationale for the modification is based upon the length of time since the crime and no reported practice issues since the nurse was licensed in 1994.

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

MS. SAPP is hereby fined five hundred dollars (\$500.00). **MS. SAPP** shall pay the fine of five hundred dollars (\$500.00) to the Board by **February 1, 2009**, payable to the "Treasurer, State of Ohio". 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.

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

2. **MS. SAPP** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **By February 1, 2009, MS. SAPP** 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 Nursing law and rules; two (2) hours of Ethics, and two (2) hours of Professionalism.
4. **MS. SAPP** agrees that she will submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SAPP**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **LICENSEE's** criminal records check reports to the Board. **MS. SAPP's** completed criminal records check, including the FBI check, **must be received by February 1, 2009.**

Employment Conditions

5. **MS. SAPP** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days following the effective date of this Order**, or any new employer prior to accepting employment.
6. **MS. SAPP** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. SAPP** shall provide her employer(s) with a copy of this Order and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. SAPP** is under a continuing duty to provide a copy of this Order and all prior Board actions to any new employer prior to accepting employment.

Reporting Requirements of MS. SAPP

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

Temporary Practice Restrictions

Except for her current positions at Nurse Temps and City View Nursing and Rehab Center, MS. SAPP shall be subject to the following Temporary Practice Restrictions:

Unless otherwise approved in advance by the Board or its designee, MS. SAPP 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. SAPP** 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. SAPP 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. SAPP's suspension shall be lifted and MS. SAPP's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. SAPP** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the

Board shall notify **MS. SAPP** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SAPP** 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. SAPP** has complied with all aspects of this Order; and (2) the Board determines that **MS. SAPP** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SAPP** and review of the reports as required herein. Any period during which **MS. SAPP** 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.

Motion adopted by unanimous vote of the Board members.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Warner, Cynthia, K. R.N. 211328 (CASE #07-2468)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that the Board accept all of the Findings of Fact, Conclusions of Law, modify the recommendation in the Hearing Examiner's Report and Recommendation and ordered that CYNTHIA K. WARNER's license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than two (2) years retroactive to September 2007, and following reinstatement, Ms. Warner shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below. The rationale for the modification is based upon the fact that Ms. Warner's acts did not involve patient care or harm to any patients and the level of the criminal offense.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. WARNER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WARNER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. WARNER** 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: four (4) hours of Ethics.

Psychiatric Evaluation and Treatment

4. Prior to seeking reinstatement by the Board, **MS. WARNER** shall, at her own expense, seek a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WARNER** shall provide the psychiatrist with a copy of this Order. Further, **MS. WARNER** 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 and recommendations for treatment and monitoring.
5. Within six (6) months of seeking reinstatement by the Board, **MS. WARNER** 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 psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. WARNER'S** license.

Reporting Requirements of MS. WARNER

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

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. WARNER

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

Permanent Practice Restrictions

MS. WARNER 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; (5) for an individual or group of individuals who directly engage **MS. WARNER** to provide nursing services for fees, compensation, or other consideration or as a volunteer; (6) in emergency departments, critical care and/or intensive care areas, sub-acute or step-down areas.

MS. WARNER 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. WARNER's suspension shall be lifted and MS. WARNER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. WARNER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. WARNER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. WARNER** 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. WARNER** has complied with all aspects of this Order; and (2) the Board determines that **MS. WARNER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WARNER** and review of the reports as required herein. Any period during which **MS. WARNER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **CYNTHIA K. WARNER** to surrender her registered nurse license #R.N. 211328 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Straub, Christy, J. P.N. 096991 (CASE #07-2035)

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation.

Upon this Report and Recommendation and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

CHRISTY STRAUB's license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHRISTY STRAUB** to surrender her licensed practical nurse license #P.N. 096991 and frameable wall certificate immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Shafer , David, L. R.N. 201967 (CASE #07-1734)

Action: It was moved by Patricia Burns, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation.

Upon this Report and Recommendation and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

DAVID L. SHAFER's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DAVID L. SHAFER** to surrender her licensed practical nurse license #R.N. 201967 and frameable wall certificate immediately.

Motion adopted by majority vote of Board member with Debra Broadnax abstaining.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

NO REQUEST FOR HEARING CASES

Adamson, Nancy, A. P.N. 075635 (CASE #07-2909)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **NANCY ADAMSON, L.P.N.**, in the November 16, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ADAMSON** 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. ADAMSON's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ADAMSON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. ADAMSON** 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. ADAMSON's** history. **MS. ADAMSON** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. ADAMSON** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. ADAMSON** shall, at her own expense, seek 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. ADAMSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ADAMSON** 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 and recommendations for treatment and monitoring.

6. **MS. ADAMSON** 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. ADAMSON's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. ADAMSON** 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. ADAMSON'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. ADAMSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ADAMSON's** history.
8. Within thirty (30) days prior to **MS. ADAMSON** initiating drug screening, **MS. ADAMSON** 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. ADAMSON**.
9. After initiating drug screening, **MS. ADAMSON** 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. ADAMSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. ADAMSON** 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. ADAMSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

11. **Upon request of the Board or its designee, MS. ADAMSON** shall, at her own expense and within sixty (60) days of the Board's (or it's designee's) request, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ADAMSON** 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. ADAMSON's** license, and a statement as to whether **MS. ADAMSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. ADAMSON** 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. ADAMSON's** license.

Reporting Requirements of MS. ADAMSON

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

DURATION

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

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

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

Monitoring

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

6. **MS. ADAMSON** 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. ADAMSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon request of the Board or its designee, MS. ADAMSON** shall, at her own expense and within sixty (60) days of the Board's (or it's designee's) request, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ADAMSON** 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. ADAMSON's** license, and a statement as to whether **MS. ADAMSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. ADAMSON** 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. ADAMSON's** license.

Treating Practitioners and Reporting

9. Within sixty (60) days of the execution of the probationary period, **MS. ADAMSON** 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. ADAMSON** 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. **MS. ADAMSON** 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. ADAMSON** throughout the duration of this Order.
11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. ADAMSON** 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 with every employer, **MS. ADAMSON** shall notify the Board.
13. **MS. ADAMSON** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. ADAMSON** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ADAMSON** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. ADAMSON

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

18. **MS. ADAMSON** 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. **MS. ADAMSON** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. ADAMSON** 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 and if requested by the Board or its designee; or prior to working as a nurse if **MS. ADAMSON** has not worked as a nurse for at least five (5) years, **MS. ADAMSON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. ADAMSON 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. ADAMSON'S** suspension shall be lifted and **MS. ADAMSON's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. ADAMSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ADAMSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ADAMSON** 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. ADAMSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. ADAMSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ADAMSON** and review of the reports as required herein. Any period during which **MS. ADAMSON** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **NANCY ADAMSON** to surrender her licensed practical nurse license #P.N. 075635 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Blankenship, Sandra, J R.N. 193183 (CASE #07-0480)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **SANDRA J. BLANKENSHIP** in the November 19, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BLANKENSHIP** 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. BLANKENSHIP's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **SANDRA J. BLANKENSHIP** to surrender her registered nurse license #R.N. 193183 and frameable wall certificate immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Burg, Rachelle, D. P.N. 105327 (CASE #06-2797)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **RACHELLE BURG, L.P.N.**, in the October 1, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BURG** 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. BURG's** license to practice nursing as a licensed practical nurse is hereby **REPRIMANDED**.

Further, **MS. BURG's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for three (3) years.

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

1. **MS. BURG** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BURG** shall comply with the terms and conditions imposed by the Court and/or probation in Butler County Court of Common Pleas Case No. CR2005-12-2308.
3. **MS. BURG** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Employment Conditions

4. **MS. BURG** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days following the effective date of this Order**, or any new employer prior to beginning employment.

5. **MS. BURG** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. BURG** shall provide her employer(s) with a copy of this Order and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. BURG** is under a continuing duty to provide a copy of this Order and all prior Board actions to any new employer prior to accepting employment.

Reporting Requirements of MS. BURG

6. **MS. BURG** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **MS. BURG** 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. BURG** 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. BURG** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. BURG** 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.
11. **MS. BURG** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. BURG** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

FAILURE TO COMPLY

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

Board shall notify **MS. BURG** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BURG** 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. BURG** has complied with all aspects of this Order; and (2) the Board determines that **MS. BURG** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BURG** and review of the reports as required herein. Any period during which **MS. BURG** 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.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Clouser, Kimberly, A. R.N. 174622 (CASE #07-1846)

Action: I was moved by Kathleen Driscoll, seconded by Anne Barnett, that upon consideration of the charges stated against **KIMBERLY CLOUSER, R.N.**, in the January 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CLOUSER** 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. CLOUSER'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. CLOUSER** 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 practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

3. Prior to seeking reinstatement by the Board, **MS. CLOUSER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics and five (5) hours of Professionalism.

Monitoring

4. **MS. CLOUSER** 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. CLOUSER's** history. **MS. CLOUSER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. CLOUSER** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. CLOUSER** shall, at her own expense, seek 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. CLOUSER** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. CLOUSER** 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 and recommendations for treatment and monitoring.
7. **MS. CLOUSER** 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. CLOUSER's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. CLOUSER** 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. CLOUSER'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. CLOUSER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CLOUSER's** history.
9. Within thirty (30) days prior to **MS. CLOUSER** initiating drug screening, **MS. CLOUSER** 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. CLOUSER**.
 10. After initiating drug screening, **MS. CLOUSER** 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. CLOUSER** 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. CLOUSER** 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. CLOUSER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 12. Prior to seeking reinstatement by the Board, **MS. CLOUSER** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. CLOUSER** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CLOUSER's** license, and a statement as to whether **MS. CLOUSER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

13. **MS. CLOUSER** 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. CLOUSER's** license.

Reporting Requirements of MS. CLOUSER

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

DURATION

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

upon an interview with **MS. CLOUSER** and review of the documentation specified in this Order.

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

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

Monitoring

3. **MS. CLOUSER** 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. CLOUSER's** history. **MS. CLOUSER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CLOUSER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. CLOUSER** 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. CLOUSER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CLOUSER's** history.
6. **MS. CLOUSER** 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. CLOUSER** 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. CLOUSER** 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. CLOUSER** 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. CLOUSER** 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. CLOUSER** throughout the duration of this Order.
 9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. CLOUSER** 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. CLOUSER** shall notify the Board.
11. **MS. CLOUSER** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. CLOUSER** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. CLOUSER** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. CLOUSER

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

Permanent Practice Restrictions

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

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

MS. CLOUSER shall not call in or order prescriptions or prescription refills.

FAILURE TO COMPLY

The stay of MS. CLOUSER'S suspension shall be lifted and MS. CLOUSER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. CLOUSER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. CLOUSER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. CLOUSER** 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. CLOUSER** has complied with all aspects of this Order; and (2) the Board determines that **MS. CLOUSER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. CLOUSER** and review of the reports as required herein. Any period during which **MS. CLOUSER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **KIMBERLY CLOUSER** to surrender her registered nurse license #R.N. 174622 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Curry, Pamela, S. P.N. 104919 (CASE #07-1990)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **PAMELA CURRY, L.P.N.** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CURRY** 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. CURRY's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **PAMELA CURRY** to surrender her licensed practical nurse license #P.N. 104919 and frameable wall certificate immediately.

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

abstaining.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Demarchi, Ryan, J. R.N. 304164 (CASE #07-2393)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **RYAN DEMARCHI, R.N.**, in the October 1, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DEMARCHI** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. DEMARCHI'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, **MR. DEMARCHI** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the permanent practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. DEMARCHI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. DEMARCHI** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MR. DEMARCHI** 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: eight (8) hours of Ethics.

Monitoring

4. Prior to seeking reinstatement by the Board, **MR. DEMARCHI** shall, at his own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. DEMARCHI** 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. DEMARCHI's** license, and a statement as to whether **MR. DEMARCHI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

5. **MR. DEMARCHI** 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. DEMARCHI's** license.

Reporting Requirements of MR. DEMARCHI

6. **MR. DEMARCHI** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MR. DEMARCHI** 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.
8. **MR. DEMARCHI** 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. **MR. DEMARCHI** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MR. DEMARCHI** 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. **MR. DEMARCHI** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MR. DEMARCHI** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MR. DEMARCHI** shall submit to a BCI criminal records check.

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MR. DEMARCHI

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

Permanent Practice Restrictions

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

MR. DEMARCHI 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. DEMARCHI'S suspension shall be lifted and MR. DEMARCHI's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. DEMARCHI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. DEMARCHI** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. DEMARCHI** 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. DEMARCHI** has complied with all aspects of this Order; and (2) the Board determines that **MR. DEMARCHI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. DEMARCHI** and review of the reports as required herein. Any period during which **MR. DEMARCHI** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **RYAN DEMARCHI** to surrender his registered nurse license #R.N. 304164 immediately.

Motion adopted by majority vote of Board members with Debra Broadnax abstaining.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Donnelly, Nancy, S R.N. 162775 (CASE #07-0942)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **NANCY DONNELLY, R.N.**, in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DONNELLY** 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. DONNELLY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DONNELLY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

13. Prior to requesting reinstatement by the Board, **MS. DONNELLY** shall, at her own expense, seek a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. DONNELLY'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. DONNELLY's** comprehensive physical examination and with a comprehensive assessment regarding **MS. DONNELLY's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. DONNELLY** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. DONNELLY** 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. DONNELLY's** license to practice, and stating whether **MS. DONNELLY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. DONNELLY** agrees that 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. DONNELLY's** license.

Reporting Requirements of MS. DONNELLY

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

DURATION

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

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

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

Monitoring

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

5. During the probationary period, **MS. DONNELLY** 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. DONNELLY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DONNELLY's** history.
6. **MS. DONNELLY** 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. DONNELLY** 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. DONNELLY** 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. DONNELLY** 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. DONNELLY** 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. DONNELLY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DONNELLY** 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. DONNELLY** shall notify the Board.
11. **MS. DONNELLY** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. DONNELLY** shall provide her

employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. DONNELLY** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. DONNELLY

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

Temporary Practice Restrictions

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

MS. DONNELLY 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. DONNELLY'S suspension shall be lifted and MS. DONNELLY's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DONNELLY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DONNELLY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DONNELLY** 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. DONNELLY** has complied with all aspects of this Order; and (2) the Board determines that **MS. DONNELLY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DONNELLY** and review of the reports as required herein. Any period during which **MS. DONNELLY** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **NANCY DONNELLY** to surrender her registered nurse license #R.N. 162775 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Fetty, Jeffrey, A. P.N. 097917 (CASE #07-0273)

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **JEFFREY FETTY, L.P.N.**, in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. FETTY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. FETTY'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, **MR. FETTY** 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. FETTY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. FETTY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MR. FETTY** 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. FETTY's** history. **MR. FETTY** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MR. FETTY** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MR. FETTY** shall, at his own expense, seek 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. FETTY** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. FETTY** 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 and recommendations for treatment and monitoring.

6. **MR. FETTY** 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. FETTY's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. FETTY** 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. FETTY'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. FETTY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. FETTY's** history.
8. Within thirty (30) days prior to **MR. FETTY** initiating drug screening, **MR. FETTY** 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. FETTY**.
9. After initiating drug screening, **MR. FETTY** 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. FETTY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. FETTY** 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. FETTY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. FETTY

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

DURATION

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

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

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

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

Monitoring

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. FETTY** 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. FETTY** shall notify the Board.
11. **MR. FETTY** shall have his employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MR. FETTY** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. FETTY** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. FETTY

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

The Board further Orders **JEFFREY FETTY** to surrender his licensed practical nurse license #P.N. 097917 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Gay, Annjeanette, R P.N. 109669 (CASE #07-1340)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **ANNJEANETTE GAY, L.P.N.**, in the October 1, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GAY** 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. GAY'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. GAY** 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 practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

3. Prior to seeking reinstatement by the Board, **MS. GAY** 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: four (4) hours of Professionalism and six (6) hours of Anger Management.

Educational Needs Assessment and Learning Plan

4. Prior to seeking reinstatement by the Board, **MS. GAY** 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. GAY** shall have the educator provide the Board with a written report of an assessment of **MS. GAY**, which identifies **MS. GAY's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. GAY** 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. GAY** 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. GAY's** employer(s), former employers, and Board staff. Following the assessment, **MS. GAY** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. GAY** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. GAY** 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. GAY** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. GAY** 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. GAY** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. GAY's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. GAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. GAY** 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. GAY's** license.

6. In the event that the educator's recommendations require **MS. GAY** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. GAY** 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. GAY'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. GAY's** license shall be terminated. **MS. GAY** agrees that she shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. GAY

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

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. GAY

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

Permanent Practice Restrictions

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

MS. GAY 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. GAY'S suspension shall be lifted and MS. GAY's license to practice nursing as a licensed practical nurse will be automatically suspended if

it appears to the Board that **MS. GAY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GAY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GAY** 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. GAY** has complied with all aspects of this Order; and (2) the Board determines that **MS. GAY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GAY** and review of the reports as required herein. Any period during which **MS. GAY** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **ANNJEANETTE GAY** to surrender her licensed practical nurse license #P.N. 109669 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Gay, Beverly, P.N. 024511 (CASE #07-1507)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **BEVERLY GAY, L.P.N.**, in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GAY** 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. GAY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GAY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. GAY** 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. GAY's** history. **MS. GAY** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. GAY** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. GAY** shall, at her own expense, seek 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. GAY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. GAY** 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 and recommendations for treatment and monitoring.
6. **MS. GAY** 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. GAY's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. GAY** 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. GAY'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. GAY** shall be

- negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GAY's** history.
8. Within thirty (30) days prior to **MS. GAY** initiating drug screening, **MS. GAY** 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. GAY**.
 9. After initiating drug screening, **MS. GAY** 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. GAY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. GAY** 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. GAY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 11. Prior to seeking reinstatement by the Board, **MS. GAY** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. GAY** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GAY's** license, and a statement as to whether **MS. GAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 12. **MS. GAY** 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. GAY's** license.

Reporting Requirements of MS. GAY

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

DURATION

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

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

three (3) years.

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

Monitoring

3. **MS. GAY** 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. GAY's** history. **MS. GAY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GAY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. GAY** 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. GAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GAY's** history.
6. **MS. GAY** 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. GAY** 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. GAY** 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. GAY** 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. GAY** 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. GAY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GAY** 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. GAY** shall notify the Board.
11. **MS. GAY** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. GAY** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. GAY** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. GAY

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. GAY 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. GAY'S suspension shall be lifted and MS. GAY's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. GAY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. GAY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. GAY** 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. GAY** has complied with all aspects of this Order; and (2) the Board determines that **MS. GAY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. GAY** and review of the reports as required herein. Any period during which **MS. GAY** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **BEVERLY GAY** to surrender her licensed practical nurse license #P.N. 024511 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Hatcher, Fred, D. P.N. 116323 (CASE #07-0205)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **FRED HATCHER, L.P.N.**, in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. HATCHER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. HATCHER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. HATCHER** 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. HATCHER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. HATCHER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MR. HATCHER** 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 Documentation; six (6) hours of Assessment; and six (6) hours of Diabetic Evaluation.

Monitoring

4. **MR. HATCHER** 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. HATCHER's** history. **MR. HATCHER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. HATCHER** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MR. HATCHER** shall, at his own expense, seek 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. HATCHER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. HATCHER** 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 and recommendations for treatment and monitoring.
7. **MR. HATCHER** 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. HATCHER's** license.
8. **For a minimum, continuous period of six (6) months immediately**

- prior to requesting reinstatement, MR. HATCHER** 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. HATCHER'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. HATCHER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HATCHER's** history.
9. Within thirty (30) days prior to **MR. HATCHER** initiating drug screening, **MR. HATCHER** 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. HATCHER**.
 10. After initiating drug screening, **MR. HATCHER** 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. HATCHER** 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. HATCHER** 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. HATCHER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. HATCHER

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

DURATION

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

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

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

Monitoring

3. **MR. HATCHER** 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. HATCHER's** history. **MR. HATCHER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. HATCHER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. HATCHER** 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. HATCHER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HATCHER's** history.
6. **MR. HATCHER** 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. HATCHER** 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. HATCHER** 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. HATCHER** 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. HATCHER** 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. HATCHER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. HATCHER** 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. HATCHER** shall notify the Board.
11. **MR. HATCHER** shall have his employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MR. HATCHER** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. HATCHER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. HATCHER

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

Workplace Monitor

When working as a nurse, **MR. HATCHER** shall only work in settings in which a registered nurse supervisor is present on-site at all times. **MR. HATCHER** shall have a work site registered nurse ("Workplace Monitor") who supervises **MR. HATCHER**, agrees to monitor **MR. HATCHER's** work performance and progress, and agrees to be in contact with the Board or its designee. **MR. HATCHER** shall provide the Workplace Monitor with a copy of this Order and Notice of Opportunity for Hearing and have the Workplace Monitor contact the Board or its designee prior to **MR. HATCHER** working as a nurse. **MR. HATCHER** shall have the Workplace Monitor maintain contact with the Board or its designee and provide written progress reports at intervals requested by the Board or its designee. In the event that the Workplace Monitor becomes unable or unwilling to serve in this capacity, **MR. HATCHER** must notify the Board, in writing, within three (3) business days, and make arrangements acceptable to the Board or its designee for another Workplace Monitor to monitor **MR. HATCHER's** performance and progress as soon as practicable. Workplace monitoring shall be completed after a minimum period of one (1) year when **MR. HATCHER** successfully demonstrates that he has consistently practiced in accordance with the standards of safe nursing care.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MR. HATCHER 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. HATCHER'S suspension shall be lifted and MR. HATCHER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. HATCHER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. HATCHER** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. HATCHER** 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. HATCHER** has complied with all aspects of this Order; and (2) the Board determines that **MR. HATCHER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. HATCHER** and review of the reports as required herein. Any period during which **MR. HATCHER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **FRED HATCHER** to surrender his licensed practical nurse license #P.N. 116323 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Ketterer, Crystal, L. P.N. 110795 (CASE #06-2564)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **CRYSTAL KETTERER, L.P.N.**, in the November 19, 2007 Notice of Opportunity for Hearing and evidence

supporting the charges, the Board finds that **MS. KETTERER** 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. KETTERER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of at least two (2) years and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for two (2) years and the Temporary Practice Restrictions set forth below.

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

1. **MS. KETTERER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KETTERER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within six (6) months from the effective date of this Order, **MS. KETTERER** 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: eight (8) hours of Patient Abuse; six (6) hours of Professionalism; and four (4) hours of Geriatric Patient Care.

Psychiatric Evaluation and Treatment

4. Within three (3) months from the effective date of this Order, **MS. KETTERER** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. KETTERER** 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. KETTERER's** license, and a statement as to whether **MS. KETTERER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. KETTERER** 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. KETTERER's** license

Employment Conditions

6. **MS. KETTERER** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days following the effective date of this Order**, or any new employer prior to beginning employment.
7. **MS. KETTERER** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. KETTERER** shall provide her employer(s) with a copy of this Order and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. KETTERER** is under a continuing duty to provide a copy of this Order and all prior Board actions to any new employer prior to accepting employment.

Reporting Requirements of MS. KETTERER

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

by this Order are received in the Board office.

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

Temporary Practice Restrictions

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

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Laurent, Dan'elle, A. R.N. 321160 (CASE #06-1925)

Action: It was moved by J. Jane McFee, seconded by Anne Barnett, that upon consideration of the charges stated against **DAN'ELLE LAURENT, R.N.**, in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LAURENT** 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. LAURENT'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. LAURENT** 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. LAURENT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LAURENT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MS. LAURENT** 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. LAURENT's** history. **MS. LAURENT** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. LAURENT** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. LAURENT** shall, at her own expense, seek 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. LAURENT** shall provide the chemical dependency professional with a

- copy of this Order and Notice of Opportunity for Hearing. Further, **MS. LAURENT** 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 and recommendations for treatment and monitoring.
6. **MS. LAURENT** 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. LAURENT's** license.
 7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LAURENT** 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. LAURENT'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. LAURENT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LAURENT's** history.
 8. Within thirty (30) days prior to **MS. LAURENT** initiating drug screening, **MS. LAURENT** 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. LAURENT**.
 9. After initiating drug screening, **MS. LAURENT** 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. LAURENT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LAURENT** 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. LAURENT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to requesting reinstatement by the Board, **MS. LAURENT** shall, at her own expense, seek a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. LAURENT'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. LAURENT's** comprehensive physical examination and with a comprehensive assessment regarding **MS. LAURENT's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. LAURENT** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. LAURENT** 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. LAURENT's** license to practice, and stating whether **MS. LAURENT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. LAURENT** agrees that 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. LAURENT's** license.

Reporting Requirements of MS. LAURENT

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

DURATION

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

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

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

Monitoring

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

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

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

Reporting Requirements of MS. LAURENT

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

Board monitoring, based upon an interview with **MS. LAURENT** and review of the reports as required herein. Any period during which **MS. LAURENT** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **DAN'ELLE LAURENT** to surrender her registered nurse license #R.N. 321160 immediately.

It was further moved that the Board withdraw the Notice of Immediate Suspension that was issued on December 20, 2007, because the Board did not obtain service.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Lee, Sharon, A. P.N. 060901 (CASE #07-1357)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **SHARON A. LEE, L.P.N.**, in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LEE** 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. LEE'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. LEE** 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. LEE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MS. LEE** 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. LEE's** history. **MS. LEE** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. LEE** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. LEE** shall, at her own expense, seek 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. LEE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. LEE** 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 and recommendations for treatment and monitoring.
6. **MS. LEE** 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. LEE's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LEE** 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. LEE'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. LEE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEE's** history.
8. Within thirty (30) days prior to **MS. LEE** initiating drug screening, **MS. LEE** 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. LEE**.

9. After initiating drug screening, **MS. LEE** 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. LEE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LEE** 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. LEE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. LEE

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

of any change in address and/or telephone number.

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

DURATION

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

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

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

Monitoring

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

6. **MS. LEE** 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. LEE** 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. LEE** 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. LEE** 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. LEE** 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. LEE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LEE** 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. LEE** shall notify the Board.
11. **MS. LEE** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. LEE** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. LEE** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. LEE

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. LEE 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. LEE'S suspension shall be lifted and MS. LEE's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. LEE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LEE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LEE** 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. LEE** has complied with all aspects of this Order; and (2) the Board determines that **MS. LEE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LEE** and review of the reports as required herein. Any period during which **MS. LEE** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **SHARON A. LEE** to surrender her licensed practical nurse license #P.N. 060901 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Murawski, Diana, L. R.N. 268504 (CASE #06-2851)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **DIANA MURAWSKI, R.N.**, in the July 30, 2007 Notice of Immediate Suspension and Opportunity for Hearing and the October 1, 2007 Notice of Opportunity for Hearing, and evidence supporting the charges, the Board finds that **MS. MURAWSKI** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices and the Ohio Board of Nursing Orders that **MS. MURAWSKI'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. MURAWSKI** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MURAWSKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MURAWSKI** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. MURAWSKI** 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 Nursing Law and Rules.

Monitoring

4. **MS. MURAWSKI** 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. MURAWSKI's** history. **MS. MURAWSKI** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. MURAWSKI** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. MURAWSKI** shall, at her own expense, seek 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. MURAWSKI** shall provide the chemical dependency professional with

- a copy of this Order, Notice of Immediate Suspension and Opportunity for Hearing, and Notice of Opportunity for Hearing. Further, **MS. MURAWSKI** 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 and recommendations for treatment and monitoring.
7. **MS. MURAWSKI** 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. MURAWSKI's** license.
 8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. MURAWSKI** 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. MURAWSKI'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. MURAWSKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MURAWSKI's** history.
 9. Within thirty (30) days prior to **MS. MURAWSKI** initiating drug screening, **MS. MURAWSKI** 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. MURAWSKI**.
 10. After initiating drug screening, **MS. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MURAWSKI

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

DURATION

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

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

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

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

Monitoring

3. **MS. MURAWSKI** 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. MURAWSKI's** history. **MS. MURAWSKI** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MURAWSKI** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MURAWSKI** 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. MURAWSKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MURAWSKI's** history.
6. **MS. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** 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. MURAWSKI** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MURAWSKI** 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. MURAWSKI** shall notify the Board.
11. **MS. MURAWSKI** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. MURAWSKI** shall provide her employer(s) with a copy of this Order, Notice of Immediate Suspension and Opportunity for Hearing, and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, Notice of Immediate Suspension and Opportunity for Hearing, and Notice of Opportunity for Hearing. Further, **MS. MURAWSKI** is under a continuing duty to provide a copy of this Order, Notice of Immediate Suspension and Opportunity for Hearing, and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. MURAWSKI

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. MURAWSKI 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. MURAWSKI'S** suspension shall be lifted and **MS. MURAWSKI's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MURAWSKI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MURAWSKI** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MURAWSKI** 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. MURAWSKI** has complied with all aspects of this Order; and (2) the Board determines that **MS. MURAWSKI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MURAWSKI** and review of the reports as required herein. Any period during which **MS. MURAWSKI** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **DIANA MURAWSKI** to surrender her registered nurse license #R.N. 268504 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Norton, Julie, M. P.N. 103117 (CASE #06-0101)

Action: It was moved by Kathleen Driscoll, seconded by Anne Barnett, that upon consideration of the charges stated against **JULIE NORTON** in the September 22, 2006 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NORTON** 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. NORTON's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **JULIE NORTON** to surrender her licensed practical nurse license #P.N. 103117 and frameable wall certificate immediately.

Motion adopted by unanimous vote of the Board members.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Reidl, Virginia, L. P.N. 077538 (CASE #06-0329)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **VIRGINIA REIDL, L.P.N.**, in the November 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. REIDL** 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. REIDL'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. REIDL** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

5. Prior to seeking reinstatement by the Board, **MS. REIDL** shall, at her own expense, seek 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. REIDL** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. REIDL** 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 and recommendations for treatment and monitoring.
6. **MS. REIDL** 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. REIDL's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. REIDL** 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. REIDL'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. REIDL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. REIDL's** history.
8. Within thirty (30) days prior to **MS. REIDL** initiating drug screening, **MS. REIDL** 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. REIDL**.
9. After initiating drug screening, **MS. REIDL** 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. REIDL** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. REIDL** 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. REIDL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. REIDL

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

DURATION

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

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

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

Monitoring

3. **MS. REIDL** 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. REIDL's** history. **MS. REIDL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. REIDL** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. REIDL** 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. REIDL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. REIDL's** history.
6. **MS. REIDL** 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. REIDL** 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. REIDL** 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. REIDL** 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. REIDL** 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. REIDL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. REIDL** 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. REIDL** shall notify the Board.
11. **MS. REIDL** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. REIDL** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. REIDL** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. REIDL

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. REIDL 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. REIDL'S suspension shall be lifted and MS. REIDL's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. REIDL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. REIDL** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. REIDL** 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. REIDL** has complied with all aspects of this Order; and (2) the Board determines that **MS. REIDL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. REIDL** and review of the reports as required herein. Any period during which **MS. REIDL** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **VIRGINIA REIDL** to surrender her licensed practical nurse license #P.N. 077538 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Sobek, Melanie, R. P.N. 105492 (CASE #07-3270)

Action: It was moved by Kathleen Driscoll, seconded by Anne Barnett, that upon consideration of the charges stated against **MELANIE SOBEK, L.P.N.**, in the November 19, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SOBEK** 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. SOBEK'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. SOBEK** 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. SOBEK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SOBEK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MS. SOBEK** 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. SOBEK's** history. **MS. SOBEK** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. SOBEK** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. SOBEK** shall, at her own expense, seek 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. SOBEK** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SOBEK** 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 and recommendations for treatment and monitoring.
6. **MS. SOBEK** 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. SOBEK's** license.
7. **For a minimum, continuous period of six (6) months immediately**

- prior to requesting reinstatement, MS. SOBEK** 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. SOBEK'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. SOBEK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOBEK's** history.
8. Within thirty (30) days prior to **MS. SOBEK** initiating drug screening, **MS. SOBEK** 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. SOBEK**.
 9. After initiating drug screening, **MS. SOBEK** 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. SOBEK** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SOBEK** 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. SOBEK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. SOBEK

11. **MS. SOBEK** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. SOBEK** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and

prevailing standards of safe nursing practice.

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

DURATION

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

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

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

Monitoring

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

4. **MS. SOBEK** shall abstain completely from the use of alcohol.

5. During the probationary period, **MS. SOBEK** 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. SOBEK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOBEK's** history.

6. **MS. SOBEK** 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. SOBEK** 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. SOBEK** 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. SOBEK** 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. SOBEK** 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. SOBEK** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SOBEK** 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. SOBEK** shall notify the Board.
11. **MS. SOBEK** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. SOBEK** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SOBEK** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. SOBEK

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. SOBEK 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. SOBEK'S suspension shall be lifted and MS. SOBEK's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. SOBEK** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SOBEK** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SOBEK** 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. SOBEK** has complied with all aspects of this Order; and (2) the Board determines that **MS. SOBEK** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SOBEK** and review of the reports as required herein. Any period during which **MS. SOBEK** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **MELANIE SOBEK** to surrender her licensed practical nurse license #P.N. 105492 immediately.

Motion adopted by majority vote of the Board member with Debra Broadnax Abstaining.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Titus, Kelly, J R.N. 311796 (CASE #07-1098)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **KELLY TITUS, R.N.**, in the October 10, 2007 Notice of Immediate Suspension and Opportunity for Hearing and the November 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TITUS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices and the Ohio Board of Nursing Orders that **MS. TITUS'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. TITUS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. TITUS** 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. TITUS's** history. **MS. TITUS** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. TITUS** shall abstain completely from the use of alcohol.
 5. Prior to seeking reinstatement by the Board, **MS. TITUS** shall, at her own expense, seek 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. TITUS** shall provide the chemical dependency professional with a copy of this Order, Notice of Immediate Suspension and Opportunity for Hearing, and Notice of Opportunity for Hearing. Further, **MS. TITUS** 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 and recommendations for treatment and monitoring.
 6. **MS. TITUS** 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. TITUS's** license.
 7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TITUS** 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. TITUS'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. TITUS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TITUS's** history.
 8. Within thirty (30) days prior to **MS. TITUS** initiating drug screening, **MS. TITUS** 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. TITUS**.
9. After initiating drug screening, **MS. TITUS** 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. TITUS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TITUS** 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. TITUS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. TITUS

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

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

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

DURATION

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

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

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

Monitoring

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

6. **MS. TITUS** 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. TITUS** 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. TITUS** 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. TITUS** 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. TITUS** 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. TITUS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TITUS** 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. TITUS** shall notify the Board.
11. **MS. TITUS** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. TITUS** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. TITUS** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. TITUS

12. **MS. TITUS** shall sign releases of information forms allowing health

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. TITUS 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. TITUS's suspension shall be lifted and MS. TITUS's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. TITUS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. TITUS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. TITUS** 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. TITUS** has complied with all aspects of this Order; and (2) the Board determines that **MS. TITUS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. TITUS** and review of the reports as required herein. Any period during which **MS. TITUS** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **KELLY TITUS** to surrender her registered nurse license #R.N. 311796 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Utes, Patti, Jo P.N. 119923 (CASE #07-1679)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon

consideration of the charges stated against **PATTI UTES, L.P.N.**, in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. UTES** 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. UTES's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. UTES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. UTES** 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. UTES's** history. **MS. UTES** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. UTES** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. UTES** shall, at her own expense, seek 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. UTES** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. UTES** 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 and recommendations for treatment and monitoring.
6. **MS. UTES** 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. UTES's** license.

7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. UTES** 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. UTES'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. UTES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. UTES's** history.
8. Within thirty (30) days prior to **MS. UTES** initiating drug screening, **MS. UTES** 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. UTES**.
9. After initiating drug screening, **MS. UTES** 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. UTES** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. UTES** 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. UTES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. UTES

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

DURATION

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

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

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

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

Monitoring

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

throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. UTES** 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. UTES** shall notify the Board.
11. **MS. UTES** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. UTES** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. UTES** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. UTES

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

Board shall notify **MS. UTES** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. UTES** 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. UTES** has complied with all aspects of this Order; and (2) the Board determines that **MS. UTES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. UTES** and review of the reports as required herein. Any period during which **MS. UTES** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **PATTI UTES** to surrender her licensed practical nurse license #P.N. 119923 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Wartenbee, Mindy, L R.N. 269898 (CASE #05-0510)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **MINDY WARTENBEE, R.N.**, in the September 22, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WARTENBEE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, except for the allegations contained in Paragraph 1.c. The Ohio Board of Nursing orders that **MS. WARTENBEE'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. WARTENBEE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

2. **MS. WARTENBEE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. WARTENBEE** 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: four (4) hours of Ethics.

Monitoring

4. **MS. WARTENBEE** 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. WARTENBEE's** history. **MS. WARTENBEE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. WARTENBEE** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. WARTENBEE** shall, at her own expense, seek 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. WARTENBEE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WARTENBEE** 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 and recommendations for treatment and monitoring.
7. **MS. WARTENBEE** 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. WARTENBEE's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. WARTENBEE** 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. WARTENBEE'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. WARTENBEE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WARTENBEE's** history.
9. Within thirty (30) days prior to **MS. WARTENBEE** initiating drug screening, **MS. WARTENBEE** 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. WARTENBEE**.
 10. After initiating drug screening, **MS. WARTENBEE** 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. WARTENBEE** 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. WARTENBEE** 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. WARTENBEE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. WARTENBEE

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

DURATION

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

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

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

Monitoring

3. **MS. WARTENBEE** 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. WARTENBEE's** history. **MS. WARTENBEE** shall self-administer

prescribed drugs only in the manner prescribed.

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

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

Reporting Requirements of MS. WARTENBEE

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

Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

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

The Board further Orders **MINDY WARTENBEE** to surrender her registered nurse license #R.N. 269898 immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

Williams, Rachel, M P.N. 106293 (CASE #07-0712)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **RACHEL WILLIAMS** in the October 1, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WILLIAMS** 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. WILLIAMS's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **RACHEL WILLIAMS** to surrender her licensed practical nurse license #P.N. 106293 and frameable wall certificate immediately.

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 18th day of July, 2008.

MONITORING

LIFTS OF SUSPENSION/PROBATIONS

Action: It was moved by Kathleen O'Dell seconded by Eric Yoon, that the following, having met the terms and conditions of their consent agreement with

the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements:

Bogan, Sonya, L. D.T. 02516 (CASE #06-0501); Writesel, Crystal, L. P.N. 111699 (CASE #05-1993); Rice, Yolanda, M. P.N. 114799 (CASE #05-2656); Giesige, Joyce, A. R.N. 234418 (CASE #05-2130); Mesalam, Rachel, N. R.N. 331685 (CASE #06-3235); Greynolds, Karen, D. P.N. 125674 (CASE #06-3508); Shank, Brittani, S. P.N. 125675 (CASE #06-3345); Tanner, Samantha, A. P.N. 115953 (CASE #07-1088); and Horsley, Noelle, T. R.N. 235625 (CASE #06-0350).

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

LIFTS OF SUSPENSION/PROBATION - EARLY RELEASE

Action: It was moved by Janet Boeckman, seconded J. Jane McFee, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released early from their consent agreements:

McCormick, Brendan, J. R.N. 258409 (CASE #05-3484); Soto, Lynn, N. R.N. 187356 (CASE #06-0334); Russell, Arnetta, N. P.N. 123218 (CASE #06-1005); Woods, Diane, M. R.N. 247355 (CASE #06-0282); Terry, Barbara, A. R.N. 298684 (CASE #05-0816); Turner, Comaceda, K. P.N. 124129 (CASE #06-1383); Lombardo, Dominic, J. R.N. 329820 (CASE #06-1856); Collins, Tiffany, R. R.N. 274576 (CASE #07-0615); Bukovinsky, Cynthia, A. R.N. 326877 (CASE #07-0917); Lupe, Patricia, J. R.N. 091389 (CASE #07-0285); and Setty, Jeanette, M. R.N. 231016 (CASE #02-0295).

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

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

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Debra Broadnax, supervising Member for Disciplinary matters, be released from their consent agreements or adjudications order with exception of the permanent licensure restriction(s) that will remain in effect:

Boyd, Joseph, P. P.N. 101594 (CASE #04-1606); Curtis-Sanford, Julie, A. R.N. 274002 (CASE #04-0947); Marcum, Delma, M. R.N. 216242 (CASE #06-0692); and Mattison, Aundrea, L. P.N. 122455 (CASE #07-1335).

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

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

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

Argyle, Cynthia, E. R.N. 167216 (CASE #05-1481); Schultz, Jamie, M. R.N. 237719 (CASE #06-1045); Cresap, Nancy, L. P.N. 085228 (CASE #06-1636);

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

LIFT OF NARCOTIC RESTRICTION

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their narcotic restrictions within their respective consent agreement:

Murphy, Patricia, M. R.N. 117403 (CASE #05-2633); McGough, Shaun, H. R.N. 330511 (CASE #06-2804); Forbes, Katrina, P.N. 126140 (CASE #07-0401); and Blevins, Deborah, E P.N. 104001 (CASE #07-1440).

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

LIFT OF NARCOTIC RESTRICTION – EARLY RELEASE

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released early from their narcotic restrictions within their respective consent agreement:

Lindsey, Karin, C. R.N. 295903 (CASE #06-3072)

Motion adopted by a majority vote of the Board member with Debra Broadnax abstaining.

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

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released early from their consent agreement with the exception of the permanent work and narcotic restriction(s) that will remain in effect:

Lattimer, Janice, L. R.N. 148281 (CASE #05-0720)

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

LIFT OF SUSPENSION ONLY – PERMANENT AND TEMPORARY WORK RESTRICTIONS REMAIN

Action: It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudications order with exception of the permanent licensure restriction(s) that will remain in effect:

Gibson, Marla, K. P.N. 091736 (CASE #04-2543)

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

REPORTS TO THE BOARD

Board Committee Reports

Board Committee on Practice - Botox and Dermal Fillers Interpretative Guideline

L. Emrich reported that the Board received no additional comments to the final draft of the Interpretive Guideline. **Action:** It was moved by Debra Broadnax, seconded by Janet Boeckman, that the Board approve the Interpretive Guideline as presented. Motion adopted by a majority of the Board members. Eric Yoon opposed.

Board Committee on Practice – Chapters 4723-4 Review

The Practice Committee convened on Thursday, July 17, 2008 to review Chapter 4723-4. In addition, the Board requested that the Committee also review and comment on Chapter and 4723-20, since it is related to practice.

The Committee received verbal comments and reviewed the written comments submitted by Pam Dickerson, RN. Upon discussion and review of the written comments, the Board requested the following:

1. Rule 4723-4-01
 - a. Consider elimination of the term “nursing diagnosis” or clarify the definition.
 - b. Consider adding a definition for “clinical judgment” based on the comments related to rule 4723-4-07.
2. Rule 4723-4-03
 - a. Paragraphs (C) and (D): Comments were received regarding adding language to distinguish the registered nurse practice from that of the licensed practical nurse by adding a reference to the application of clinical judgment. L. Emrich addressed the comment by identifying that Section 4723.01(B) sets forth the statutory scope of practice.
 - b. Paragraph (F)(2): Clarify the language by using the word “ordering” and “order.”
 - c. Paragraph 4723-4-03(I) – Consider deleting “properly executed release” from the first sentence.
 - d. Paragraph 4723-4-03(J) – Consider deleting “with respect to the nursing care,” as it is redundant.
3. Rule 4723-4-04
 - a. Paragraphs (C) and (D): Review the use of “direction” in these paragraphs.
 - b. Paragraph (F): Clarify language for “licensed nurse” and “licensed practical nurse.”
 - c. Paragraph (J): Consider removing redundant language.
4. Rule 4723-4-05 – It was questioned whether this rule was appropriately included in this chapter. The Board consensus was that it is appropriate in this chapter because it clarifies that the practice rules apply to advanced practice nurses.
5. Rule 4723-4-06
 - a. Paragraph (C) – Consider adding language to require identification of credentials to other health care providers, in addition to the client, when communicating via telecommunication.
 - b. Paragraph (D) – Delete outdated reference.
 - c. Paragraph (I) – Consider adding a definition of “professional boundaries.”
6. Rule 4723-4-07
 - a. Paragraph (A)(1)(b) – Consider moving “reporting” data to (A)(2) to reflect the nursing process.

- b. Paragraph (A)(4)(a) – Review the use of the word “direction.”
 - c. Paragraph (A)(4)(b) – Review the use of the word “giving.”
 - d. Paragraph (A)(5)(b) – Consider deletion because it is redundant.
7. Rule 4723-4-08
- a. Paragraph (A)(4)(b) – Consider deletion of the phrase related to other members of the health care team since it is covered in (A)(4)(c).
8. Chapter 4723-20
- a. Consider incorporating the concept of “standard precautions” that would include “universal precautions.”
 - b. Consider referring to “hand hygiene” rather than “hand-washing” and “personal protective equipment” rather than “barrier techniques.”
 - c. 4723-20-01(C) – Include the use of “other antimicrobial agents” with the definition of “hand-washing.”
 - d. 4723-20-05(C) – Clarify “case management agency.”
 - e. 4723-20-06(B) Consider revising language to be consistent with standard precautions and include “excretions.”
 - f. 4723-20-07 – Consider a change of title to reflect that the licensee or certificate holder is held to a standard of using standard precautions, rather than being required to “prevent disease transmission.”

The Practice Committee will meet again at the September 2008 Board meeting to review the proposed revisions for Chapters 4723-4 and 4723-20.

Open Forum – 10:00 a.m. Friday, July 18, 2008 – No participants

Advisory Group Reports

Nursing Education Meeting

K. Driscoll reported there was a discussion that candidates should be required to successfully pass the NCLEX within two years from completion of a nursing education program. NCLEX testing will be on the September 2008 Board meeting agenda.

Other Reports

Nursing Education Study Committee

J. Boeckman reported that at the July 15, 2008 meeting she presented information showing there was no correlation between passing the NCLEX examination and the number of clinical hours completed in an educational

program. Also, there was a discussion about consolidation of nursing education programs rather than increasing the number of programs. Senator Moreno mentioned the possibility of a line item for additional money for nursing faculty. Another meeting is scheduled for August 18, 2008.

Elimination of Wallet Cards

B. Houchen reported on the responses received from the Spring 2008 *Momentum* article, "Identity Theft and Fraud: Risks Associated with Paper Wallet Cards." After discussion, the Board agreed with the elimination of the wallet cards for all Board regulated licensees and certificate holders. Board staff will propose revisions to the administrative rules for this change. The implementation date would be on the effective date of the amended administrative rules, anticipated to be February 1, 2009.

NEGP 2005-2007 Summary Report

L. Emrich reviewed the NEGP 2005-2007 Summary Report and stated it will be on the Board website.

Medication Aides

L. Emrich reported that the long-term care associations conducted a medication aide survey and provided the survey results to the Board. She thanked the associations for the information.

GENERAL INFORMATION (FYI)

L. Klenke reviewed the General Information items and asked if Board members had questions. K. O'Dell thanked staff for the letter about school nurses.

BOARD GOVERNANCE

Designation of Hotel for 2009

The Board agreed by general consensus to stay at the Hyatt on Capitol Square for the 2009 Board meetings and directed Joseph Kirk to make the necessary arrangements.

Review of Interpretive Guidelines

The Board discussed implementing a routine review and evaluation of each Interpretive Guideline. The Board agreed by consensus that Interpretive Guidelines be reviewed a minimum of every two years for any necessary revisions or removal of the Interpretive Guideline if determined to be no longer necessary or relevant to current practice. It is suggested that this review be added to the Board Agenda every March, at which time the Board will be presented with the Interpretive Guideline(s) timed for review and any

recommendations from Board staff and interested parties concerning the Interpretive Guideline(s) under review.

Update: Governor's Executive Order 2007-09S

H. Fischer stated the Governor's Office issued additional questions and answers for Executive Order 2007-9S regarding payment for meals. H. Fischer provided a summary and answered questions. She also clarified that all Board members have attended or are scheduled to attend one of the ethics training sessions as required by the Governor.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on July 18, 2008 at 1:30 p.m.

Lisa Klenke, MBA, RN, CNAA
President

Handwritten signature of Lisa R. Klenke in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Secretary

Handwritten signature of Betsy J. Houchen in cursive script.