

Ohio Board of Nursing
Columbus, Ohio
Minutes of Meeting
July 21-22, 2005

REGULAR MEETING OF THE BOARD JULY 21-22, 2005

The regular meeting of the Ohio Board of Nursing (Board) was held on July 21-22, 2005. The president, vice-president, and executive director (ED) reviewed the agenda prior to the meeting.

On Thursday July 21-22, 2005, at 9:10 a.m. the meeting of the full Board began its meeting at the Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, Ohio. At 9:10 a.m., President Yvonne Smith called the meeting to order in open session.

BOARD MEMBERS:

Yvonne Smith, MSN, RN, CNS, President
Mary Jean Flossie, LPN, LNHA, Vice President
Anne Barnett, BSN, RNC
Judith Brachman, Consumer Member
Debra Broadnax, MSN, RN, CNS
Elizabeth Buschmann, LPN
Kathleen Driscoll, JD, MS, RN
Lisa Klenke, MBA, RN, CNA-A
Cynthia Krueger, RN, MSN
Bertha Lovelace, RN, BA, CRNA, Supervising Member, Disciplinary Matters
J. Jane McFee, LPN
Kathleen O'Dell, RN, M.Ed., NCSN.
Teresa Williams, LPN

STAFF MEMBERS:

John M. Brion, RN, MS, Executive Director
Betsy Houchen, JD, MS, RN, Associate Executive Director
Rosemary Booker, Fiscal Manager
Lisa Emrich, MSN, RN, Monitoring Unit Manager
Lisa Ferguson-Ramos, RN, JD, Compliance Manager
Diana Hisle, Executive Assistant
Jacqueline Loversidge, RNC, MS, Nursing Education Consultant
Nancy Manns, RN, MS, Standards/Practice Consultant
Eric Mays, BS, Operations Manager
Susan Milne, RN, MSN, JD, Advanced Practice Consultant
Norma Selders, RN, MS, Nursing Practice & Education Manager
Cynthia Snyder, JD, Legislative/Regulatory Specialist
Stacy Thacker, Human Resources Manager

Katherine Bockbrader, JD, Assistant Attorney General
Tara Berrien, JD, Assistant Attorney General
P.R. Casey, JD, Assistant Attorney General

Unless noted in these minutes as exhibits, all written reports submitted to the Board shall be maintained on file in the Board office according to the Board's records retention schedule.

Vice President Mary Jean Flossie read the Board's mission statement and stated that the mission statement is printed on the agenda and on the condensed agenda.

ADMINISTRATIVE MATTERS

Report of the President

Announcements of meetings/scheduled events

President Smith:

- Apologized to the audience for the late start. This is the first meeting in our new Boardroom and members are getting acclimated. This is also the second paperless meeting and the Board continues to deal with technology issues;
- Apologized to those who did not have a seat due to the seating limitations in the new Board room;

- Reviewed on Thursday July 21, 2005 the following scheduled events:
8:30 AM Board Reception was held in Conference Room D; 9:00 AM – Roll Call; 11:00 AM - New Nursing Education Program - RETS Tech Center, Centerville; Noon Meeting - Board Task Force on Advisory Group Appointments; and at 3:30 PM Executive Session to deliberate on disciplinary cases;
- Reviewed on Friday July 22, 2005 the following scheduled events:
9:00 AM – Roll Call; 9:30 AM Open Forum; 10:00 AM – 11:30 AM - Board CE event & staff training provided by the Ethics Commission - Conference Rooms A B & C; Noon meeting - Board Task Force on Center for Nursing. Reports on the task force meetings to follow during the meeting; and
- Executive sessions will be held on Thursday July 21, 2005 and Friday July 22, 2005, as needed.

Housekeeping items/reminders

President Smith:

- On Thursday July 21, 2005 welcomed the gallery and recognized students from Wright State University and on Friday July 22, 2005 recognized students from The Ohio State University;
- Reminded Board members to have all beverages capped to avoid spills due to the new audio equipment;
- Announced that the meeting is being recorded for purposes of the minutes;
- Requested Board members to introduce themselves and indicate their practice areas and hometowns; and
- Reminded Board members that motions to extend discussion should be for a minimum of fifteen-thirty minutes.

Discussion of the Agenda, Report Agenda

The Board agreed by general consent to the changes to the ordering of the agenda necessitated by the timed agenda. The minutes are presented in the order of the agenda. The meeting took place on Thursday July 21, 2005, from 9:10 a.m. through 6:15 p.m. and on Friday July 22, 2005, from 9:00 a.m. through 5:45 p.m. The dates and times of time sensitive agenda items are noted in the minutes.

IT WAS MOVED BY LISA KLENKE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD ACCEPT THE REPORT AGENDA AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The report agenda included the following agenda item: Report of Site Visit on Kidney Services of West Central Ohio.

President Smith requested the Board's permission to reorder the agenda and move to the Potential Law and Rule Changes as she frequently hears from Board members that some of the agenda items, particularly as they relate to the law and rules, might be more helpful for Board members to cover earlier in the day and also more helpful to the students in the audience. President Smith requested if it would please the Board to skip ahead on the agenda to Section 3 under Governance to the Potential Law Changes, which is going to take a significant amount of discussion. This would take the agenda up to the 11:00 a.m. scheduled event to review the new nursing education program. The Board agreed by general consent to move to Potential Law Changes, agenda item 3.1.3 Confidentiality of Monitoring Records.

Minutes of May 19-20, 2005 Board meeting

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY TERESA WILLIAMS, THAT THE MINUTES OF THE MAY 19-20, 2005 BOARD MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Executive Director report

The Board received the ED's written report submitted by John M. Brion.

The ED report covered the following areas or programs:

- Rosemary Booker – Financial Administration
(On-line Renewal and Budget - Current Monitoring and Future Planning);
- Eric Mays - Information Technology; Facilities and Telecommunications; Nurse Education Grant Program (NEGP);
- Stacy Thacker – Human Resources;
- Cynthia Snyder – Legislative/Regulatory Specialist Report
(See report below);
- Norma Selders –Education, Licensure and Nursing Practice; Licensure, Renewals; Continuing Education; and Advisory Group for Continuing Education;
- Jackie Loversidge - Nursing Education
Progress Reports; Program Updates; Upcoming survey visits to Nursing Education Programs, 2005; and Proposed Programs;

- Lisa Ferguson-Ramos – Disciplinary Unit; and
- Lisa Emrich - Monitoring & Alternative Programs Unit;
Post-Disciplinary Monitoring Statistics;
Alternative Program for Chemical Dependency Statistics; and
Practice Intervention and Improvement (PIIP) Statistics (May and June 2005).

Board member Judith Brachman requested that Ms. Ramos and Ms. Emrich provide more context with the statistics. This would help explain each category and help interpret the numbers. Ms. Emrich and Ms. Ramos agreed to provide more information. Board member Teresa Williams commended Ms. Emrich and Ms. Ramos on the work provided by the staff.

Legislative/Regulatory Specialist

House Bill 66 (Calvert, R-Medina) was approved by the General Assembly and signed by the Governor on June 30, 2005. The Governor exercised his veto power on 27 separate items, none of which directly impact the Board of Nursing. He did, however, veto provisions directing the Department of Administrative Services to conduct a comprehensive study and provide recommendations for the systematic reorganization of state government. This language was separate from, and in addition to, language requiring the consolidation of 20 boards and commissions within the Departments of Health, Commerce, and Public Safety. The more comprehensive government reorganization was originally proposed by Attorney General Jim Petro and was included in the budget language by supportive Republican legislators. While reiterating his support for downsizing state government, the Governor's veto message cited the cost associated with such a study as justification for the veto. With regard to the Governor's board consolidation initiative, the Board of Nursing remains one of seven boards exempted by the legislature from the consolidation plan. Other exempted boards are: Medical, Pharmacy, Dental, Accountants, Architects, and Engineers. Some of these boards, like the Board of Nursing, are large enough that they have functioned without reliance on the support services provided for many smaller boards by the Department of Administrative Services. Others of the exempted boards have constituencies that are active and organized in General Assembly circles. Details of the consolidation plans are to be finalized by the end of 2005, with the reorganization to take place by the start of fiscal year 2007 (July 1, 2006). The language creating a pilot program for the certification of medication aides remains much as it appeared in the Senate version of the budget bill. This involves the addition of several new sections to Chapter 4723. and the amendment of existing sections to include medication aides. While the program is to be conducted initially as a pilot, it will become permanent and authorized statewide absent some further act by the legislature. The Board of Nursing is directed to convene a 16 member Advisory Council to assist in further developing the medication aide certification program. This advisory function includes making recommendations for administrative rules necessary to implement the program. The budget calls for administrative rules to be drafted, filed, and effective by February 1, 2006. The Board is to begin issuing certifications not later than May 1, 2006, and the pilot will run until July 1, 2007. The Board is also required to conduct an evaluation of the pilot and submit a report to the General Assembly by March 1, 2007. For the most part, the issues identified by the Board as necessary for the safe and effective operation of a medication aide pilot program are addressed in the language of the final bill. Certain issues are to be addressed in rule however, and will require immediate attention by the Board and the Advisory Council.

Other Legislation

Legislation to allow for the unregulated practice of complementary or alternative medicine remains in the House Commerce and Labor Committee. **House Bill 117**, sponsored by Rep. Linda Reidelbach (R-Worthington) received no further hearings following the Board adopting a formal position on the bill at the May meeting. House Commerce and Labor Committee Chair Rep. Tim Schaeffer (R-Lancaster) did convene a meeting for discussion among interested parties. Representatives Schaeffer and Reidelbach were made aware of the Board's position on the bill, and heard concerns expressed by a variety of other regulatory boards. At this point, it is unclear what path the bill will take. Formal committee hearings are not anticipated over the summer months, and the legislature will not return for voting sessions until the fall. (There is a potential for a voting session on August 2, 2005 if the House of Representatives can garner the 66 votes necessary to place the Governor's Third Frontier Initiative on the November ballot.) **House Bill 117** will continue to be closely monitored. Should it appear poised to pass the House, discussions will be initiated with the Senate. Legislation authorizing prescriptive authority for Physician Assistants (PAs) has been introduced in both the Senate and the House. **Senate Bill 154** is sponsored by Senator Lynn Wachtmann (R-Napoleon) who invested much time and energy in forging consensus on various aspects of the proposal during previous legislative sessions. A companion measure, **House Bill 305**, is sponsored by Rep. Jon Peterson (R-Delaware). In addition to addressing prescriptive authority for PAs, both versions of the bill would expand the situations in which an advanced practice nurse could provide patients with a complete or partial supply of drugs (other than schedule II controlled substances) listed on the formulary.

House Bill 87, sponsored by Rep. John Willamowski (R-Lima), was expanded in House committee to allow the Department of Rehabilitation and Correction to include nurses in an education loan repayment program. This program would provide loan repayment for physicians and nurses contracting to work in state correctional facilities. The bill has passed the House and awaits hearings in the Senate.

Representative Jim Aslanides (R-Coshocton) has introduced legislation that provides a statutory exemption from state licensure (Department of Health) for certain birthing centers that are owned or operated by religious orders. The legislation, **House Bill 287**, codifies an exemption that has existed for several years in administrative rule.

Five-Year Rule Review

Changes are proposed for various rules in existing Chapters 4723-8, 4723-9, and 4723-23. Materials relating to these suggested changes are provided separately.

Legislative Chart

Staff member Cynthia Snyder distributed the Board of Nursing Legislative Status Report as of July 18, 2005. The chart included the bill number, sponsor, title/subject, significance, status and relevant information. Ms. Snyder reviewed the chart and answered questions of the Board members for clarification. Board Member Teresa Williams requested that the chart be provided to her electronically to keep on her laptop for reference. Ms. Snyder apologized for not getting the chart to Board members before the meeting. Board member Judith Brachman referred to the lengthy numbers of documents received in the last mailing. She requested that lengthy items be paced so that Board members have time to review them before the meetings. It was also requested that the process be reviewed in order to get materials to the Board in a timelier manner. Director Brion stated that he initiated a cut off date for information to be submitted the last day of the month before each meeting. This gives a two-month period to report on and the routine items should be sent earlier to the Board members.

Fiscal Report

The Board received a written memo with the attached financial report submitted by Rosemary Booker covering the Quarterly Report as follows: expenditures and revenue that occurred during SFY 2005 1st quarter, 2nd quarter, 3rd quarter and 4th quarter (with the following exception): Funds encumbered in SFY 2004 and used to make purchases during FY 05 were omitted. Ms. Booker provided an update on the on-line renewals to date. Ms. Booker answered questions for clarification regarding the budget for the Special Issues Fund in terms of the amounts left and donations. Ms. Booker answered questions regarding the Board member's status report on the number of hours compensated and travel reimbursements for the fiscal year. She reported that funds still needed to be transferred from the NEALP and Nursing Issues Accounts for the 4th Quarter. Ms. Booker stated that the report on the number of hours compensated and travel reimbursements breakout had an error and a corrected version of the report will be distributed during the September Board meeting. Ms. Brachman asked questions regarding the Special Issues Fund in terms of availability of funds. She further inquired if the report on the Board member's spending status would be provided regularly. Ms. Booker answered no, that she was directed to provide this with the end of the year information to the Board. Bertha Lovelace stated that she thinks the Board should see this information on a quarterly basis. ED John Brion stated that he directed Ms. Booker to provide the report in relation to the issue with the Rehabilitation Services Commission and inappropriate billing by certain Board members. He stated that he spoke with the Inspector General's office regarding his role as ED in oversight of Board member hours. He was informed that the information should be transparent to all members and asked what was the best way to communicate this information to the Board. He further stated that it is the ED's responsibility to oversee the Board member's hours, even though the ED serves at the pleasure of the Board, and was advised that this information should be included in the Board meeting materials. Board member Cynthia Krueger stated that the totals are deceiving without explanation in terms of attending extra meetings such as for National Council, etc. and should be broken down more with explanations. She further stated that the President has more responsibilities etc. and this is not just looking at a number, which could be deceiving. Ms. Booker stated that she could provide a total breakdown as to the travel reimbursements. The Board inquired if a spreadsheet could be provided including everything with a total breakdown indicating partial years to show attendance, etc., which information impacts the total and puts the numbers into context. Ms. Booker responded that she could provide this format, which would include everything with the total breakdown to help explain the totals comparable to a year ago as far as expenditures in terms of other Board members.

Executive Sessions

On Thursday July 21, 2005,
IT WAS MOVED BY MARY JEAN FLOSSIE, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PENDING AND IMMINENT COURT ACTION. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

On Thursday July 21, 2005, at 11:40 a.m. the Board went into executive session to discuss pending and imminent court action. All staff members and all visitors left the meeting room, except for John Brion, Betsy Houchen and AAG Kathy Bockbrader.

At 12:10 p.m., the Board reconvened in open session and Mary Jean Flossie reported that at 11:40 a.m. on Thursday July 21, 2005, the Board went into executive session to discuss pending and imminent court action.

Before going into executive session President Smith asked all Board members whether they had reviewed all materials relevant to the deliberations and requested those who had not reviewed the materials to refrain from participating.

On Thursday July 21, 2005,
IT WAS MOVED BY MARY JEAN FLOSSIE, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS RELATED TO THE EMPLOYMENT OF STAFF AND TO DELIBERATE ON CASES BEFORE THE BOARD. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

On Thursday July 21, 2005, at 3:20 p.m., the Board went into executive session to deliberate on cases before the Board and to discuss personnel matters related to the employment of staff. All staff members and all visitors left the meeting room, except for Stacy Thacker and AAG Kathy Bockbrader, during the discussion on personnel matters that related to the employment of staff. Board members Yvonne Smith, Bertha Lovelace, AAG Kathy Bockbrader, all staff members and visitors left the room during the deliberations on cases.

At 6:15 p.m. the Board reconvened in open session and on Friday July 22, 2005 at 9:00 a.m., Mary Jean Flossie reported that at 3:20 p.m. on Thursday July 21, 2005, the Board went into executive session to deliberate on cases before the Board and to discuss personnel matters related to the employment of staff.

On Friday July 22, 2005,
IT WAS MOVED BY MARY JEAN FLOSSIE, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS RELATED TO THE EMPLOYMENT OF STAFF. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

On Friday July 22, 2005, at 4:45 p.m. the Board went into executive session to discuss personnel matters related to the employment of staff. All staff members and all visitors left the meeting room, except for AAG Kathy Bockbrader and AAG P.R. Casey, during the discussion on personnel matters related to the employment of staff.

At 5:20 p.m., the Board reconvened in open session and Mary Jean Flossie reported that the Board went into executive session to discuss personnel matters related to the employment of staff.

Report of Assistant Attorney General

On Thursday July 21, 2005, the Board received a written report on pending and imminent court actions from AAG Kathy Bockbrader.

Special Orders

Review rules scheduled for Section 119.032 review and determine which, if any rules, may be filed as "no change" rules - (Under agenda item 3.2.1)

Annual review of Board policies

The Board received a written memo and chart developed to assist in the review process for each Policy. The chart indicated each policy, recommended revisions and outcomes, submitted by Betsy Houchen. The Board reviewed each policy separately using the chart provided.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY ANNE BARNETT, THAT THE BOARD EXTEND DISCUSSION FOR 30 MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

In review of the policies, the Board agreed by general consent to bring the policies back at the September meeting with the suggested changes for approval and additional policies formulated from the Board Guidelines.

ED John Brion expressed his view that the policies relating to Board Member compensation should be reviewed. Betsy Houchen explained that these are scheduled for review at the September Board meeting because the Board is awaiting information from the AAG regarding the issues. Yvonne Smith requested Director Brion and others to provide any comments on Board Member compensation policies and there were no comments at this time.

Needs Assessment for Board Member Appointments Based Upon Board Make-up, Recommendations to the Governor in accordance with policy 4723-B-011

This item was deferred at the May Board meeting. President Smith requested responses from the Board members whose terms expire at the end of the year regarding their interest in re-appointment for another four-year term. Board members J. Jane McFee, Kathleen Driscoll, Lisa Klenke, and Mary Jean Flossie responded, "yes" that they are interested in re-appointment by the Governor. Yvonne Smith stated that she would not be seeking re-appointment for another four-year term.

Request Information on what is Needed by Governor's Office for Re-appointment of Board members for Report at the September Board meeting

President Smith announced that the Board members whose terms expire this year needed to write a letter to the Governor's office stating their interest in re-appointment. President Smith also informed the Board that the ED would be sending a letter on the Board's behalf indicating the geographical and practice needs for an appointment to replace RN Board member Yvonne Smith. The Board indicated that consideration should be given to the Southeast area of Ohio and that practice areas need to include advanced practice with prescriptive authority, long-term care, and possibly an education representative, if needed. President Smith agreed to send a letter endorsing the re-appointments of J. Jane McFee, Kathleen Driscoll, Lisa Klenke, and Mary Jean Flossie. Following discussion;

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD PRESIDENT WRITE A LETTER TO THE GOVERNOR, IN SUPPORT OF EACH BOARD MEMBER WHO IS SEEKING RE-APPOINTMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. LISA KLENKE, J. JANE MCFEE, KATHLEEN DRISCOLL AND MARY JEAN FLOSSIE ABSTAINED.

Open Forum

No one was scheduled for Open Forum.

REPORTS FROM BOARD MEMBERS

Task Force Reports

Board Task Force on Advisory Group Appointments Meeting

The Board Task Force on Advisory Group Appointments met during lunch on Thursday July 21, 2005 to review applications to fill the vacancy on the Advisory Group on Nursing Practice and Education. Following the meeting,

IT WAS MOVED BY KATHLEEN DRISCOLL, ON BEHALF OF THE BOARD TASK FORCE ON ADVISORY GROUP APPOINTMENTS, SECONDED BY DEBRA BROADNAX, THAT DONNA CUNNINGHAM, LPN, BE APPOINTED TO THE BOARD ADVISORY GROUP ON NURSING PRACTICE AND EDUCATION, TERM BEGINNING IMMEDIATELY AND ENDING DECEMBER 31, 2007. SHOULD MS. CUNNINGHAM BE UNABLE TO SERVE, THE TASK FORCE WOULD BE SUBMITTING THE NAME OF GAYLE STORM, LPN, AS THE CONTINGENT APPOINTEE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Board Task Force on Center for Nursing

Board member Judith Brachman highlighted the discussion of the Board Task Force on Center for Nursing, which met during lunch on Friday July 22, 2005. During the meeting the group discussed that at the March meeting it was determined that the nursing center would pursue establishing a web site, look at convening a consortium of interested parties and organizations, focus on nursing regulation for regulatory excellence as the purpose and focus. Jane Mahowald, Ohio League For Nursing, (NLN), presented information on the national meeting held in Portland, Oregon in April. During the national meeting, a proposal to establish a group entitled "The Forum for State Nursing Workforce Centers" was presented. The Centers are proposed to be a virtual network. Ms. Mahowald believes that the Board could be a part of the "Forum for State Nursing Centers," as an ongoing organization and national forum for what the Board is interested in

regarding the items discussed during their last meeting. The group's next meeting will be held at noon on Friday during the September Board meeting. Betsy Houchen stated that the group would look at the feasibility of a web site, i.e., the cost of a web-based Center and the tasks involved in terms of available staff, and continue talking with Jane Mahowald. Ms. Brachman invited others to attend the September meeting.

Advisory Group Chair Reports

Report of the Advisory Group on Nursing Practice & Education Issues

Board member Kathleen Driscoll, Chair, Advisory Group on Nursing Practice & Education Issues, reported that during the last advisory group meeting a legislative update was presented by staff member Cynthia Snyder; work was completed on the LPN re-licensure rule concepts to the extent of referring them to the CE Advisory Group; preliminary discussions were held on concepts for Chapter 5 (pre-licensure nursing program) rule revision in terms of clinical hours and sites; and a proposal was reviewed on a new nursing education program for the RETS Tech Center, Centerville, and recommended for approval.

Report of the Advisory Group on CE

Board member Lisa Klenke, Chair, Advisory Group on CE reported that during the last advisory group meeting the group received a legislative update from staff member Cynthia Snyder. They worked on the RN/LPN Re-Licensure Course Requirements law and rules. Ms. Klenke distributed the June 2005 draft for review and discussion. The Board reviewed the chart and agreed by general consent with the draft of concepts presented. The next step will be to write the draft rules. Board member J. Jane McFee commended the group on the work completed over a two-year period and stated her appreciation of their work.

Report from Supervising Member for Disciplinary Matters

Board member Bertha Lovelace commented that they continue to work diligently to cover the cases. She continues to appreciate the efforts of Lisa Emrich and Lisa Ferguson-Ramos to streamline the processes to become more efficient.

Report from Board Hospitality Liaison

Board Hospitality Chair Teresa Williams informed the Board that the balance of the Board's hospitality fund is \$333.66. She presented a farewell card to ED John Brion and reported on the expenditures for the farewell reception. Ms. Williams continues to collect a ten-dollar contribution from each member during each meeting. She provided an explanation to the audience that the hospitality fund is comprised only of personal contributions made by Board members and thanked the members for their contributions.

GOVERNANCE-STRATEGIC PLANNING

Identification of Potential Law Changes

Confidential Post Discipline Monitoring Information

The Board received a written memo regarding Confidential Post-Discipline Monitoring information submitted by Lisa Emrich, Monitoring Unit Manager. Ms. Emrich reviewed the information as follow up to the April 2005, Board Retreat. Ms. Emrich reviewed the items identified with asterisks as the personal information that is more medical in nature, which is and would remain confidential. Ms. Emrich reviewed the other items that possibly could be made available to the public, for example the media, potential employers and current employers, if the law is amended. The most frequent questions are whether the nurse is compliant, where they are working, and drug testing results. The intent of the law is to protect the medical information; current law mandates all parts of the record are confidential.

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY TERESA WILLIAMS, THAT THE BOARD EXTEND THE DISCUSSION FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Following review, it was suggested that the Board needed to consider whether the suggested changes are worth changing the law to provide this type of information to the public. Ms. Emrich answered questions of the Board for clarification regarding the information presented. This change would apply only to a small number of requests mostly from journalists and general public inquiries. The consent agreements are made available to the public, however whether or not a nurse is compliant, is not. It is not until the Board takes further action that the information becomes public. If the Board approves changes in conditions of the consent agreement, the addendum becomes available to the public. Betsy Houchen explained this question came up when the nurse is under a consent agreement, but information cannot be shared with employers or the public about compliance.

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY J. JANE MCFEE, THAT THE BOARD EXTEND DISCUSSION FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

A request was made to review each item and to place this issue on the agenda at another meeting for further consideration. Ms. Emrich reviewed each item that did not contain an *asterisk (medical information)*. The question came up again if the suggested changes reviewed were worth the effort it takes to change the law. It was suggested that the Board consider putting this item on hold in order to gather more information from other boards within the state and from National Council on what is done in similar situations. A concern was made that this kind of information would be public information if it were not tied to this program and should be available to the public.

A concern was raised regarding how could the Board protect the public if this type of information is not available, especially the “practice skills assessment and learning plan.” This hands-on nursing skill should be shared with potential employers and the public. Whether or not the nurse is capable to practice is the type of information that the public wants to know and clearly should be common knowledge. To a journalist it could also appear as if the Board is being self-protective of the nursing profession even though the Board did not request this limitation.

Other Board members believed that the Board’s system puts safeguards in place and it is inappropriate to share this information. The Board questioned what purpose and benefit it would provide, or if the information could be misused. Following review and discussion, President Smith asked if the Board wished to bring this item back with more information and further discussion. Several Board members believed that their opinions would not change with further discussion or additional information. Following discussion;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD BRING THIS ITEM BACK TO THE BOARD FOR MORE INFORMATION AND DISCUSSION AT ANOTHER MEETING. MOTION WAS DEFEATED BY MAJORITY VOTE OF THE BOARD MEMBERS. KATHLEEN DRISCOLL, LISA KLENKE, TERESA WILLIAMS, JUDITH BRACHMAN AND KATHLEEN O’DELL VOTED IN FAVOR. ELIZABETH BUSCHMANN, DEBRA BROADAX, CYNTHIA KRUEGER, J. JANE MCFEE, ANNE BARNETT, BERTHA LOVELACE AND MARY JEAN FLOSSIE OPPOSED.

Analysis of Information Relating to Proposed Fees

The Board received a written memo regarding Analysis of Information Relating to Proposed Fees submitted by Betsy Houchen. Ms. Houchen recognized staff members Norma Selders, Lisa Emrich, Lisa Ferguson-Ramos, Susan Milne and Nancy Manns for their contributions to the information provided. Ms. Houchen reviewed the information and a summary of a discussion as follow-up to the April 2005 Board Retreat. Ms. Houchen explained that Fines & Fees were defined, as the terms as used previously were confusing. She further explained that fines are imposed through discipline and fees are imposed through statutory authority for non-disciplinary issues. A table was provided with the current practice and recommendations for each violation. Most of the recommendations are for the use of statutory fees as a penalty for not following rules and standards that do not rise to the level of discipline and places emphasis on those who have not complied. Ms. Houchen summarized each category. After review of each violation, President Smith affirmed agreement by general consent of the Board for each recommendation provided.

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT THE BOARD EXTEND DISCUSSION FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The Board continued to review the table and the recommendations for each violation. After review of each violation, President Smith continued to affirm agreement by general consent of the Board for each recommendation provided. It was also suggested that all new changes be placed in a future publication of *Momentum*, if adopted.

Ms. Houchen stated that the group needed to look at the law for further changes and bring this item back to the Board. Lisa Klenke thanked the group for all of their work and for the table format, which was very helpful in the Board’s review.

Identification of potential rule changes

Five-year rule review (Chapters 4723-8, 4723-9, and 4723-23)

The Board received draft rules and tables regarding the five-year rule review on Chapters 4723-8, 4723-9, and 4723-23 submitted by Cynthia Snyder. Betsy Houchen, Susan Milne, Nancy Manns and Norma Selders also contributed to the changes. The table provided a list of each rule for review, current language, rationale for the change with the suggested changes. Ms. Snyder also provided a copy of the rules with the proposed changes. Ms. Snyder reviewed each rule and answered questions for clarification.

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY J. JANE MCFEE, THAT THE BOARD EXTEND DISCUSSION FOR THIRTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Ms. Snyder continued to review the table and solicited feedback from the Board members.

IT WAS MOVED BY MARY JEAN FLOSSIE, SECONDED BY BERTHA LOVELACE, THAT THE BOARD EXTEND DISCUSSION FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Ms. Snyder continued to review the rules and as directed by the Board agreed to bring back the revised rules in September for further review, in order for the rules to be filed with JCARR before the hearing in November.

AP and PIIP rules

The Board received a written memo submitted by Lisa Emrich, Monitoring Unit Manager, in follow up to the Board Retreat discussion about the Board's disclosure of a licensee's successful completion of either the Alternative Program for Chemical Dependency (AP), or the Practice Intervention and Improvement Program (PIIP). This issue has been raised in the context of rule review where it was proposed that information regarding a licensee's successful completion of either program be made available to the Board when making a decision concerning subsequent disciplinary action for the licensee's violations of the Nurse Practice Act. Ms. Emrich's memo provided background information on the AP and PIIP. In 2004, the Board reviewed the proposed changes to Chapter 4723-16 OAC, Procedures for Conducting an Adjudication. One of the proposed changes included entering, as evidence at a hearing, information about the respondent licensee's prior successful completion of either the AP or PIIP. The purpose of this addition to Chapter 4723-16 was to be consistent with carrying out the new AP and PIIP rules, which allow entry of this information, when applicable, about a licensee's prior successful completion, as evidence in an administrative hearing. However, subsequent to receiving opposing testimony at the Chapter 119 rules hearing, the Board withdrew the proposed rule concerning the disclosure of this information as evidence. The concerns raised in opposition to the proposed rule in Chapter 4723-16 were based on the confidentiality of a licensee's participation in the nonpublic programs and the statutory basis for the use of the AP waiver in rule 4723-06-04 (C). Ms. Emrich reviewed the proposed rules OAC Rule 4723-6-04 (C) and OAC Rule 4723-18-09 (E) and answered questions of the Board for clarification. Following review of the information provided, President Smith requested feedback from the Board regarding leaving the rules as is or proceeding to rescind the rules. The Board agreed by general consent to leave the rules unchanged until the scheduled five-year review in 2008.

Internal & External Environment To Support Effective Dialogue, Respect, Trust, And Organizational Growth

Internal Communications

COA certification issues and CTP lapses

The Board received a written memo submitted by Norma Selders regarding the COA certification issues and Certificate to Prescribe (CTP) lapses. Ms. Selders reviewed the Board's current practice and the proposed policy in order to establish consistency with handling these cases. Ms. Selders assured the Board that this change would be communicated widely before being implemented. Susan Milne presented information on the CTP lapse process including the way in which the Board is handling the issue of CTPs within the VA system, as referred to in the memo. President Smith stated that she greatly appreciated the amount of teamwork that went into the document preparations and the information presented to the Board. Following review and discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD APPROVE AS SUBMITTED THE POLICY, "APN RESPONSIBILITY TO NOTIFY BOARD OF NATIONAL CERTIFICATION", AND THE POLICY, "LAPSED CERTIFICATE TO PRESCRIBE (CTP) AND PRESCRIPTIVE AUTHORITY UNDER FEDERAL LAW". MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Proposed PIIP Process changes (PREP)

The Board received a written memo submitted by Lisa Emrich, Monitoring Unit Manager, in follow up to the Board Retreat discussion concerning incorporating some of the Practice Remediation and Enhancement Partnership (PREP) processes in the existing Practice Intervention and Improvement Program (PIIP) process. Ms. Emrich reviewed her written memo and provided background information on the PREP pilot program, the current process, and a flow chart outlining the proposed process. The change would enhance the involvement of the nursing employer in all respects of the nurse's remediation. President Smith asked if the Board members supported adding this process. The Board members agreed by general consent with the new process in principle, and will await additional information as outlined in the memo.

Requirements for Clinical Hours for Pre-licensure Nursing Education Programs

The Board received a summary of information on requirements for the number of clinical hours for pre-licensure nursing education programs submitted by Jackie Loversidge, Nursing Education Consultant. The Board requested this information at a previous meeting and held a discussion during the Retreat. The memo included former, rescinded rules on "hour" requirements; current rules on clinical experience; information gleaned from the 2003 and 2004 Annual Reports from nursing programs; relationship between NCLEX scores and clinical hours; anecdotal observations about relationship between clinical hours and graduate quality; and suggestions for procurement of additional data and for development of a proposal on this subject. Ms. Loversidge reviewed the information and answered questions of the Board for clarification.

Ms. Loversidge provided the following suggestions for obtaining data that will be helpful in future decisions: information from other state boards of nursing relative to this issue; newly available information from NCSBN; a proposal developed regarding this rule for discussion at the September Board meeting with possible changes during the Five-year Review of Chapter 5 in 2006. The Board also directed Ms. Loversidge to look at clinical simulation. Staff member Norma Selders stated that she would attend the presentation at Delegate Assembly in August and bring back information to the Board.

Budget review/Preparation - (See agenda item 1.3 Executive Director Report)

APPROVALS

Nursing Education Programs

New Program Approvals

RETS Tech Center, Centerville

The Board received and reviewed the report of a survey visit for the proposed RETS Tech School of Nursing, Associate Degree in Nursing, Centerville conducted on June 22, 2005 by Jackie Loversidge, RNC, MS, Nursing Education Consultant. The purpose of the survey visit was to verify the accuracy of information presented in the proposal for establishing a new nursing education program. Debbie Ulrich, PhD, RN, Director of Nursing Education; Kellie Glendon, MSN, RNC, Director of Associate Degree Program; and Ken Miller, Director, RET Tech Center were present.

IT WAS MOVED BY KATHLEEN DRISCOLL, AS CHAIR OF THE ADVISORY GROUP ON NURSING EDUCATION & PRACTICE ISSUES, SECONDED BY ANNE BARNETT, THAT THE BOARD GRANT CONDITIONAL APPROVAL FOR RETS TECH SCHOOL OF NURSING ASSOCIATE DEGREE NURSING (1+1) PROGRAM, CENTERVILLE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Determination of Program Approval Status

North Central State College, Associate Degree Nursing Program, Mansfield

The Board received and reviewed the report of the April 18-21, 2005 survey visit to the Associate Degree Nursing Program, North Central State College, Mansfield conducted to determine approval status;

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY J. JANE MCFEE, THAT THE NORTH CENTRAL STATE COLLEGE, ASSOCIATE DEGREE NURSING PROGRAM, MANSFIELD BE GRANTED FULL APPROVAL EFFECTIVE JULY 21, 2005, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

North Central State College, Practical Nursing Program, Mansfield

The Board received and reviewed the report of the April 18-21, 2005 survey visit to the North Central State College, Practical Nursing Program, Mansfield conducted to determine approval status;

IT WAS MOVED BY MARY JEAN FLOSSIE, SECONDED BY LISA KLENKE, THAT THE NORTH CENTRAL STATE COLLEGE, PRACTICAL NURSING PROGRAM, MANSFIELD BE GRANTED FULL APPROVAL EFFECTIVE JULY 21, 2005, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Practical Nursing Program of Scioto County JVS, Lucasville

The Board received and reviewed the report of the June 8-10, 2005, survey visit to the Practical Nursing Program of Scioto County JVS, Lucasville conducted to determine approval status;

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE PRACTICAL NURSING PROGRAM OF SCIOTO COUNTY JVS, LUCASVILLE, BE GRANTED FULL APPROVAL EFFECTIVE JULY 21, 2005, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Parma School of Practical Nursing at Cuyahoga Valley Career Center, Brecksville

The Board received and reviewed the report of the April 18-20, 2005, survey visit to the Parma School of Practical Nursing at Cuyahoga Valley Career Center, Brecksville conducted to determine approval status. During the survey visit, it was discovered that the following rules were not met: Rule 4723-5-15(A)(10), OAC. The Systematic Plan of Evaluation; Program Records. Rule 4723-5-17(B), OAC. Agency contracts where preceptors are used. Rules 4723-5-19(C) & (D), OAC. Responsibilities of Faculty, in this case specifically during a precepted "internship" experience, and related; Rule 4723-5-20(A), OAC. Responsibilities of Faculty and Instructional Personnel in a Clinical Setting. The full citations are found in the accompanying summary survey visit report. At this time, the program is compliant with the above-cited rules. Following review of the report and discussion;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY J. JANE MCFEE, THAT THE PARMA SCHOOL OF PRACTICAL NURSING AT CUYAHOGA VALLEY CAREER CENTER, BRECKSVILLE, BE GRANTED FULL APPROVAL EFFECTIVE JULY 21, 2005, IN ACCORDANCE WITH RULE 4723-5-04 OAC. IT IS FURTHER MOVED THAT THE RECOMMENDATIONS FOR ENHANCEMENT OF THE PROGRAM BE FORWARDED TO THE PROGRAM ADMINISTRATOR, AND THAT A PROGRESS REPORT BE SUBMITTED TO THE BOARD FOUR WEEKS PRIOR TO THE JULY 20-21, 2006 BOARD MEETING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

University of Toledo College of Health and Human Services AD Program, Toledo

The Board received a cover memo and reviewed the report of the June 28, 2005 focused survey visit to the University of Toledo College of Health and Human Services AD Program, Toledo conducted to determine approval status. The annual survey visits occur because the program continues to be on Provisional Approval for continuous years of NCLEX pass rates below 85%. The program was placed on Provisional Approval under the "old" 85% rule (which has since been rescinded) and will need to demonstrate two consecutive calendar years above 85% pass rate in order for the Board to be able to restore Full Approval to the program. Following review of the report and discussion;

IT WAS MOVED BY ANNE BARNETT, SECONDED BY ELIZABETH BUSCHMANN, THAT THE UNIVERSITY OF TOLEDO COLLEGE OF HEALTH AND HUMAN SERVICES AD PROGRAM, TOLEDO, BE GRANTED CONTINUING PROVISIONAL APPROVAL EFFECTIVE JULY 21, 2005, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. CYNTHIA KRUEGER ABSTAINED.

Nursing Education Grant Program (NEGP)

The Board received a written memo on the Nurse Education Grant Program Awards, submitted by Eric Mays, Operations Manager. The memo provided a summary for the recommendations to the Board based on funding available now. The Board thanked the group for their work on the new program. Mr. Mays reviewed the information and asked if any additional information was needed in reviewing the applications.

Board member Lisa Klenke stated that the tool developed to rate the applications looked good at the last meeting. The process was made easier using the tool and the group will be tweaking the tool for the next grant cycle review and recommendations. Following review and discussion;

NEGP Primary Awards

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY J. JANE MCFEE, THAT THE BOARD APPROVE THE 2005 AWARD RECOMMENDATIONS FOR THE NURSE EDUCATION GRANT PROGRAMS AS FOLLOWS: XAVIER UNIVERSITY POST-LICENSURE PROGRAM FOR \$200,000; THE OHIO STATE UNIVERSITY POST LICENSURE PROGRAM FOR \$197,816; MEDICAL UNIVERSITY OF OHIO AT TOLEDO POST LICENSURE PROGRAM FOR \$199,291; MARION TECHNICAL COLLEGE PRE-LICENSURE RN PROGRAM FOR \$189,829; NORTHWEST STATE COMMUNITY COLLEGE PRE-LICENSURE RN PROGRAM FOR \$194,452; AND THE LORAIN COMMUNITY COLLEGE PRE-LICENSURE LPN PROGRAM FOR \$199,490. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. CYNTHIA KRUEGER ABSTAINED.

NEGP Contingency Awards

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY ANNE BARNETT, THAT THE BOARD APPROVE THE FOLLOWING 2005 AWARD RECOMMENDATIONS FOR THE NURSE EDUCATION GRANT PROGRAM CONTINGENT ON AVAILABLE REVENUE ACCRUED BY AUGUST 31, 2005 AS FOLLOWS: THE OHIO STATE UNIVERSITY PRE-LICENSURE RN PROGRAM FOR \$197,199; AND THE TRUMBULL CAREER CENTER PRE-LICENSURE LPN PROGRAM FOR \$65,858. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

**Licensees/Certificate Holders
RNS AND LPNS**

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY J. JANE MCFEE, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING MAY 1, 2005 THROUGH JUNE 30, 2005 TO REGISTERED NURSES AND LICENSED PRACTICAL NURSES AS DEFINED IN SECTION 4723.09 ORC, TAKING INTO ACCOUNT THOSE LICENSES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advanced Practice Nurses

Certificates of Authority (COAs)

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES OF AUTHORITY (COA) INITIALLY ISSUED MAY 1, 2005 THROUGH JUNE 30, 2005 TO CERTIFIED REGISTERED NURSE ANESTHETISTS, CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.41 ORC TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Certificates to Prescribe (CTP & CTP Externship)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES TO PRESCRIBE (CTP AND CTP-EXTERNSHIP) INITIALLY ISSUED MAY 1, 2005 THROUGH JUNE 30, 2005 TO CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.48 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

OCDTs

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES ISSUED MAY 1, 2005 THROUGH JUNE 30, 2005 TO OHIO CERTIFIED DIALYSIS TECHNICIANS (OCDTs) AS DEFINED IN SECTION 4723.75 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

CHWs

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY AS SUBMITTED ALL CERTIFICATES INITIALLY ISSUED MAY 1, 2005 THROUGH JUNE 30, 2005 TO COMMUNITY HEALTH WORKERS (CHWS) AS DEFINED IN SECTION 4723.84 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

ADJUDICATION

Notices of Opportunity

On Friday July 22, 2005, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY J. JANE MCFEE, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASES: COHORN, ANGELA P.N. 094003 (CASE #05-0831); DYER, ELLEN P.N. 072866 (CASE #04-0328); LOMAX, DONNA P.N. 049068 (CASE #03-1968); LYNCH, MARTIN R.N. 120901 (CASE #03-1692); TAYLOR, CLARA R.N. 244476 (CASE #05-0291); ABERNATHY, TRACY P.N. 095739 (CASE #04-1480); OSSA, ELIZABETH P.N. 099291 (CASE #04-0436); JACKSON, KRISTINE R.N. NCLEX (CASE #05-0690); MOZZILLO, REBECCA P.N. 099288 (CASE #04-0984); LEFORGE, FRANCES R.N. 275219 (CASE #04-0560); MCDOWELL, ERIC P.N. 111656 (CASE #04-1018); STROUSE, CONNIE R.N. 111367 (CASE #04-2843); BROWN, BRENDA CHW APPLICANT (CASE #05-1126); EAGLE, RODGER R.N. 233249 (CASE #04-2170); ELLIOTT, KERRIE R.N. 294950 (CASE #05-0988); FERNS, LADONNA P.N. 044189 (CASE #04-0692); FRITTS, SUSAN R.N. 206665 (CASE #03-0858); GRAHAM, DANIEL P.N. 081410 (CASE #05-1905); LENTZ, LURA R.N. 294797 (CASE #05-0641); MCPHERSON, LORA R.N. 223584 (CASE #03-1928); RUPE, VICTORIA P.N. 074521 (CASE #05-1211); WALDEN, SHARI P.N. 079036 (CASE #04-2734); BROKAMP, VIRGINIA R.N. 245770 (CASE #05-0649); CALDWELL, REBECCA R.N. 257898 (CASE #04-1003); AND SZYMCZAK, NANCY R.N. 241564 (CASE #05-1161). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2005 Board meeting.

Notices of Immediate Suspensions and Opportunity for Hearing

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASES: BAIRE, MELISA R.N. 244148 (CASE #05-0768); COSTIGAN, JUDITH P.N. 069394 (CASE #03-0386); SULLIVAN, ROBERT P.N. 095352 (CASE #04-3033); BARNHILL, BOBBIE R.N. 297917 (CASE #05-0834); BROWN, LAURA P.N. 093093 (CASE #05-0094); FISHER, KELLIE R.N. 256537 (CASE #05-1995); KLINE, DEBORAH R.N. 116626 (CASE #04-0340); RIPLEY, AMI R.N. 296294 (CASE #05-0146); BESSEY, TAMI R.N. 243485 (CASE #05-0049); COULTER, CLAUDETTE R.N. 252064 (CASE #05-0990); DUNN, ANGELINA P.N. 108712 (CASE #04-2818); FRAZIER, HEIDI P.N. 098895 (CASE #04-0503); HUGHES, GARRETT R.N. 274365 (CASE #03-1822); KROPKA, KELLY P.N. 106506 (CASE #05-0515); MASTERS, WANITA P.N. 112169 (CASE #04-1714); MCKILLIPS, DENA R.N. 254455 (CASE #05-1971); MEYER, DIANE P.N. 086442 (CASE #04-2447); NAUGLE, CATHLEEN R.N. 249270 (CASE #04-0904); NORTON, MALISSA R.N. 279600 (CASE #04-2697); RUSSO, GARY P.N. 094984 (CASE #04-3085); SCHAFFTER, ROXANNE R.N. 198713 (CASE #04-1217); SPENCER, WANDA R.N. 159209 (CASE #05-1895); VERDI, LAURA P.N. 106950 (CASE #04-2508); AND KAKIAS, CHARLA P.N. 081226 (CASE #05-0842). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Immediate Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the July 2005 Board meeting.

Notices of Automatic Suspensions and Opportunity for Hearing

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY J. JANE MCFEE, THAT THE BOARD ISSUE A NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 ORC FOR THE FOLLOWING: FRENCH, KELLY R.N. 272958 (CASE #05-0540); JOHNSON, DENISE P.N. 083091 (CASE #05-1474); MCCULLOUGH, RHONDA P.N. 099260 (CASE #05-0255); SWINDERMAN, TAMELA P.N. 091562 (CASE #05-0253); BURKE, JUDITH R.N. 137505 (CASE #05-1212); FLOWERS, CAROL P.N. 095038 (CASE #05-1790); PHARMS, LINDA P.N. 062007 (CASE #05-1213); SLAGLE, JONNIE P.N. 112430 (CASE #04-1868); CASTILLO, DORA P.N. 100908 (CASE #05-0538); HOSKINS, MATTHEW R.N. 291828 (CASE #05-1567); LUDE, SHIRLEY R.N. 284232 (CASE #05-1994); AND LUCENTE, LISA R.N. 220338 (CASE #05-0635). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the July 2005 Board meeting.

Summary Suspension and Opportunity for Hearing Retroactive to Date Issued

Whyte, Joy P.N. 115055 (Case #05-1444)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY CYNTHIA KRUEGER, TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC, RETROACTIVE TO THE DATE IT WAS ISSUED, JUNE 2, 2005, AND THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY THE FOLLOWING LICENSEE PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO THE PUBLIC: WHYTE, JOY P.N. 115055. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Summary Suspension and Notice of Opportunity for Hearing shall be maintained in the exhibit book for the July 2005 Board meeting.

Immediate and Automatic Suspension and Opportunity for Hearing

Kreuz, Gregory R.N. 289525 (Case #05-1903)

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE AND AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 ORC FOR THE FOLLOWING: KREUZ, GREGORY R.N. 289525 (CASE #05-1903). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Notices of Immediate and Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the July 2005 Board meeting.

Surrenders

Voluntary Surrenders

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY SURRENDERS OF LICENSE FOR THE FOLLOWING: BORIC, SHARI P.N. 103183 (CASE #04-2285); BOSETIN, TAMERA R.N. 268031 (CASE #05-1232); SWISHER, MICHELLE P.N. 099884 (CASE #05-0145); WIECHERT, RHONDA P.N. 104721 (CASE #05-0686); COOPER, RANDALL R.N. 275969 (CASE #05-1536); REDMAN, PAMELA R.N. 281190 (CASE #05-0640); SCHEMPP, JOANNE P.N. 048128 (CASE #05-1619); PARKER, MARDEE R.N. 302365 P.N. 105140 (CASE #05-1792); KISLIN, RICHARD R.N. 158511 (CASE #04-1218); SHOEMAKER, CAROL P.N. 091619 (CASE #05-1426); MANNING, SYLVIA P.N. 073017 (CASE #05-1896); AND JACOBS, ANDREA R.N. 254412 (CASE #04-2243). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the July 2005 Board meeting.

Voluntary Non-Permanent withdrawal of NCLEX Application

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD ACCEPT THE VOLUNTARY NON-PERMANENT WITHDRAWAL OF NCLEX APPLICATION FOR LICENSURE FOR THE FOLLOWING: BOYD-DURHAM, SABRINA P.N. NCLEX (CASE #05-0827). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Voluntary Permanent withdrawal of NCLEX Application

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD ACCEPT THE VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY EXAMINATION FOR THE FOLLOWING: JOHNSON, ANDREA P.N. NCLEX (CASE #05-0993). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Voluntary Permanent withdrawals of Endorsement Applications

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD ACCEPT THE VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY ENDORSEMENT FOR THE FOLLOWING: NICHOLS, TINA R.N. ENDORSE (CASE #05-1539); STOVER, SCHERIE R.N. ENDORSE (CASE #05-1032); AND HYLTON, PAULA P.N. ENDORSE (CASE #05-1404). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

Consent Agreements

On Friday July 22, 2005, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY CYNTHIA KRUEGER, THAT THE BOARD APPROVE THE CONSENT AGREEMENTS FOR VIOLATIONS OF CHAPTER 4723. ORC ENTERED INTO BY AND BETWEEN THE BOARD AND THE FOLLOWING LICENSEES: JUTTE, KATHLEEN R.N. 156008 (CASE #03-0233); CWIKLINSKI, ANDREA R.N. 168495 (CASE #04-2421); DOBBELAERE, KYLEE P.N. 110972 (CASE #04-2296); KNAB, KAREN R.N. 178875 (CASE #03-1846); LANCASTER, STEPHANIE P.N. 100076 (CASE #03-1209); MIXSON, FRANK P.N. 091060 (CASE #04-0508); PETERSEN, ROBERT R.N. 134129 (CASE #03-1557); STECKMAN, AARON R.N. 281284 P.N. 094361 (CASE #04-2488); COTTERMAN, TERESA R.N. 243870 (CASE #03-1865); EDWARDS, TERRI R.N. 231302 (CASE #05-0116); FURNACE, NIKIA P.N. NCLEX (CASE #05-0693); FYFFE, SHELLEY R.N. 254001 P.N. 078029 (CASE #05-1483); OLIVER-SPIVA, ANITA P.N. 086563 (CASE #02-0305); OTT, PAMELA P.N. 089706 (CASE #03-1899); RAMGOBIN, VIDIAWATTIE P.N. NCLEX (CASE #04-3028); TRIVISONNO, MARLENE P.N. 084398 (CASE #04-0480); BAILEY, LORI D.T. APPLICANT (CASE #05-1503); BROWN, THERESA R.N. 119570 (CASE #04-0616); COOK, LINDA R.N. 125898 (CASE #05-1299); CRESAP, NANCY P.N. 085228 (CASE #04-0917); FRANKUM, GARLAND R.N. 297835 (CASE #03-1623); HEESTAND, DEAN P.N. 117371 (CASE #05-1216); LEE, NICOLE P.N. 108017 (CASE #04-0150); PICKARD, MELINDA D.T. APPLICANT (CASE #05-1508); PETTIS, DIANNE R.N. 215088 (CASE #04-1510); ROBINSON, HAZEL R.N. 283042 (CASE #05-1933); TODD, KATHRYN (CASE #R.N. 290248 (CASE #05-1026); TORBERT, DEOSHA P.N. NCLEX (CASE #05-0567); URSSING, MARY R.N. 149190 (CASE #03-1952); BLANKE, ROBIN D.T. APPLICANT (CASE #05-1504); CIANCI, PATRICIA P.N. 096583 (CASE #05-1159); DOTHAGE, JUDITH R.N. 212897 (CASE #04-2382); LOMBARDI (BRUNT), TONYA R.N. 253120 (CASE #03-1063); NIXON, MARGARET P.N. 110603 (CASE #05-1155); ANTENUCCI, CINDY R.N. 223226 (CASE #05-1209); BISHOP, DIONNA P.N. NCLEX (CASE #05-0967); CAHAL, KAREN R.N. 219535 (CASE #04-0250); HALE, JODI R.N. 259741 (CASE #04-0828); HARRISON, DENISE R.N. 285013 (CASE #04-0527); MIKULA, MICHAEL R.N. 181111 (CASE #05-1482); NEWSOME, KIMBERLY R.N. NCLEX (CASE #05-1101); WEAN, CHRISTOPHER P.N. 101901 (CASE #05-1568); ADAMS, DEAN D.T. APPLICANT (CASE #05-0647); GORDON, AUYATI P.N. NCLEX (CASE #05-0977); JAMES, LORETTA R.N. 261710 (CASE #05-1385); SMITH, BECKY JO P.N. 105639 (CASE #04-0831); ALLISON, DOREEN R.N. 197805 (CASE #04-2174); ARGYLE, CYNTHIA R.N. 167216 (CASE #05-1481); BOYD, JOSEPH P.N. 101594 (CASE #04-1606); BROWN, MARK R.N. 206850 (CASE #05-1365); FOSTER, ANGELA R.N. 306424 P.N. 087098 (CASE #03-1167); GATSKIE, MARY R.N. 101630 (CASE #05-1788); HALL, SHELLI R.N. 240765 (CASE #05-1771); JOHNSTON, DIANE R.N. 173167 (CASE #03-2210); KETTINGER, JEANNE R.N. 233839 (CASE #05-1789); LAMB, DORIS R.N.

Consent Agreements Cont'd.

170114 (CASE #04-2142); MCDUGALL, MICHAEL D.T. APPLICANT (CASE #05-1506); ROGERS, WILLIAM R.N. NCLEX (CASE #05-1102); SMITH, TUNISHA P.N. 101682 (CASE #05-1762); SPURLOCK, TERESA P.N. 101457 (CASE #05-1477); VANWINKLE, BETHANY P.N. 101169 (CASE #03-1134); VEAUTHIER, CHRISTY P.N. 096991 (CASE #05-1480); ZHANG, HUA R.N. 290272 (CASE #05-1471); COTTRILL, LORI R.N. 239838 (CASE #05-1863); HASTINGS, KATHLEEN R.N. 222297 (CASE #03-1615); GENTER, AMY R.N. 204829 (CASE #04-2695); PETERS, TAMMY P.N. 112714 (CASE #04-2982); RIVERA, JAMIE (CASE #R.N. 268205 (CASE #05-0845); WARNER, CYNTHIA R.N. 211328 (CASE #05-1685); WINKLER, FAY R.N. 228342 (CASE #05-1785); ZOBEL, LORIE R.N. 255802 (CASE #01-0304); FLACK, MELISSA R.N. 272051 (CASE #04-0839); KUTSCH, JEANNE R.N. 205520 (CASE #05-0067); SPILLER, ANGELA P.N. 105734 (CASE #05-1891); HEISTER, ANDREW R.N. 289588 (CASE #04-1063); BOLI, JANE R.N. 174619 (CASE #04-1711); DAKA, BRENDA P.N. 108487 (CASE #05-0971); LEO, DANA R.N. 279881 (CASE #05-0052); REIFSNYDER, LAURIE P.N. 075275 (CASE #05-1472); TUCKER, MORIAH R.N. 191305 (CASE #04-2263); BOARD, JENNIFER P.N. 096161 (CASE #05-0581); HAINES, CHRISTINA R.N. NCLEX (CASE #05-1441); SIMPSON, SANDRA R.N. 103615 (CASE #03-0716); STEVENS, JUANITA R.N. 271492 P.N. 088239 (CASE #04-0585); MADDOX, REGINA R.N. 280975 (CASE #03-1261); AND MORGAN, CHELSIE R.N. 207582 P.N. 046352 (CASE #04-2975). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. JUDITH BRACHMAN OPPOSED ON THE FOLLOWING CASE(S): TORBERT, DEOSHA P.N. NCLEX (CASE #05-0567); LOMBARDI (BRUNT), TONYA R.N. 253120 (CASE #03-1063); NIXON, MARGARET P.N. 110603 (CASE #05-1155); SMITH, BECKY JO P.N. 105639 (CASE #04-0831); LAMB, DORIS R.N. 170114 (CASE #04-2142); HASTINGS, KATHLEEN R.N. 222297 (CASE #03-1615); PETERS, TAMMY P.N. 112714 (CASE #04-2982) AND BOLI, JANE R.N. 174619 (CASE #04-1711). DEBRA BROADNAX OPPOSED ON THE FOLLOWING CASE(S): BROWN, THERESA R.N. 119570 (CASE #04-0616) AND HEISTER, ANDREW R.N. 289588 (CASE #04-1063). ANNE BARNETT ABSTAINED ON THE FOLLOWING CASE: MORGAN, CHELSIE R.N. 207582 P.N. 046352 (CASE #04-2975). ELIZABETH BUSCHMANN ABSTAINED ON THE FOLLOWING CASE(S): SMITH, TUNISHA P.N. 101682 (CASE #05-1762) AND KUTSCH, JEANNE R.N. 205520 (CASE #05-0067). YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES ON ALL CASES.

Complete copies of the Consent Agreement(s) shall be maintained in the exhibit book for the July 2005 Board meeting.

No Requests for Hearings

Brewer, Lenotta R.N. 229552 (Case #03-0603)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY ANNE BARNETT, THAT IN THE MATTER OF LENOTTA BREWER, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. BREWER IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. BREWER 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 THAT LENOTTA BREWER'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS LENOTTA BREWER TO SURRENDER HER REGISTERED NURSING LICENSE R.N. # R.N. 229552 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

LENOTTA BREWER'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Strunk, Amy R.N. 265755 (Case #03-2029)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY ELIZABETH BUSCHMANN, THAT IN THE MATTER OF AMY STRUNK, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. STRUNK IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. STRUNK 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 THAT AMY STRUNK'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 WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. STRUNK SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND TEMPORARY PRACTICE RESTRICTIONS AND A TEMPORARY NARCOTIC RESTRICTION.

MS. STRUNK MAY SUBMIT A WRITTEN REQUEST FOR REINSTATEMENT ANYTIME AFTER JULY 2007.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

MS. STRUNK SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. STRUNK SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MONITORING

MS. STRUNK SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. STRUNK'S HISTORY. MS. STRUNK SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. STRUNK SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

NOT LESS THAN ONE (1) YEAR PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. STRUNK SHALL, AT HIS/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. STRUNK SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. STRUNK 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.

MS. STRUNK 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, MS. STRUNK THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. STRUNK'S LICENSE.

WITHIN THREE (3) MONTHS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. STRUNK SHALL, AT HIS/HER OWN EXPENSE, SEEK A SECOND 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. STRUNK SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. STRUNK 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 ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MS. STRUNK'S LICENSE TO PRACTICE, AND STATING WHETHER MS. STRUNK IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

NOT LESS THAN ONE (1) YEAR PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. STRUNK SHALL, AT HIS/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. STRUNK SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. STRUNK 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. THE PSYCHIATRIST SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MS. STRUNK'S LICENSE TO PRACTICE, AND STATING WHETHER MS. STRUNK IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

FOR A MINIMUM, CONTINUOUS PERIOD OF ONE (1) YEAR IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. STRUNK SHALL SUBMIT, AT HIS/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. STRUNK'S INITIATION OF DRUG SCREENING, REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY HE/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. STRUNK SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. STRUNK'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MS. STRUNK INITIATING DRUG SCREENING, MS. STRUNK 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. STRUNK.

AFTER INITIATING DRUG SCREENING, MS. STRUNK 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. STRUNK 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.

MS. STRUNK 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. STRUNK SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. STRUNK

MS. STRUNK SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT REQUESTED DOCUMENTATION OR INFORMATION DIRECTLY TO THE BOARD.

MS. STRUNK SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. STRUNK 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.

MS. STRUNK SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. STRUNK SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. STRUNK SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. STRUNK SHALL INFORM THE BOARD WITHIN THREE (3) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN ADDRESS AND/OR TELEPHONE NUMBER.

DURATION

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MS. STRUNK SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MS. STRUNK HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MS. STRUNK IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MS. STRUNK AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MS. STRUNK SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

MS. STRUNK SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. STRUNK SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MONITORING

MS. STRUNK SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. STRUNK'S HISTORY. MS. STRUNK SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. STRUNK SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

MS. STRUNK SHALL SUBMIT, AT HIS/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 HE/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. STRUNK SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. STRUNK'S HISTORY.

MS. STRUNK 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. STRUNK SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. STRUNK 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. STRUNK 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.

MS. STRUNK 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. STRUNK THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. STRUNK SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

EMPLOYMENT CONDITIONS

PRIOR TO ACCEPTING EMPLOYMENT AS A NURSE, EACH TIME WITH EVERY EMPLOYER, MS. STRUNK SHALL NOTIFY THE BOARD.

MS. STRUNK SHALL HAVE HIS/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. STRUNK SHALL PROVIDE HIS/HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HIS/HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. STRUNK IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. STRUNK

MS. STRUNK SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

MS. STRUNK SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. STRUNK 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.

MS. STRUNK SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. STRUNK SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. STRUNK SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. STRUNK SHALL INFORM THE BOARD WITHIN FIVE (5) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN EMPLOYMENT STATUS OR OF ANY CHANGE IN RESIDENTIAL OR HOME ADDRESS OR TELEPHONE NUMBER.

TEMPORARY NARCOTIC RESTRICTION

MS. STRUNK SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. STRUNK'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. STRUNK'S HISTORY ANY NARCOTICS, OTHER CONTROLLED

SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. STRUNK SHALL NOT POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. STRUNK SHALL NOT COUNT NARCOTICS.

TEMPORARY PRACTICE RESTRICTION(S)

MS. STRUNK 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) AS A NURSE 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. STRUNK TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. STRUNK SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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

MS. STRUNK LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. STRUNK HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. STRUNK VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HIS/HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. STRUNK 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. STRUNK HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. STRUNK IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. STRUNK AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. STRUNK 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 AMY STRUNK TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 265755 IMMEDIATELY

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22nd DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Cook, Nathan P.N. 112046 (Case #05-0231)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT IN THE MATTER OF NATHAN COOK, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. COOK IN THE ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. COOK HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING AND THAT NATHAN COOK'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS NATHAN COOK TO SURRENDER HIS LICENSED PRACTICAL NURSING LICENSE P.N. #. 112046 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

NATHAN COOK'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Pierce, Dattessa R.N. 299463 P.N. 102602 (Case #05-0439)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY LISA KLENKE, THAT IN THE MATTER OF DATTESSA PIERCE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. PIERCE IN THE ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. PIERCE HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING AND THAT DATTESSA PIERCE'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS DATTESSA PIERCE TO SURRENDER HER REGISTERED NURSE NURSING LICENSE R.N. #299463 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

DATTESSA PIERCE'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Poulton, Shelly R.N. 252747 (Case #05-0157)

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT IN THE MATTER OF SHELLY POULTON, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. POULTON IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. POULTON 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 THAT SHELLY POULTON'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 WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. POULTON SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND TEMPORARY PRACTICE RESTRICTIONS.

MS. POULTON MAY SUBMIT A WRITTEN REQUEST FOR REINSTATEMENT ANYTIME AFTER JULY 2007.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

MS. POULTON SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. POULTON SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MONITORING

MS. POULTON SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. POULTON'S HISTORY. MS. POULTON SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. POULTON SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL. NOT LESS THAN ONE (1) YEAR PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. POULTON SHALL, AT HIS/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. POULTON SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. POULTON 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.

MS. POULTON 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, MS. POULTON THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. POULTON'S LICENSE.

WITHIN THREE (3) MONTHS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. POULTON SHALL, AT HIS/HER OWN EXPENSE, SEEK A SECOND 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. POULTON SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. POULTON 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 ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MS. POULTON'S LICENSE TO PRACTICE, AND STATING WHETHER MS. POULTON IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

FOR A MINIMUM, CONTINUOUS PERIOD OF ONE (1) YEAR IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. POULTON SHALL SUBMIT, AT HIS/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. POULTON'S INITIATION OF DRUG SCREENING, REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY HE/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. POULTON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. POULTON'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MS. POULTON INITIATING DRUG SCREENING, MS. POULTON 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. POULTON.

AFTER INITIATING DRUG SCREENING, MS. POULTON 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. POULTON 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.

MS. POULTON 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. POULTON SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. POULTON

MS. POULTON SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT REQUESTED DOCUMENTATION OR INFORMATION DIRECTLY TO THE BOARD.

MS. POULTON SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. POULTON 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.

MS. POULTON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. POULTON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. POULTON SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. POULTON SHALL INFORM THE BOARD WITHIN THREE (3) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN ADDRESS AND/OR TELEPHONE NUMBER.

DURATION

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MS. POULTON SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MS. POULTON HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MS. POULTON IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MS. POULTON AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MS. POULTON SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

MS. POULTON SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. POULTON SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MONITORING

MS. POULTON SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. POULTON'S HISTORY. MS. POULTON SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. POULTON SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

MS. POULTON SHALL SUBMIT, AT HIS/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 HE/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. POULTON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. POULTON'S HISTORY.

MS. POULTON 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. POULTON SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. POULTON 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. POULTON 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.

MS. POULTON 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. POULTON THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. POULTON SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

EMPLOYMENT CONDITIONS

PRIOR TO ACCEPTING EMPLOYMENT AS A NURSE, EACH TIME WITH EVERY EMPLOYER, MS. POULTON SHALL NOTIFY THE BOARD.

MS. POULTON SHALL HAVE HIS/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. POULTON SHALL PROVIDE HIS/HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HIS/HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. POULTON IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. POULTON

MS. POULTON SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

MS. POULTON SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. POULTON 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.

MS. POULTON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. POULTON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. POULTON SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. POULTON 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.

MS. POULTON SHALL SUCCESSFULLY COMPLETE AND SHALL SUBMIT DOCUMENTATION OF (4) HOURS OF ETHICS AND TWO (2) HOURS OF LAW AND RULES.

TEMPORARY PRACTICE RESTRICTION(S)

MS. POULTON 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) AS A NURSE 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. POULTON TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. POULTON SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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

MS. POULTON LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. POULTON HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. POULTON VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HIS/HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. POULTON 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. POULTON HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. POULTON IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. POULTON AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. POULTON 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 SHELLY POULTON TO SURRENDER HER REGISTERED NURSE LICENSE # R.N. 252747 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Volz, Patti P.N. 094584 (Case #05-0390)

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY CYNTHIA KRUEGER, THAT IN THE MATTER OF PATTI VOLZ, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. VOLTZ IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. VOLZ 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 THAT PATTI VOLZ'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS PATTI VOLZ TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE PN. #094584 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

PATTI VOLZ'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Carpenter, Anthony P.N. 115233 (Case #05-0259)

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY J. JANE MCFEE, THAT IN THE MATTER OF ANTHONY CARPENTER, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. CARPENTER IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. CARPENTER 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 THAT ANTHONY CARPENTER'S LICENSE TO PRACTICE NURSING AS A LICENSE PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN THREE (3) YEARS RETROACTIVE TO MARCH 2005, WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MR. CARPENTER SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS.

MR. CARPENTER MAY SUBMIT A WRITTEN REQUEST FOR REINSTATEMENT ANYTIME AFTER MARCH 2008.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

MR. CARPENTER SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MR. CARPENTER SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MR. CARPENTER SHALL, IN ADDITION TO THE REQUIREMENTS OF LICENSURE RENEWAL, SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING EDUCATION: FOUR (4) HOURS OF OHIO NURSING LAW AND RULES; AND TEN (10) HOURS OF CHEMICAL DEPENDENCY.

MONITORING

MR. CARPENTER SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. CARPENTER'S HISTORY. MR. CARPENTER SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MR. CARPENTER SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

WITHIN SIX (6) MONTHS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MR. CARPENTER SHALL, AT HIS/HER OWN EXPENSE, SEEK A SECOND 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. CARPENTER SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MR. CARPENTER 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 ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MR. CARPENTER'S LICENSE TO PRACTICE, AND STATING WHETHER MR. CARPENTER IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

FOR A MINIMUM, CONTINUOUS PERIOD OF SIX (6) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MR. CARPENTER SHALL SUBMIT, AT HIS/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 MR. CARPENTER'S INITIATION OF DRUG SCREENING, REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY HE/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 MR. CARPENTER SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. CARPENTER'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MR. CARPENTER INITIATING DRUG SCREENING, MR. CARPENTER 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. CARPENTER.

AFTER INITIATING DRUG SCREENING, MR. CARPENTER 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. CARPENTER 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.

MR. CARPENTER 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. CARPENTER SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MR. CARPENTER

MR. CARPENTER SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT REQUESTED DOCUMENTATION OR INFORMATION DIRECTLY TO THE BOARD.

MR. CARPENTER SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MR. CARPENTER 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.

MR. CARPENTER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD. MR. CARPENTER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MR. CARPENTER SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MR. CARPENTER SHALL INFORM THE BOARD WITHIN THREE (3) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN ADDRESS AND/OR TELEPHONE NUMBER.

DURATION

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MR. CARPENTER SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MR. CARPENTER HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MR. CARPENTER IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MR. CARPENTER AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MR. CARPENTER SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

MR. CARPENTER SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MR. CARPENTER SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MONITORING

MR. CARPENTER SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. CARPENTER'S HISTORY. MR. CARPENTER SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MR. CARPENTER SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

MR. CARPENTER SHALL SUBMIT, AT HIS/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

HE/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 MR. CARPENTER SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM/HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. CARPENTER'S HISTORY.

MR. CARPENTER 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. CARPENTER SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MR. CARPENTER 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. CARPENTER 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.

MR. CARPENTER 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. CARPENTER THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MR. CARPENTER SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

EMPLOYMENT CONDITIONS

PRIOR TO ACCEPTING EMPLOYMENT AS A NURSE, EACH TIME WITH EVERY EMPLOYER, MR. CARPENTER SHALL NOTIFY THE BOARD.

MR. CARPENTER SHALL HAVE HIS/HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MR. CARPENTER SHALL PROVIDE HIS/HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HIS/HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MR. CARPENTER IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MR. CARPENTER

MR. CARPENTER SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

MR. CARPENTER SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MR. CARPENTER 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.

MR. CARPENTER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MR. CARPENTER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MR. CARPENTER SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MR. CARPENTER 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

MR. CARPENTER LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MR. CARPENTER HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MR. CARPENTER VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HIS/HER LICENSE. UPON RECEIPT OF THIS NOTICE, MR. CARPENTER 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. CARPENTER HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MR. CARPENTER IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MR. CARPENTER AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MR. CARPENTER DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS ANTHONY CARPENTER TO SURRENDER HIS LICENSED PRACTICAL NURSE LICENSE P.N. #115233 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Hardyman, Rebecca P.N. 113930 (Case #03-1827)

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, THAT IN THE MATTER OF REBECCA HARDYMAN, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HARDYMAN IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. HARDYMAN 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 THAT REBECCA HARDYMAN'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS REBECCA HARDYMAN TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #113930 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

REBECCA HARDYMAN'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND. DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Hawkins, Vickie R.N. 310924 (Case #04-1487)

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY TERESA WILLIAMS, THAT IN THE MATTER OF VICKI HAWKINS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HAWKINS IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. HAWKINS 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 THAT VICKIE HAWKINS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS VICKIE HAWKINS TO SURRENDER HER REGISTERED NURSE LICENSE R.N. #310924 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY. VICKIE HAWKINS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND. DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Wykoff, Marcia R.N. 168097 (Case #05-0112)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY JUDITH BRACHMAN, THAT IN THE MATTER OF MARCIA WYKOFF, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. WYKOFF IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. WYKOFF 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 THAT MARCIA WYKOFF'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS MARCIA WYKOFF TO SURRENDER HER REGISTERED NURSE LICENSE R.N. #168097 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

MARCIA WYKOFF'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 22ND. DAY OF JULY 2005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. DEBRA BROADNAX, YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the July 2005 Board meeting.

Motion To Withdraw Notice Of Opportunity For Hearing

Noel, Jr., Hillary P.N. Endorse (Case #97-0221)

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON JULY 21, 1997 FOR HILLARY NOEL, JR. PN ENDORSEMENT APPLICANT. . MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Motion To Withdraw The Notice Of Immediate Suspension & Opportunity For Hearing And Dismiss Charges

Archibald, Sally R.N. 151395 (Case # 03-0367)

IT WAS MOVED BY J. JANE MCFEE, 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 MARCH 19, 2004 FOR SALLY ARCHIBALD, RN 151395 AND TO DISMISS THE CHARGES BASED UPON THE BOARD HAVING RECEIVED INFORMATION THAT THE RESPONDENT IS DECEASED. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Motion To Withdraw The Notice Of Immediate Suspension & Opportunity For Hearing

Findley, Edward (Case #P.N. 099794 (Case # 98-0040)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD WITHDRAW THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON MARCH 21, 1999 FOR EDWARD FINDLEY, PN 099794. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

McCarty (Ginther), Karen R.N. 155925 (Case # 97-0147)

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY CYNTHIA KRUEGER, THAT THE BOARD WITHDRAW THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON NOVEMBER 13, 1997 FOR KAREN MCCARTY (GINTHER), RN 155925. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Ringer, James R.N. 214390 (Case # 97-0675)

IT WAS MOVED BY TERESA WILLIAMS, 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 NOVEMBER 13, 1997 FOR JAMES RINGER, RN 214390. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Motion To Withdraw The Notice Of Opportunity For Hearing

Mullane, Patrick P.N. 083029 (Case # 00-0696)

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON JANUARY 17, 2003 FOR PATRICK MULLANE, PN 083029, BASED UPON THE FACT THAT HIS LICENSE HAS BEEN LAPSED SINCE AUGUST 2002 AND HE IS NOT RESPONDING TO BOARD COMMUNICATIONS. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Moore, Susan P.N. 081183 (Case #02-0697)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON SEPTEMBER 19, 2003 FOR SUSAN MOORE, PN 081183, BASED UPON THE RECOMMENDATION OF THE SUPERVISING MEMBER FOR DISCIPLINARY MATTERS THAT THE CASE BE RECONSIDERED FOR THE ISSUANCE OF AN ADVISORY LETTER. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Motion To Withdraw Notice Of Immediate Suspension And Opportunity For Hearing

Dupree Taylor, Sherry P.N. 052621 (Case # 03-1036)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON MARCH 19, 2004 FOR SHERRY TAYLOR DUPREE, PN 052621, BASED UPON THE FACT THAT HER LICENSE HAS BEEN LAPSED SINCE AUGUST 2004 AND THE BOARD IS UNABLE TO CONTACT OR LOCATE HER. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Motion To Authorize the Board Supervising Member to Approve Issuance of Immediate Suspensions

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT IN ORDER TO FACILITATE THE ISSUANCE OF THE NOTICE OF IMMEDIATE SUSPENSION, THE BOARD AUTHORIZE THE BOARD SUPERVISING MEMBER FOR DISCIPLINARY MATTERS TO APPROVE AND SIGN THE NOTICE OF IMMEDIATE SUSPENSION OF LICENSE. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Monitoring Issues

Lift Narcotic Restriction

Christina Kerr, RN-240259 04-2139

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN ODELL, THAT CHRISTINA MARIE KERR, RN-240259, HAVING MET THE REQUIREMENTS OF PARAGRAPH 15 OF HER MAY 21, 2004 CONSENT AGREEMENT WITH THE BOARD PERTAINING TO A TEMPORARY NARCOTIC RESTRICTION, BE RELEASED FROM THE TERMS AND CONDITIONS OF PARAGRAPH 15. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Jo Ann Shepherd, RN-313162 (Case #04-0937)

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY CYNTHIA KRUEGER, THAT JO ANN SHEPHERD, RN 313162, HAVING MET THE REQUIREMENTS OF PARAGRAPH 24 OF HER JULY 16, 2004 CONSENT AGREEMENT WITH THE BOARD PERTAINING TO A TEMPORARY NARCOTIC RESTRICTION, BE RELEASED FROM THE TERMS AND CONDITIONS OF PARAGRAPH 24. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Lifts of Suspension / Probation

Cynthia Winfield, RN-247354 (Case #02-0318)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT, CYNTHIA WINFIELD, RN-247354, HAVING MET THE REQUIREMENTS CONTAINED IN HER JANUARY 17, 2003, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Anita Sheppard, PN-104652 (Case #02-0953)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY ANNE BARNETT, THAT ANITA SHEPPARD, PN-104652, HAVING MET THE REQUIREMENTS CONTAINED IN HER SEPTEMBER 19, 2003, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Lifts of Suspension / Probation only Permanent Practice Restriction Remains

Jennifer Rymoff, RN-307420 (Case #03-0622)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY J. JANE MCFEE, THAT JENNIFER RYMOFF, RN-307420, HAVING MET THE REQUIREMENTS CONTAINED IN HER JULY 18, 2003, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE PROBATIONARY REQUIREMENTS CONTAINED IN THE CONSENT AGREEMENT. THE PERMANENT PRACTICE RESTRICTIONS IN PARAGRAPH XV OF THE CONSENT AGREEMENT REMAIN IN EFFECT.

MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Sharon Schmenk, RN-204754 (Case #01-0393)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT SHARON SCHMENK, RN-204754, HAVING MET THE REQUIREMENTS CONTAINED IN HER JULY 19, 2002, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE PROBATIONARY REQUIREMENTS CONTAINED IN THE CONSENT AGREEMENT. THE PERMANENT PRACTICE RESTRICTIONS IN THE CONSENT AGREEMENT REMAIN IN EFFECT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Lifts of Suspension / Probation

Ann Creekmore, RN-259246 (Case #02-1245)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY DEBRA BROADNAX, THAT ANN CREEKMORE, RN-259246, HAVING MET THE REQUIREMENTS OF HER NOVEMBER 21, 2003, CONSENT AGREEMENT WITH THE BOARD AND HAS COMPLETED 18 OF THE 24 MONTH PROBATIONARY PERIOD, BE RELEASED EARLY FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

John Torrance, PN-085953 (Case #91-0181)

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT JOHN TORRANCE, PN-085953, HAVING MET THE REQUIREMENTS OF THE BOARD'S ADJUDICATION ORDER #466, BE RELEASED FROM THE CONDITIONS OF THE ADJUDICATION ORDER. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Kathi Sapp, RN-237059 (Case #00-0352)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT KATHY RAE SAPP, RN-0237059, HAVING MET THE REQUIREMENT CONTAINED IN HER MAY 17, 2002, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Teresa Collins, RN-0268338 (Case #01-0498)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT TERESA LYNN COLLINS, RN-0268338, HAVING MET THE REQUIREMENTS CONTAINED IN HER JULY 16, 2004, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Donna McCain, PN-105469 (Case #01-0371)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY KATHLEEN O'DELL, THAT DONNA G. MCCAIN, PN-105469, HAVING MET THE REQUIREMENTS CONTAINED IN HER JULY 19, 2002, CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Lifts of Suspension / Probation Only Permanent Practice Restriction Remains

Jayne Jacobs, PN-112164 (Case #02-1078 & 04-1000)

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY CYNTHIA KRUEGER, THAT JAYME LYNN JACOBS, PN-112164, HAVING MET THE REQUIREMENTS CONTAINED IN HER JANUARY 13, 2003 CONSENT AGREEMENT WITH HE BOARD AND THE SEPTEMBER 10, 2004, ADDENDUM TO THE CONSENT AGREEMENT, BE RELEASED FROM THE PROBATIONARY TERMS AND CONDITIONS CONTAINED IN THE CONSENT AGREEMENT AND ITS ADDENDUM. THE PERMANENT LICENSURE RESTRICTION CONTAINED IN THE CONSENT AGREEMENT REMAINS IN EFFECT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Consent Agreement Modifications

Twila Crawford, RN-227439 (Case #s 95-0929, 97-0645, 03-0842 & 03-1583)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY TERESA WILLIAMS, THAT THE LANGUAGE IN PARAGRAPH XI OF TWILA CRAWFORD'S, RN-227439, JANUARY 17, 2003, CONSENT AGREEMENT WITH THE BOARD PERTAINING TO ON-SITE REGISTERED NURSING SUPERVISION BE MODIFIED TO ALLOW FOR MS. CRAWFORD'S TELEPHONIC SUPERVISION BY THE DIRECTOR OF NURSING AT HER CURRENT PLACE OF EMPLOYMENT ON SPECIFIED DAYS. THIS MODIFICATION WILL NOT PROHIBIT THE BOARD FROM DETERMINING WHETHER OR NOT MS. CRAWFORD IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING. THEREFORE THE LANGUAGE IN PARAGRAPH XI WILL BE REPLACED WITH THE FOLLOWING:

WHEN WORKING AS A NURSE, MS. CRAWFORD SHALL ONLY WORK IN SETTINGS IN WHICH A REGISTERED NURSE SUPERVISOR IS PRESENT ON-SITE AT ALL TIMES AND SHALL NOT FUNCTION AS A SUPERVISOR WHILE WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED UNLESS OTHERWISE APPROVED BY THE BOARD OR ITS DESIGNEE. THE ONSITE REGISTERED NURSE SUPERVISION REQUIREMENT IS WITH THE EXCEPTION OF MS. CRAWFORD'S EMPLOYMENT AT HILLCREST NURSING HOME DURING WHICH MS. CRAWFORD MAY BE TELEPHONICALLY SUPERVISED BY THE FACILITY DIRECTOR OF NURSING EVERY OTHER SUNDAY.

MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Veronica Shields, RN-203807 (Case #02-0076)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY ELIZABETH BUSCHMANN, THAT THE LANGUAGE IN PARAGRAPH 14. OF VERONICA SHIELDS' RN-203807, SEPTEMBER 10, 2004, CONSENT AGREEMENT WITH THE BOARD, PERTAINING TO MEETING ATTENDANCE FREQUENCY, BE MODIFIED TO DECREASE THE FREQUENCY FROM THREE TO ONE MEETING PER WEEK. THIS MODIFICATION WILL NOT PROHIBIT THE BOARD FROM DETERMINING WHETHER OR NOT MS. SHIELDS IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE. THEREFORE, THE LANGUAGE IN PARAGRAPH 14 WILL BE REPLACED WITH THE FOLLOWING:

MS. SHIELDS 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. SHIELDS SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD ON THE FIRST DAY OF THE MONTHS OF SEPTEMBER, DECEMBER, MARCH AND JUNE.

MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

Barbara (Fikar) Marchuk, PN-050459 (Case #02-1495)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY LISA KLENKE, THAT, HAVING MET THE CONDITIONS FOR REINSTATEMENT CONTAINED IN THE BOARD'S ADJUDICATION ORDER# 946 ENTERED ON NOVEMBER 21, 2003, THE BOARD REINSTATE THE LICENSE OF BARBARA (FIKAR) MARCHUK, PN 050459, TO PRACTICE NURSING IN OHIO, SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS AND PERMANENT NARCOTIC AND PERMANENT PRACTICE RESTRICTIONS CONTAINED IN THE ADJUDICATION ORDER. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED.

OLD BUSINESS/PRIOR MEETING FOLLOW-UP

May 2005 Board meeting follow-up – (Under ED Report 1.3)

NEALP Update

The Board received a written memo on the Nurse Education Assistance Loan Program (NEALP) submitted by Rosemary Booker, Fiscal Manager. Ms. Booker submitted the new language for NEALP provided by Cynthia Snyder and an update on Awarded, Disbursed, and Remaining Balances in the NEALP fund. Ms. Booker reviewed the report and answered questions of the Board for clarification. Ms. Booker referred to a letter to the Board from the Ohio Board of Regents, dated May 12, 2005, requesting the following information on name, social security number, date of birth, date of graduation and date of all who pass the NCLEX. The Board needs to determine the ramifications and how it could provide this type of information. Associate Executive Director Betsy Houchen stated that before the staff could move forward with the request the Board needed more specific information, and that staff will contact NEALP to obtain the information.

Revised Policy 4723-B-018 Evaluating the Executive Director

The Board received the draft revised Board Policy 4723-B-018, Evaluating the Executive Director, submitted by Stacy Thacker, Human Resources Manager. Mr. Thacker reviewed the revisions concerning issues with deadlines raised during the last review by the Board. Following review, the Board directed Mr. Thacker to provide the final draft for approval at the September Board meeting.

Update on plans for Fall 2005 Emerging Issues Conference

Staff member Betsy Houchen provided an update on behalf of staff member Norma Selders regarding the plans for the Fall 2005 Emerging Issues Conference. Ms. Houchen announced that the conference would focus on the Laws and Rules and would be held on November 8, 2005 in Columbus. Ms. Houchen stated that more details would be provided to the Board members in the near future.

Update on Medication Aides

The Board received two written memos regarding the new Medication Aide program. Cynthia Snyder provided a written memo (FYI item # 9.2) on June 10, 2005 to Senator Lynn Wachtmann regarding an update on the Medication Aide Pilot Program. The memo addresses issues that deal with the Board's internal processes that the Board feels are necessary to be addressed in Conference Committee. The changes fall under three categories: discipline, mandatory reporting, and criminal records checks. Each item was addressed for consideration of proposed changes to the Senate passed version of the medication aide language. The second memo submitted by Betsy Houchen and Cynthia Snyder dated July 19, 2005 provided an update on implementation of the Medication Aide program. Ms. Houchen reviewed the memo and the following attached items: a proposed timeline; overview of HB 66-Medication Aides; and Budget Bill Language-Medication Aides.

Ms. Houchen explained the plans to meet the established deadlines and answered questions of the Board for clarification. To establish rules for the certification of medication aides and approval of training programs, the statute directs the Board to convene a sixteen member Advisory Council to assist in developing the medication aide certification program. The advisory function of the council includes making recommendations for administrative rules to implement the program. The legislation requires administrative rules to be drafted, filed, and effective by February 1, 2006, with the pilot program in operation no later than May 1, 2006 until July 1, 2007. The Board is also required to conduct an evaluation of the pilot and submit a report to the General Assembly by March 1, 2007. Ms. Houchen predicted that drafting and approving the rules by the February 1, 2006 deadline would be challenging. It will be a time intensive project, starting immediately, and will impact Board operations in all units. Ms. Houchen reviewed the following highlights for the Board's information and consideration: It is believed that the only way to meet the February 1, 2006 deadline is for the Board to promulgate emergency rules. Emergency rules can be drafted, reviewed by the Board, proposed to JCARR, and go into effect without conducting a public hearing, so emergency rules could be proposed and become effective on or about February 1, 2006 and allow the Board, Advisory Council, and staff a longer time to draft the permanent rules. The drawback with emergency rules is that emergency rules are only effective for 90 days, and cannot be extended, so therefore, the Board would also need to be drafting non-emergency rules that would have to be proposed to JCARR in early February. A public hearing would then be required for the non-emergency rules, but the public hearing could be held in March, in conjunction with the Board meeting, and after implementation of the pilot on February 1, 2006.

The legislation states that the Medication Aide Advisory Council shall make recommendations to the Board regarding the design and operation of the pilot program, among other things. The Council is to be composed of sixteen members whose representation is specified by the legislation. The Board is to appoint one of its

members, or a representative of the Board, to serve as the Council's chairperson. Ms. Houchen stated that letters would be sent on Monday to the organizations for appointments to the Advisory Council before the first meeting date.

The staff plans to convene an internal committee consisting of Norma Selders, Lisa Emrich, Holly Fischer, Cynthia Snyder, and Ms. Houchen to begin drafting the initial set of rules and to work with the Advisory Council as the rules progress. Other staff, on an as needed basis would also provide input. The committee would be meeting weekly to redraft and rework issues as they come up. That committee would like to have Board members who could assist as needed for consultation to review the draft rules or issues between Board meetings. The draft rules would be brought to each Board meeting for full review of the Board. At this meeting, the Board needs to take action to appoint a member or representative of the Board to serve as the Council's chairperson, discuss the appointment of a representative of facility residents and families of facility residents, and solicit Board member volunteers. Following discussion;

IT WAS MOVED BY MARY JEAN FLOSSIE, SECONDED BY J. JANE MCFEE, THAT THE BOARD APPOINT JUDITH BRACHMAN AS CHAIRPERSON OF THE MEDICATION AIDE ADVISORY COUNCIL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The following Board members volunteered, as part of the internal committee, to be available as needed to assist: Debra Broadnax, Anne Barnett, Kathleen Driscoll, and Mary Jean Flossie. Bertha Lovelace and Mary Jean Flossie volunteered to be consulted and select a representative of facility residents and families of facility residents. This representative would be considered by the full Board at the next Board meeting.

Delegate Assembly

President Smith informed the Board that Bertha Lovelace is unable to attend the Delegate Assembly and asked if others were interested in attending in her place. No other Board members were available to attend.

NEW BUSINESS

Revised Brochures

Board Member Judith Brachman began a discussion regarding the recently revised Board brochures. She suggested the following revisions: reference rules in the Practice Intervention and Improvement Program (PIIP) brochure; reference rules in the Continuing Education Requirements brochure on page 6 under requirements to add, "a nurse can be audited in any case"; and clarify in the last paragraph on page 7 of the "Rule Making Process" brochure so that the public can respond. Director Brion informed the Board that a schedule has been implemented to review all of the brochures on a scheduled basis and her changes will be made at that time.

REVIEW OF MEETING/EVALUATION OF PROCESSES

President Smith recognized ED John Brion's resignation from the Board after three years of service. She thanked him for his service. Director Brion thanked the Board and staff for the stethoscope. He stated that he appreciated the opportunity to serve as the ED and that working with all the staff was an incredible experience. He further stated that a great group will be carrying on here and that he appreciated everything.

President Smith announced that the Board needed to appoint an Interim Executive Director and appoint a search committee to fill the ED position. Following discussion;

IT WAS MOVED BY BERTHA LOVELACE, SECONDED BY TERESA WILLIAMS, THAT BETSY HOUCHEN BE APPOINTED INTERIM EXECUTIVE DIRECTOR EFFECTIVE AUGUST 7, 2005. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Board members Anne Barnett, Lisa Klenke, Elizabeth Buschmann, J. Jane McFee, Bertha Lovelace and Yvonne Smith volunteered for the selection committee to fill the vacant ED position.

President Smith informed the Board that staff suggested changing the Board meeting minutes format. The draft July meeting minutes will be in a new format for review and approval. Content will not change, but the new format should be easy to follow and require less preparation time to format.

President Smith requested feedback from the Board in terms of moving agenda items, for example, review the items that are considered issues, which require intensive discussion, be discussed first or should they follow the agenda more closely. A comment was made that the students should hear more of the weighty items and to move the more routine housekeeping items that are not as important to later in the meeting. Board members also heard more comments coming from the students during this meeting. President Smith asked whether the Board wanted the President to continue to move items around at her discretion. A comment was made that the ED's

report should be heard early in the meeting for processing later under the other agenda items. Another comment was made that students commented that they enjoyed the legislative summary, which was also part of the ED report, regarding looking at the pros and cons of a bill and found it helpful. The Board agreed by general consent that the President may continue moving items on the agenda at her discretion.

Board members requested that a list of items on each disc be included with each mailing.

Board member Lisa Klenke commented that the Boardroom was designed well. A request was made for a telephone; clocks and the flags moved to the new Boardroom.

FOR YOUR INFORMATION (FYI)

The Board received the following FYI items: Revised 2005 Board Member Rosters, Memo to Senator Wachtmann from the Board regarding the Medication Aide Pilot Program, and The Gallup Organization (*Public Opinion on Requirements for Renewing Nurses' Licenses*). President Smith requested feedback from the Board members on the FYI items. There were no comments provided.

President Smith announced that a Board member had requested a brief Executive Session. Following the Executive Session on Friday July 22, 2005 at 5:20 p.m.,

President Smith stated that Board members were requesting further discussion under some agenda items for the next meeting. The following items were requested to be placed on the September Board meeting agenda: making the paperless Board meetings easier; that information be provided on the issue of Board members compensation and billing of hours and reimbursement policy in order to revisit the chart provided as part of the July Fiscal Report regarding whether to present this information at future Board meetings; and to continue dialogue with members who have concerns in order to re-evaluate the information provided and whether it should appear in the report in the future. Lisa Klenke commented that the Board needed to be compliant with the ethical guidelines and needs to make an appropriate decision in order to make the information transparent. She believes that the Board should be prudent stewards in terms of the information that is provided. Bertha Lovelace thought the information provided is the ED's responsibility to scrutinize and was not petitioning to see either piece of information. Elizabeth Buschmann stated that this is not inappropriate information to see in terms of Board members being scrutinized and should be open and part of the report. Kathleen Driscoll commented that this information is open to the public at all levels; therefore, the Board does not need to publish individual salaries.

ADJOURN

The meeting was adjourned at 5:45 p.m. on July 22, 2005.

Yvonne Smith, MSN, RN, CNS
President



Attest:



Betsy Houchen, RN, MS, JD
Interim Executive Director