



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD MAY 15-16, 2008

The regular meeting of the Ohio Board of Nursing (Board) was held on May 15-16, 2008 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, May 15, at 8:36 a.m., President Lisa Klenke called the Board meeting to order. On Friday, May 16, at 8:30 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

BOARD MEMBERS

Lisa Klenke, MBA, RN, CNA-A, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, BSN, RNC, CWS
Janet L. Boeckman, RN, DNP, CPNP
Elizabeth Buschmann, LPN
Debra Broadnax, MSN, RN, CNS, Supervising Member, Disciplinary Matters
Patricia Burns, LPN
Kathleen Driscoll, JD, MS, RN
Delphenia Gilbert, BA, RN, M.Ed, LSN
Kathleen O'Dell, RN, M.Ed, NCSN
Eric Yoon, MSN, ACNP, CCNS (Absent May 15, 2008)

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

- On Thursday, the Board Reception was held at 8:00 a.m. A noon meeting of the Board Committee on Practice was held. Phyllis Froug addressed the Board at 1:30 p.m.
- On Thursday and Friday, Open Forum was held at 10:00 a.m.
- On Friday, the Board Committee for the CPG Appointments was held at noon. Mark Schaff and Lewis Horner from the Office of Workforce Development, Bureau of Labor Market Information at the Ohio Department of Job and

Family Services provided a presentation, "Ohio Health Care Employment, Labor Market Trends and Challenges," to the Board at 2:00 p.m.

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

Minutes of March 13-14, 2008 Board Meeting

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee to approve the minutes of the March 13-14, 2008 Board meeting as amended. Motion adopted by a unanimous vote of the Board members.

Minutes of April 14-15, 2008 Board Retreat

Action: It was moved by Elizabeth Buschmann, seconded by Kathy Driscoll that the Board approve the minutes from the April 14-15, 2008 Board Retreat as submitted.

Executive Director Report

Betsy Houchen provided highlights of the Executive Director report. She informed the Board that Lisa Emrich has been selected to receive the NCSBN Exceptional Contribution Award for her significant contributions to NCSBN activities, demonstrated support for the mission of NCSBN, and her work with the TERCAP Committee. Tom Dilling was selected to be a member of the newly formed NCSBN Chemical Dependency Program Review Committee.

B. Houchen stated she was notified that the article submitted on professional boundary violations, co-authored by Holly Fischer, L. Ferguson-Ramos, and B. Houchen, was accepted by *Nursing Administration Quarterly* for publication in the October issue.

B. Houchen reported H. Fischer and Amy Rettig spoke at the Ohio Association of School Nurses annual conference, and H. Fischer and L. Emrich provided panel discussion and a presentation at the TERCAP conference sponsored by NCSBN. E. Mays attended NCSBN's IT conference.

B. Houchen recognized the following staff for state service: Joseph Kirk, 5 years; Debbie Beaty, 10 Years; and Tom Dilling, 20 years. B. Houchen thanked Carol Polanski and Angela White for their outstanding work in coordinating Operation Feed for 2008.

Board staff continues to follow-up on the staff survey conducted last year. All performance evaluations are current and all staff policies are being reviewed and revised as needed. B. Houchen thanked Beth Lewis who has worked diligently on these two projects. J. Boeckman commended staff on the evaluations being completed. The CARE Committee, charged with employee recognition and

activities, has completed numerous projects including Bring Your Child to Work Day and Public Employee's Recognition Week. The Leadership Team sponsored a lunch to recognize the valued work of the Board's Administrative Professionals.

B. Houchen stated no fiscal report would be provided for this Board meeting because agencies have not yet received the financial data from OAKS needed to complete the report. Fiscal staff will soon begin preparation of the 2010 and 2011 biennium budget.

Ohio is one of several states that will be participating in the development of a prototype for a NCSBN Fraud and Imposter Tracking System (FITS). E. Mays will be the primary contact person working with NCSBN.

B. Houchen updated the Board on the status of on-line renewals and stated, that as of April 23, 2008, 1,429 LPNs had renewed on-line and 704 LPNs requested a paper renewal application.

Elizabeth Buschmann asked about the medication aide pilot program. L. Emrich stated that currently 65 certificates have been issued, and that the pilot program would end approximately 210 days after the 75th certificate is issued.

Legislative Status Report

Cynthia Snyder provided the legislative report. She provided information and answered questions regarding HB 64; HB 125; HB 130; HB 144; HB 164; HB 253; HB 346; HB 493; HB 529; HB 544; SB 203; SB 114; SB 147; SB 230; and SB 270.

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that discussion on the legislative report be extended by 15 minutes.

Action: It was moved by E. Buschmann, seconded by Anne Barnett, that discussion on the legislative report be extended by 15 minutes.

NEW BUSINESS

Strategic Plan Review

The Board reviewed the revisions as discussed at the April 2008 Board Retreat.

Action: It was moved by Kathleen Driscoll, seconded by Kathleen O'Dell that the Board approve the strategic plan as submitted. Motion adopted by unanimous vote of the Board members.

APPROVALS

Nursing Education-Determination of Program Approval Status

Great Oaks School of Practical Nursing Secondary Program

Action: It was moved by Debra Broadnax, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to Great Oaks School of Practical Nursing Secondary Program, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

Great Oaks School of Practical Nursing Adult Program

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board grant full approval for a period of five years to Great Oaks School of Practical Nursing Adult Program, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

The Christ College of Nursing and Health Sciences

Action: It was moved by J. Jane McFee, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to The Christ College of Nursing and Health Sciences Associate Degree Program, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

RETS School of Nursing Practical Nursing Program

L. Emrich clarified for the Board that two issues remain following RETS School of Nursing Practical Nursing Program (RETS)' response to the Survey Visit Report, including outstanding transcripts and the lack of OB/GYN clinical experience for 26 graduated students. J. Boeckman, Education Liaison, stated that placing RETS on "provisional" approval status should not be perceived as punitive in nature, rather, it allows the Board over a period of time to review how the program is doing. K. Driscoll noted that this status should be helpful to RETS in terms of addressing the remaining issues. L. Klenke, Board President, clarified that "provisional status" would provide RETS an opportunity to demonstrate that it is meeting and maintaining standards.

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll that the Board place RETS School of Nursing Practical Nursing Program, on provisional approval, effective May 15, 2008, for a period of one year, based on the Survey Visit Report, and the Program's response to the report, which demonstrates that the program has failed to meet and maintain the minimum standards of the Board established in Rules 4723-5-14 and 4723-5-21, OAC.

It was further moved that the program submit progress reports to the Board, on or before the following dates: August 15, 2008; November 15, 2008; February 15, 2009; and April 15, 2009, that address the program's compliance with the requirements of Chapter 4723-5, OAC. Motion adopted by a unanimous vote of the Board members.

Akron School of Practical Nursing

Action: It was moved by Anne Barnett, seconded by Elizabeth Buschmann, that the Board grant full approval for a period of five years to Akron School of Practical Nursing, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

Clark State Community College School of Practical Nursing

Action: It was moved by Debra Broadnax, seconded by Anne Barnett, that the Board grant full approval to Clark State Community College School of Practical Nursing, effective May 15, 2008 and consider the April 15, 2008 Survey Visit Report, and the program's response to the report at the July 2008 Board meeting. Motion adopted by a unanimous vote of the Board members.

Edison Community College

Action: It was moved by Kathleen O'Dell, seconded by J. Jane McFee, that the Board grant full approval for a period of five years to Edison Community College Associate Degree Nursing Program, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

The Hannah E. Mullins School of Practical Nursing

Action: It was moved by Anne Barnett, seconded by Debra Broadnax, that the Board grant full approval for a period of five years to the Hannah E. Mullins School of Practical Nursing, effective May 15, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by a unanimous vote of the Board members.

Medication Aide Training Program Re-Approval

Lorain County Community College Medication Aide Training Program

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board re-approve Lorain County Community College Medication Aide Training Program, for a period of two years beginning May 15, 2008, in accordance with Rule 4723-27-07, OAC. Motion adopted by a unanimous vote of the Board members.

Cincinnati State Technical and Community College Medication Aide Training Program

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the Board re-approve Cincinnati State Technical and Community College Medication Aide Training Program, for a period of two years beginning May 15, 2008, in accordance with Rule 4723-27-07, OAC. Motion adopted by a unanimous vote of the Board members.

Carington Health Systems Medication Aide Training Program

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board re-approve Carington Health Systems Medication Aide Training Program, for a period of two years beginning May 15, 2008 in Accordance with Rule 4723-27-07, OAC. Motion adopted by a unanimous vote of the Board members.

Center Ridge Medication Aide Training Program

Action: It was moved by Anne Barnett, seconded by Elizabeth Buschmann, that the Board re-approve Center Ridge Medication Aide Training Program for a period of two years beginning May 15, 2008 in accordance with Rule 4723-27-07, OAC. Motion adopted by a unanimous vote of the Board members.

Retroactive Approvals for Licensees and Certificate Holders

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

Executive Session

On Thursday May 15, 2008:

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

ADJUDICATION AND COMPLIANCE

The Board reviewed the Compliance Protocols with the revisions discussed at the Board retreat. The Board asked Compliance staff to continue to establish templates, as appropriate.

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll that the Board approve the Compliance Protocols as submitted. Motion adopted by a unanimous vote of the Board members.

Board Actions

On Friday, May 16, 2008, President Klenke requested that each voting Board

member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, May 16, 2008, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Hittle, Terri, S P.N. 064610 (CASE #07-3042); Kohut, Ronnie, A P.N. 111025 (CASE #07-1349); Kreager, Teresa, P.N. 116446 (CASE #06-3078); Welsh, Sarah, M. R.N. 295561 (CASE #07-2949); Berry, Lori, A R.N. 268904 (CASE #08-0496); Bray, Christina, T P.N. 122373 (CASE #08-0835); Ellis, Angella, D R.N. 325574 (CASE #08-0601); Hofmann, Sherri, L R.N. 268354 (CASE #08-0738); Powell (Smith), Tina, L. P.N. 105898 (CASE #08-0370); Bayless, Jennifer, L P.N. 109655 (CASE #08-0056); Wilmoth, Catherine, S R.N. 306288, P.N. 108092(CASE #08-0006); Dotson, Pamela, A P.N. NCLEX (CASE #07-1602); Etzler, Lowayne, E. P.N. 095286 (CASE #06-2013); Vigorito, Veronica, S R.N. 286613 (CASE #07-3616); Wells, Kimberly, A. R.N. 207571 (CASE #06-1951); Ivey , Karen, M R.N. 261173 (CASE #07-2695); Clevidence, Sandra, K D.T. 01938 (CASE #07-3574); Fletcher, Dusti, L. P.N. 117696 (CASE #07-2354); McCray, James, R.N. 235301 (CASE #08-1268); Rudolph, Carrye, A R.N. 187867 (CASE #08-0477); Chetwood, Linda, J. R.N. 110345 (CASE #05-1620); Gilbert, Deborah, S. P.N. 102993 (CASE #07-3464); Gumbert , Michelle, C R.N. 288385 (CASE #07-3813); Curry, Pamela, S. P.N. 104919 (CASE #07-1990); Lester, Cathy, S. R.N. 318420 (CASE #07-3916); Muse, Marion, L. R.N. 141690 (CASE #07-1845); Scherer, Katherine, J R.N. 232511 (CASE #07-1470); Kuhlman, Carla, M. R.N. 210390 (CASE #08-0079); Chieffo, Pamela, S P.N. 078275 (CASE #07-3701); and Smith, Barbara, E P.N. 091198 (CASE #08-0235).

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

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

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Garner, Richard, R R.N. 256106 (CASE #07-3061); Bing, Amanda, E. R.N. 276476 (CASE #05-1652); Mullen, Julie, L P.N. 086610 (CASE #07-3233); Pennington, Stacey, M P.N. 124565 (CASE #07-1541); Shafer, Tamara, S R.N. 292575 (CASE #08-0837); Turner, Bernadette, M P.N. 119947 (CASE #08-0186); Bates, Kathy, P.N. 094488 (CASE #08-1251); Tatarski, Melissa, A. R.N. 324029 (CASE #06-0980); Manchester, Kristyn, L P.N. 108338 (CASE #07-1481); Owen, Tracey, A. P.N. 116335 (CASE #07-1870); Hurd-Hugunin, Erika, R.N. 288901 (CASE #07-1974); Goebel, Diane, K R.N. 122873 (CASE #07-3473); Arther, Gwen, E R.N. 310344 (CASE #07-3065); Williams, Jennifer, R R.N. 296542 (CASE #07-1474); and Stover, Jayme, R. P.N. 108766 (CASE #07-2615).

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

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Bohazi, Valerie, A. P.N. 089009 (CASE #08-0386); Carter, Robin, L. R.N. 303395 (CASE #08-0026); Akers, Kimberly, A P.N. 095983 (CASE #08-0734); Carpenter, Linda, F P.N. 106131 (CASE #08-0587); Monday, Kimberly, A. R.N. 271527 (CASE #08-0366); Thomas, Cynthia, G P.N. 105534 (CASE #08-0588); Dingus, Sierra, J. P.N. 113406 (CASE #08-0376); Evans, Natalie, P.N. 075430 (CASE #08-0883); Harrison, James, E P.N. 126672 (CASE #08-0452); Hoops, Marilyn, Z P.N. 117861 (CASE #08-0586); Hopson, Marchelle, L P.N. 124126 (CASE #08-0870); Meeker, Earlene, K P.N. 032338 (CASE #08-0888); Morgan, George, A P.N. 127962 (CASE #08-0637); Roe, Jenny, R. P.N. 106939 (CASE #08-0384); Pospichel, Barbara, J. P.N. 113621 (CASE #08-0375); Russell, Jessica, N P.N. 126673 (CASE #08-0733); Lamb, Doris, J. R.N. 170114 (CASE #07-2048); Bullard, Lesa, D. R.N. 264512 (CASE #08-0385); Cotterman, Jamie, R P.N. 108703 (CASE #08-1199); Putka, Karen, L P.N. 073597 (CASE #08-0730); Stone, Amanda, D. P.N. 125676 (CASE #08-0589); Swain-Pollard, Mary, E. P.N. 121676 (CASE #08-0527); Thigpen, Timothy, P.N. 091340 (CASE #08-0885); Underwood, Tara, L. R.N. 266848 (CASE #08-0584); and Luckino, Krista, L R.N. 273841 (CASE #08-1355).

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

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

TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING

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

Mariea, Lori, B R.N. 319423 (CASE #08-0506);

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

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

SURRENDERS

Voluntary Surrenders

Action: It as moved by Anne Barnett, seconded by Patricia Burns, that the Board accept the Voluntary Surrender of License for the following case(s):

Marrero, Carmen, Y. R.N. 281262 (CASE #06-0683); Collins, Delilah, M P.N. 109114 (CASE #07-3073); Standifer, Cynthia, A R.N. 249727 (CASE #08-0346); Gilliam, Terrace, A. P.N. 097562 (CASE #06-0580); Grove, Jay, T P.N. 082117 (CASE #07-1475); Lee, Michael, J. R.N. 257680 (CASE #06-3133); and Carrington, Melinda, R.N. 160714 (CASE #06-0793).

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

Complete copies of the voluntary surrenders shall be maintained in the exhibit book for the May 2008 Board meeting.

Voluntary Non-Permanent Withdrawal of NCLEX Application

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

Dennison, Deborah, L. P.N. NCLEX (CASE #06-3394) and Day, Morgan, A P.N. NCLEX (CASE #07-3444).

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

Complete copies of the voluntary withdrawals shall be maintained in the exhibit book for the May 2008 Board meeting.

Voluntary Non-Permanent Withdrawals of Endorsement Application

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board accept the Voluntary Non-Permanent Withdrawal of Endorsement Application for the following case(s):

West, Michelle, E P.N. endorse (CASE #07-3776);

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

Complete copies of the voluntary withdrawals shall be maintained in the exhibit book for the May 2008 Board meeting.

Voluntary Permanent Withdrawals of Endorsement Application

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board accept the Voluntary Permanent Withdrawal of Endorsement Application for the following case(s):

Mundy, Sherri, L R.N. endorse (CASE #08-0335)

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

Complete copies of the voluntary withdrawals shall be maintained in the exhibit book for the May 2008 Board meeting.

CONSENT AGREEMENTS

On Friday, May 15, 2008, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

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

Fields, Tina, A R.N. NCLEX (CASE #08-0039); Shuff, Michael, D. R.N. 269890 (CASE #05-0451); Truitt, Valerie, L. R.N. 284131 (CASE #06-2976); Dibiase, Heather, L P.N. 102599 (CASE #07-2908); Reid, Violet, J. P.N. 111429 (CASE #08-0383); Henwood, Angela, R. P.N. 103371 (CASE #07-2987); Peck,

Stephanie, M. R.N. 260516 (CASE #06-1207); Short, Paula, F R.N. 283101, N.P. 08849, R.X. 08849 (CASE #07-3840); Boal, Kristen, M R.N. 330680 (CASE #07-3092); Stuchal, Angela, M. P.N. 114624 (CASE #05-0841); Chapman, Kyle, E P.N. NCLEX (CASE #07-4046); Haas, Jennifer, L. R.N. 314791 (CASE #06-0656); Montgomery, Jennifer, L. P.N. 105943 (CASE #06-1145); Thompson, Heather, A. P.N. 117015 (CASE #07-1736); Tincher, Sara, A. P.N. 092210 (CASE #06-3257); Zeman, Trudy, E. P.N. 080899 (CASE #06-1614); Campbell, Deanna, R.N. 282962 (CASE #06-2363); Garland, Corinne, M R.N. 201657 (CASE #07-1389); Kelley, Michael, V. P.N. 118237 (CASE #07-1854); Burton, Simone, R.N. NCLEX (CASE #07-2577); Williamson, Cheryl, L. R.N. 297796 (CASE #07-2055); Vizzo, Lindsay, H. P.N. 094506 (CASE #06-0251); Roach, Misty, A P.N. NCLEX (CASE #07-3318); Burns, Sandra, M. P.N. 104472 (CASE #06-1822); Tillman, Pamela, F P.N. 045107 (CASE #07-3302); Serafini, Laura, A. R.N. 283602 (CASE #06-2609); Mason, Tracy, R. R.N. 309832 (CASE #05-0079); Wilson, Misty, D. P.N. 107407 (CASE #05-3439); Womack, Paula, G. P.N. 051860 (CASE #06-2218); Williams, Lynda, S R.N. 176380 (CASE #08-0281); Kemp, Carleen, M R.N. 317515 (CASE #08-0054); Baxley, Sonia, A. P.N. NCLEX (CASE #07-2540); Ashley, Maria, A P.N. NCLEX (CASE #07-3423); Gross, Jennifer, L R.N. 297701 (CASE #08-0896); Stewart, Shelvie, P.N. 110483 (CASE #06-2082); Perkins, Darci, J. R.N. 310847 (CASE #06-2602); Etgen, Michelle, A. P.N. NCLEX (CASE #07-2252); Curley-Kessel, Meredith, L. P.N. 111320 (CASE #07-2552); Harris, Nancy, L R.N. 152895 (CASE #08-0731); Voss, Teresa, K. P.N. 084225 (CASE #07-2045); Simpson, Nancy, P R.N. 167026 (CASE #07-2971); Codner, Monica, C. R.N. 288202 (CASE #08-0635); Abrams, Benjamin, P.N. 110843 (CASE #08-0142); Torbert, Deosha, D P.N. 119273 (CASE #06-1186); Seever, Mandy, L. P.N. 101209 (CASE #06-3519); Willis, Ginger, L. R.N. 271353 (CASE #07-2667); Wallace, Cynthia, M. P.N. 107771 (CASE #07-0123); Oberholtzer, Brandy, L P.N. 103502 (CASE #08-0144); Maccarone, James, L. R.N. 273747 (CASE #07-0184); Kelly, Amanda, M P.N. 112660 (CASE #06-1459); Judson, Laurie, C. R.N. 312298 (CASE #05-1069); McCarthy, Patrick, M R.N. 253517 (CASE #08-0607); Stegmoyer, Gary, E. R.N. 225978 (CASE #07-0065); Maisel, Margaret, H. R.N. 187397 (CASE #07-0069); Wright, Alicia, N. P.N. NCLEX (CASE #07-2464); Lorenz, Bridget, A. R.N. 329066 (CASE #07-2986); Thompson, Julie, A R.N. 253671 (CASE #08-0507); Murphy, Cindy, J P.N. 091185 (CASE #08-0226); Robbins, Martha, B. R.N. 179540 (CASE #07-2120); Wright, Calvin, R.N. 282692 (CASE #07-2598); Gavin, Janet, L R.N. 197058 (CASE #08-1124); Smith, Ashly, N P.N. 123403 (CASE #07-0912); Gray, Dawn, M R.N. 257388 (CASE #07-2843); Clark, Teresa, L P.N. endorse (CASE #08-0236); Moore, Teresa, E. R.N. 272932 (CASE #07-1658); Hamilton, Joy, A. R.N. 313240 (CASE #07-3725); Robinson, Barbara, A P.N. 116681 (CASE #07-1312); Hambel, Angela, S. P.N. 087625 (CASE #07-3588); Kirk, Jacquelyn, K-A R.N. 291647, P.N. 102561 (CASE #08-1092); Tessaro III, Andrew, R.N. NCLEX (CASE #07-4022); McBride, Jodi, P.N. 109980 (CASE #07-3483); Newhouser, Michelle, R. R.N. 306043 (CASE #06-2231); Cowdrey,

Julie, M. P.N. 106337 (CASE #08-0508); Allison, Richard, B. R.N. 269791 (CASE #05-1589); Knisley, Lynnette, R. P.N. NCLEX (CASE #07-1394); McHale, Kristin, E. R.N. 218834 (CASE #08-0295); Tilson, Connie, S. P.N. 111967 (CASE #07-0484); Harrison, Cathy, A. R.N. 264380 (CASE #05-3407); Wilson, Lisa, M. R.N. 246173 (CASE #06-2291); Gilkey, Amber, R.N. 337261 (CASE #08-0181); Shuman, Mary, B. P.N. NCLEX (CASE #07-1249); Sorensen, Linda, I. R.N. 244144 (CASE #06-1381); Warner, Beverly, C. R.N. 228068 (CASE #08-0128); Burwinkel, Holly, I. R.N. 208433 (CASE #07-3726); Hnida, Jennifer, L. R.N. 299842 (CASE #08-0585); Hummel, Lisa, K. R.N. 274153 (CASE #08-0046); Booher, Jody, R.N. 161739 (CASE #07-3853); Morris, Rhonda, L. P.N. 109908 (CASE #07-1568); Puleo, Michael, R. P.N. 123675 (CASE #07-3807); Holdren, Lottie, L. R.N. 291639, P.MN. 103452 (CASE #08-0915); Beckrest, Amber, M. P.N. 124886 (CASE #08-0449); Clark, Flossie, P.N. endorse (CASE #07-2492); Shell, Anthony, L. P.N. 117541 (CASE #08-0826); Parker, Kimberly, A. P.N. NCLEX (CASE #08-0204); Neff, Sandra, S. R.N. 252945 (CASE #08-1198); Bayless, Gregory, V. R.N. 261091 (CASE #08-0291); Slone, Antonella, C. R.N. 311890 (CASE #07-3136); Beltran, Cesar, E. R.N. 208575 (CASE #08-0063); Race, David, L. R.N. 322363 (CASE #08-1145); Rickey, William, A. R.N. 174408 (CASE #08-0914); Johnson, Jodi, E. R.N. 234782 (CASE #08-0882); Smith, Elizabeth, L. R.N. 157617 (CASE #08-0509); Dennis, Carolyn, A. P.N. 089921 (CASE #06-3150); Adkins, Amy, M. R.N. 317985 (CASE #08-1142); Williams, Crystal, L. R.N. 279667 (CASE #08-0551); Steele, Jill, M. R.N. 222273 (CASE #05-2369); Munn, Susan, P.N. 106305 (CASE #07-3486); Kilpatrick, Jane, R.N. 322138 (CASE #08-1197); Streets, Susan, K. R.N. 201463 (CASE #08-1141); and Noori, Mozghan, R.N. 220354 (CASE #08-1354).

Elizabeth Buschmann voted no on the following cases only: Zeman, Trudy, E. P.N. 080899 (CASE #06-1614); Williams, Lynda, S. R.N. 176380 (CASE #08-0281); Ashley, Maria, A. P.N. NCLEX (CASE #07-3423); Kelly, Amanda, M. P.N. 112660 (CASE #06-1459); Cowdrey, Julie, M. P.N. 106337 (CASE #08-0508); Sorensen, Linda, I. R.N. 244144 (CASE #06-1381); Shell, Anthony, L. P.N. 117541 (CASE #08-0826); and Williams, Crystal, L. R.N. 279667 (CASE #08-0551). J. Jane McFee voted no only on Sorensen, Linda, I. R.N. 244144 (CASE #06-1381). Kathleen O'Dell voted no only on Truitt, Valerie, L. R.N. 284131 (CASE #06-2976). Eric Yoon voted no on the following cases only: Truitt, Valerie, L. R.N. 284131 (CASE #06-2976); Henwood, Angela, R. P.N. 103371 (CASE #07-2987); Short, Paula, F. R.N. 283101, N.P. 08849, R.X. 08849 (CASE #07-3840); Boal, Kristen, M. R.N. 330680 (CASE #07-3092); Haas, Jennifer, L. R.N. 314791 (CASE #06-0656); Tillman, Pamela, F. P.N. 045107 (CASE #07-3302); Mason, Tracy, R. R.N. 309832 (CASE #05-0079); Gross, Jennifer, L. R.N. 297701, COA 08704, R.X.-EX-1 08704 (CASE #08-0896); Stewart, Shelvie, P.N. 110483 (CASE #06-2082); Voss, Teresa, K. P.N. 084225 (CASE #07-2045); Wallace, Cynthia, M. P.N. 107771 (CASE #07-0123); Maccarone, James, L. R.N. 273747 (CASE #07-0184); Stegmoyer,

Gary, E. R.N. 225978 (CASE #07-0065); Thompson, Julie, A R.N. 253671 (CASE #08-0507); Robbins, Martha, B. R.N. 179540 (CASE #07-2120); Gavin, Janet, L R.N. 197058, COA 09222, RX-EX-1 09222 (CASE #08-1124); Kirk, Jacquelyn, K-A R.N. 291647, P.N. 102561 (CASE #08-1092); McBride, Jodi, P.N. 109980 (CASE #07-3483); Cowdrey, Julie, M. P.N. 106337 (CASE #08-0508); Wilson, Lisa, M. R.N. 246173 (CASE #06-2291); Warner, Beverly, C. R.N. 228068 (CASE #08-0128); Hummel, Lisa, K. R.N. 274153 (CASE #08-0046); Morris, Rhonda, L P.N. 109908 (CASE #07-1568); Clark, Flossie, P.N. endorse (CASE #07-2492); Beltran, Cesar, E R.N. 208575 (CASE #08-0063); Williams, Crystal, L R.N. 279667 (CASE #08-0551); Steele, Jill, M. R.N. 222273 (CASE #05-2369); Munn, Susan, P.N. 106305 (CASE #07-3486); and Streets, Susan, K R.N. 201463 (CASE #08-1141). Anne Barnett Abstained on the following cases only: Perkins, Darci, J. R.N. 310847 (CASE #06-2602) and SeEVERS, Mandy, L. P.N. 101209 (CASE #06-3519). Eric Yoon abstained on Gilkey, Amber, R.N. 337261 (CASE #08-0181). Debra Broadnax abstained from voting on all cases. Motion adopted by majority vote of the Board members.

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

WITHDRAWAL NOTICE OF OPPORTUNITY FOR HEARING

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board withdraw the Notice of Opportunity for Hearing for Lightle, Kenneth, T. P.N. 101601 (CASE #06-3530).

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

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board withdraw the Notice of Opportunity for Hearing for Lynch, Martin, R.N. 120901 (CASE #03-1692).

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

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board withdraw the Notice of Opportunity for Hearing for Roehrig, Daniel, L P.N. 067725 (CASE #95-055).

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

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board withdraw the Notice of Opportunity for Hearing for Boston, Travis, D. P.N. 112257 (CASE #06-1388).

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

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board withdraw the Notice of Opportunity for Hearing for Flores, Angela, C. R.N. NCLEX (CASE #07-0249).

WITHDRAWAL NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing for Owen, Tracey, A. P.N. 116335 (CASE #07-1870b).

WITHDRAWAL NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board withdraw the Notice of Automatic Suspension and Opportunity for Hearing for Perry-Poteet (Hanko), Pamela, A R.N. 243134 (CASE #07-1387).

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

HEARING EXAMINER REPORT AND RECOMMENDATION

Williams-Townsend, Robin, P.N. 079563 (Case #06-1439)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, in the matter of Robin Williams-Townsend, that the Board accept all of the Findings of Fact, conclusions of Law, and the Recommendation contained in the Hearing Examiner's Report and Recommendation and the Board hereby orders that **ROBIN WILLIAMS-TOWNSEND's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ROBIN WILLIAMS-TOWNSEND** to surrender her licensed practical nurse license #P.N. 079563 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Elizabeth Buschmann and Delphenia Gilbert opposed the motion. Motion adopted by majority vote of the Board members.

Froug, Phyllis, R.N. 216580 (Case #07-0295)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, in the matter of Phyllis Froug, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation contained in the Hearing Examiner's Report and Recommendation and the Board hereby orders that **PHYLLIS FROUG's** application for licensure by examination to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

Allen Fullerton, Atonya, P.N. 102377 (Case #05-3119)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, in the matter of Atonya Allen Fullerton, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation contained in the Hearing Examiner's Report and Recommendation and the Board hereby orders that **ATONYA ALLEN FULLERTON's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ATONYA ALLEN FULLERTON** to surrender her licensed practical nurse license #P.N. 102377 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

NO REQUEST FOR HEARING CASES

Schultz, Helen, P.N. 099881 (Case #06-2425)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, in the matter of Helen Schultz, that the Board withdraw the Notice of Opportunity for Hearing based upon the court's dismissal of Ms. Schultz' indictment.

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

Kottke, Cynthia, R.N. 264942 (Case #06-3461)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **CYNTHIA KOTTKE** in the May 21, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KOTTKE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. KOTTKE's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CYNTHIA KOTTKE** to surrender her registered nurse license #R.N. 264942 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Lugo, Leroy, P.N. 115120 (Case # 07-2241)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **LEROY LUGO** in the August 23, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LUGO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. LUGO's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LEROY LUGO** to surrender his licensed practical nurse license #P.N. 115120 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

abstaining.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Wells, Ronald, R.N. 253708 (Case #05-2839)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **RONALD WELLS, R.N.** in the September 25, 2006, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WELLS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. WELLS's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time and that upon completion of the renewal process, the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year and the Temporary Practice Restrictions set forth below.

Upon completion of the renewal process, MR. WELLS shall be subject to the following probationary terms, conditions, and limitations:

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

Monitoring

3. **MR. WELLS** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WELLS's** history. **MR. WELLS** shall self-administer prescribed drugs only in the manner prescribed.
4. **Beginning within forty-five (45) days following the completion of the renewal process and continuing throughout the probationary period, MR. WELLS** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the

Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens that **MR. WELLS** submits shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WELLS's** history.

Employment Conditions

5. **MR. WELLS** shall notify the Board, in writing, of the name and address of any new employer prior to beginning employment.
6. **MR. WELLS**, if working in a position in which a nursing license is required, shall provide his employer(s) with a copy of this Order and shall have his employer(s) send documentation to the Board of receipt of a copy of this Order within forty-five (45) days. Further, **MR. WELLS** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment.
7. If at anytime during the effective period of this Order, the Board's Supervising Member or designee determines that the Board should receive reports from **MR. WELLS's** employer(s), **MR. WELLS** shall have his employer(s) submit written reports regarding job performance on a quarterly basis or as otherwise requested by the Board.

Reporting Requirements of MR. WELLS

8. **MR. WELLS** shall report to the Board in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. **MR. WELLS** shall submit any and all information, which the Board or its designee may request, regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing care.
10. **MR. WELLS** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

11. **MR. WELLS** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
12. **MR. WELLS** shall submit all documentation required by this Order or requested by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
13. **MR. WELLS** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **MR. WELLS** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Coole, Shirley, P.N. 081244 (Case #06-3334)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **SHIRLEY COOLE** in the January 22, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COOLE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. COOLE's** license to practice nursing as a licensed practical nurse is hereby fined \$500 for the violation of Section 4723.28(B)(2) of the Ohio Revised Code. For the remaining violations, **MS. COOLE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COOLE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

3. Prior to seeking reinstatement by the Board, **MS. COOLE** shall pay the fine of five hundred dollars (\$500.00) to the Board, payable to the "Treasurer, State of Ohio". Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

4. **MS. COOLE** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. COOLE's** history. **MS. COOLE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. COOLE** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. COOLE** shall, at her own expense, seek a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. COOLE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. COOLE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
7. **MS. COOLE** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. COOLE's** license.
8. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. COOLE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. COOLE's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS.**

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

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

Reporting Requirements of MS. COOLE

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

DURATION

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

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

three (3) years.

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

Monitoring

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. COOLE** 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. COOLE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

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

Employment Conditions

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

Reporting Requirements of MS. COOLE

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

Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

17. **MS. COOLE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. COOLE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse and if requested by the Board or its designee, **MS. COOLE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. COOLE's suspension shall be lifted and MS. COOLE's

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

The Board further Orders **SHIRLEY COOLE** to surrender her licensed practical nurse license #P.N. 081244 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Bennett, Tracy, P.N. 121086 (Case #07-1609)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **TRACY BENNETT** in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BENNETT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. BENNETT's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BENNETT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BENNETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENNETT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. BENNETT** shall, in addition to the requirements of licensure renewal, successfully complete

and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: one (1) hour of Ohio nursing law and rules; ten (10) hours of Ethics; and ten (10) hours of Substance Abuse.

Monitoring

4. **MS. BENNETT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENNETT's** history. **MS. BENNETT** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. BENNETT** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. BENNETT** shall, at her own expense, seek a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BENNETT** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BENNETT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
7. **MS. BENNETT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BENNETT's** license.
8. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. BENNETT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BENNETT's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENNETT** shall be negative, except for substances prescribed,

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

9. Within thirty (30) days prior to **MS. BENNETT** initiating drug screening, **MS. BENNETT** 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. BENNETT**.
10. After initiating drug screening, **MS. BENNETT** 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. BENNETT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. BENNETT** 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. BENNETT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BENNETT

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

16. **MS. BENNETT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. BENNETT** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. BENNETT** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
19. **MS. BENNETT** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

4. **MS. BENNETT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENNETT's** history. **MS. BENNETT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BENNETT** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. BENNETT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the

Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENNETT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENNETT's** history.

6. **MS. BENNETT** 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. BENNETT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. BENNETT** 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. BENNETT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. BENNETT** 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. BENNETT** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BENNETT** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. BENNETT** shall notify the Board.
11. **MS. BENNETT** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. BENNETT** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, and shall have her employer(s) send documentation to the Board,

along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BENNETT** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BENNETT

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

Permanent Narcotic Restriction

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

substances, or mood altering drugs. In addition, **MS. BENNETT** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. BENNETT** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

The Board further Orders **TRACY BENNETT** to surrender her licensed practical nurse license #P.N. 121086 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

McGinnis, Cathy, R.N. 262406 (Case #06-1644)

Action: It was moved by Debra Broadnax, seconded by Eric Yoon, that upon consideration of the charges stated against **CATHY MCGINNIS** in the July 24, 2006 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCGINNIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. MCGINNIS's** license to practice nursing as a registered nurse is hereby **PERMANENTIY REVOKED**.

The Board further Orders **CATHY MCGINNIS** to surrender her registered nurse license #R.N. 262406 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Remers, Jennifer, P.N. 104525 (Case #05-3303)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **JENNIFER REMERS** in the March 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. REMERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. REMERS's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTIY REVOKED**.

The Board further Orders **JENNIFER REMERS** to surrender her licensed practical nurse license #P.N. 104525 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Viltro, Megan, R.N. 312769 (Case # 312769)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **MEGAN VILTRO** in the March 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. VILTRO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. VILTRO's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. VILTRO** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. VILTRO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. VILTRO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. VILTRO** shall comply with all terms, conditions and limitations set forth in the Final Order issued by the Commonwealth of Pennsylvania, Department of State, State Board of Nursing on or about November 30, 2006.

Monitoring

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

- for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
7. **MS. VILTRO** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. VILTRO's** license.
 8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. VILTRO** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. VILTRO's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. VILTRO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VILTRO's** history.
 9. Within thirty (30) days prior to **MS. VILTRO** initiating drug screening, **MS. VILTRO** 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. VILTRO**.
 10. After initiating drug screening, **MS. VILTRO** 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. VILTRO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. VILTRO** 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. VILTRO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. VILTRO

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

DURATION

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

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

three (3) years.

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

Monitoring

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. VILTRO** 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. VILTRO** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

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

Employment Conditions

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

Reporting Requirements of MS. VILTRO

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

Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

17. **MS. VILTRO** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. VILTRO** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. VILTRO** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. VILTRO's suspension shall be lifted and MS. VILTRO's

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

The Board further Orders **MEGAN VILTRO** to surrender her registered nurse license #R.N. 312769 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Nicely, Patty, P.N. 074692 (Case #06-1531)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **PATTY NICELY** in the November 20, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NICELY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. NICELY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. NICELY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. NICELY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. NICELY's** history. **MS. NICELY** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. NICELY** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. NICELY** shall, at her own expense, seek a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. NICELY** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. NICELY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
6. **MS. NICELY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. NICELY's** license.
7. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. NICELY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. NICELY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. NICELY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. NICELY's** history.
8. Within thirty (30) days prior to **MS. NICELY** initiating drug screening, **MS. NICELY** 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. NICELY**.

9. After initiating drug screening, **MS. NICELY** 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. NICELY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. NICELY** 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. NICELY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. NICELY

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

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

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

DURATION

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

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

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

Monitoring

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

6. **MS. NICELY** 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. NICELY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. NICELY** 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. NICELY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. NICELY** 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. NICELY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. NICELY** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. NICELY

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

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

Unless otherwise approved in advance by the Board, MS. NICELY shall not practice nursing as a licensed practical nurse (1) for agencies providing home

care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. NICELY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

FAILURE TO COMPLY

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

The Board further Orders **PATTY NICELY** to surrender her licensed practical nurse license #P.N. 074692 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

May, Tammy, R.N. 310890 (Case #07-407)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **TAMMY MAY** in the March 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MAY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. MAY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MAY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MAY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MAY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MAY** shall comply with all terms, conditions and limitations set forth in the Final Order, dated December 9, 2005, and the suspension letter, dated January 10, 2007, both issued by the West Virginia State Board of Examiners for Registered Professional Nurses.

Monitoring

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

- obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
7. **MS. MAY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. MAY's** license.
 8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MAY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MAY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MAY's** history.
 9. Within thirty (30) days prior to **MS. MAY** initiating drug screening, **MS. MAY** 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. MAY**.
 10. After initiating drug screening, **MS. MAY** 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. MAY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MAY** 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. MAY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MAY

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

DURATION

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

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

probationary terms, conditions, and limitations for a minimum period of three (3) years.

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

Monitoring

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. MAY** 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. MAY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

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

Employment Conditions

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

Reporting Requirements of MS. MAY

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

or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

17. **MS. MAY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MAY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. MAY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

The Board further Orders **TAMMY MAY** to surrender her registered nurse license #R.N. 310890 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Morgan, Christy, R.N. 277102 (Case #03-1642)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **CHRISTY MORGAN** in the May 23, 2005 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MORGAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. MORGAN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MORGAN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

- approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MORGAN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MORGAN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
6. **MS. MORGAN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. MORGAN's** license.
 7. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. MORGAN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MORGAN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MORGAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MORGAN's** history.
 8. Within thirty (30) days prior to **MS. MORGAN** initiating drug screening, **MS. MORGAN** 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. MORGAN**.
 9. After initiating drug screening, **MS. MORGAN** 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. MORGAN** shall notify the Board of

any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. MORGAN** 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. MORGAN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MORGAN

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

DURATION

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

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

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

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

Monitoring

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS.**

MORGAN 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. MORGAN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

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

Employment Conditions

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

Reporting Requirements of MS. MORGAN

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

misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

Unless otherwise approved in advance by the Board, MS. MORGAN shall

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

FAILURE TO COMPLY

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

The Board further Orders **CHRISTY MORGAN** to surrender her registered nurse license #R.N. 277102 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Phillips, Donna, R.N. 223925 (Case #03-1972)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **DONNA PHILLIPS** in the November 20, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PHILLIPS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that that **MS. PHILLIPS'** license to practice nursing as a registered nurse is hereby Reprimanded and Fined \$500.00. Prior to renewal of her license, **MS. PHILLIPS** shall pay the fine of five hundred dollars (\$500.00) to the Board, payable to the "Treasurer, State of Ohio". Payment shall be mailed to the attention of the Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Doremus, Anthony, P.N. 100921 (Case #06-0249)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **ANTHONY DOREMUS** in the May 21, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DOREMUS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. DOREMUS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Practice Restrictions set forth below.

MR. DOREMUS shall be subject to the following probationary terms, conditions, and limitations:

1. **MR. DOREMUS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. DOREMUS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. By November 1, 2008, **MR. DOREMUS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: six (6) hours of Ethics.

Employment Conditions

4. **MR. DOREMUS** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days of receipt of this Order**, or any new employer prior to beginning employment.
5. **MR. DOREMUS, within fifteen (15) days of receipt of this Order**, if working in a position in which a nursing license is required, shall provide his employer(s) with a copy of this Order. Further, **MR. DOREMUS** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment. **MR. DOREMUS** shall have his employer(s), if working in a position where a nursing license is required,

submit written reports regarding job performance on a quarterly basis **beginning July 1, 2008**. **MR. DOREMUS** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date the Order was received.

Reporting Requirements of MR. DOREMUS

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

Permanent Practice Restrictions

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

DOREMUS to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

MR. DOREMUS shall not be involved in financial activities or supervise financial activities while working in a position in which a nursing license is required.

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Beal, Elizabeth, P.N. 099566 (Case #06-0278)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **ELIZABETH BEAL, L.P.N.** in the March 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BEAL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. BEAL's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Narcotic Restrictions and Temporary Practice Restrictions set forth below.

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

1. **MS. BEAL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BEAL** shall appear in person for an interview before the full Board or its designated representative, as requested by the Board or its designee.
3. By August 1, 2008, **MS. BEAL** shall submit to a BCI criminal records check.

Monitoring

4. **MS. BEAL** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BEAL's** history. **MS. BEAL** shall self-administer prescribed drugs only in the manner prescribed.
5. **MS. BEAL** shall abstain completely from the use of alcohol.
6. **Beginning within forty-five (45) days and continuing throughout the probationary period, MS. BEAL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC.

This screening shall require a daily call-in process. The specimens that **MS. BEAL** submits shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BEAL's** history.

7. **MS. BEAL** 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. BEAL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
8. Within thirty (30) days prior to **MS. BEAL** initiating drug screening, **MS. BEAL** 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. BEAL**.
9. After initiating drug screening, **MS. BEAL** 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. BEAL** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

Employment Conditions

10. Prior to working as a nurse and if requested by the Board or its designee, **MS. BEAL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board or its designee.
11. **MS. BEAL** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days of receipt of this Order**, or any new employer prior to beginning employment.
12. **MS. BEAL, within fifteen (15) days of receipt of this Order**, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order. Further, **MS. BEAL** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment. **MS. BEAL** shall have her

employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BEAL** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date the Order was received.

Reporting Requirements of MS. BEAL

13. **MS. BEAL** shall report to the Board in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. **MS. BEAL** shall submit any and all information, which the Board or its designee may request, regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing care.
15. **MS. BEAL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. BEAL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. BEAL** shall submit all documentation required by this Order or requested by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. BEAL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. BEAL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

Permanent Narcotic Restriction

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

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Mozzillo, Rebecca P.N. 099288 (Case # 04-0984)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **REBECCA MOZZILLO** in the July 25, 2005 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOZZILLO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. MOZZILLO's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOZZILLO** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Educational Needs Assessment and Learning Plan

3. **MS. MOZZILLO** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program. **MS. MOZZILLO** shall have the educator provide the Board with a written report of an assessment of **MS. MOZZILLO**, which identifies **MS. MOZZILLO's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. MOZZILLO** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. MOZZILLO** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. MOZZILLO's** employer(s), former employers, and Board staff. Following the assessment, **MS. MOZZILLO** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS.**

- MOZZILLO** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. MOZZILLO** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. MOZZILLO** shall complete such learning plan. **MS. MOZZILLO** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. MOZZILLO** has successfully completed the learning plan, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. MOZZILLO's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. MOZZILLO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. MOZZILLO** shall be responsible for all costs associated with meeting this requirement.
4. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. MOZZILLO's** license.

Reporting Requirements of MS. MOZZILLO

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

by this Order are received in the Board office.

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

12. **MS. MOZZILLO** shall submit to a BCI criminal records check.

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. MOZZILLO

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

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

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

FAILURE TO COMPLY

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

Board monitoring, based upon an interview with **MS. MOZZILLO** and review of the reports as required herein. Any period during which **MS. MOZZILLO** 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 **REBECCA MOZZILLO** to surrender her licensed practical nurse license #P.N. 099288 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Simmons, April P.N. 105044 (Case #06-2910)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **APRIL SIMMONS** in the January 22, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SIMMONS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. SIMMONS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

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

1. **MS. SIMMONS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio. **MS. SIMMONS** shall also comply with all terms and conditions imposed in Franklin County Court of Common Pleas Case Number 05CR10-7101.
2. **MS. SIMMONS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. By November 1, 2008, **MS. SIMMONS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following

continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Professional Boundaries and five (5) hours of Ethics.

Employment Conditions

4. **MS. SIMMONS** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days of receipt of this Order**, or any new employer prior to beginning employment.
5. **MS. SIMMONS**, **within fifteen (15) days of receipt of this Order**, if working in a position in which a nursing license is required, shall provide his employer(s) with a copy of this Order. Further, **MS. SIMMONS** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment. **MS. SIMMONS** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis **beginning July 1, 2008**. **MS. SIMMONS** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date the Order was received.

Reporting Requirements of MS. SIMMONS

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

11. **MS. SIMMONS** shall verify that the reports and documentation required by this Order are received in the Board office.

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Sykes, Tammy, P.N. 091577 (Case #07-0348)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **TAMMY SYKES** in the July 23, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SYKES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. SYKES's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SYKES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Permanent Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. SYKES** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SYKES's** history. **MS. SYKES** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. SYKES** shall abstain completely from the use of alcohol.
5. Prior to requesting reinstatement by the Board, **MS. SYKES** shall, at her own expense, seek a chemical dependency evaluation by a Board

- approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SYKES** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. SYKES** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
6. **MS. SYKES** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SYKES's** license.
 7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SYKES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SYKES's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SYKES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SYKES's** history.
 8. Within thirty (30) days prior to **MS. SYKES** initiating drug screening, **MS. SYKES** 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. SYKES**.
 9. After initiating drug screening, **MS. SYKES** 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. SYKES** shall notify the Board of any

and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SYKES** 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. SYKES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to requesting reinstatement by the Board, **MS. SYKES** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. SYKES** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SYKES's** license, and a statement as to whether **MS. SYKES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. SYKES** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SYKES's** license.
13. Prior to requesting reinstatement by the Board, **MS. SYKES** shall, at her own expense, seek a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. SYKES's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. SYKES's** comprehensive physical examination and with a comprehensive assessment regarding **MS. SYKES's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. SYKES** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. SYKES** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for

treatment and monitoring, any additional restrictions that should be placed on **MS. SYKES's** license to practice, and stating whether **MS. SYKES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. **MS. SYKES** agrees that the Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. SYKES's** license.

Reporting Requirements of MS. SYKES

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

DURATION

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

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

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

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

Monitoring

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. SYKES** 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. SYKES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

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

Employment Conditions

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

Reporting Requirements of MS. SYKES

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

Unless otherwise approved in advance by the Board, MS. SYKES shall not function in a position or employment where the job duties or requirements involve

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

FAILURE TO COMPLY

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

The Board further Orders **TAMMY SYKES** to surrender her licensed practical nurse license #P.N. 091577 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Stupariu, Loreen, P.N. 115074 (Case #06-2978)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **LOREEN STUPARIU** in the January 22, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STUPARIU** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. STUPARIU's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LOREEN STUPARIU** to surrender her licensed practical nurse license #P.N. 115074 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Stamper, Miranda, P.N. 102026 (Case #06-2058)

Action: It was moved by Elizabeth Buschmann, seconded by Anne Barnett, that consideration of the charges stated against **MIRANDA STAMPER** in the November 20, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STAMPER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. STAMPER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MIRANDA BRAE STAMPER, L.P.N. AKA MIRANDA BRAE PATENAUDE** to surrender her licensed practical nurse license #L.P.N. 102026 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Bentley, Melissa P.N. 114044 (Case #07-0847)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **MELISSA BENTLEY** in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BENTLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. BENTLEY'S** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BENTLEY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BENTLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTLEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. BENTLEY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics.

Monitoring

4. **MS. BENTLEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history. **MS. BENTLEY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. BENTLEY** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. BENTLEY** shall, at her own expense, seek a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BENTLEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BENTLEY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses and recommendations for treatment and monitoring.
7. **MS. BENTLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BENTLEY's** license.
8. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. BENTLEY** shall submit, at her expense and on the day selected, blood or urine specimens

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

monitoring, any additional restrictions that should be placed on **MS. BENTLEY's** license, and a statement as to whether **MS. BENTLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

Reporting Requirements of MS. BENTLEY

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

DURATION

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

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

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

Monitoring

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

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. BENTLEY

12. **MS. BENTLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. BENTLEY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

volunteer.

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

FAILURE TO COMPLY

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

The Board further Orders **MELISSA BENTLEY** to surrender her licensed practical nurse license #P.N. 114044 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Duponty, Sharon, R. N. 235690 – P.N. 071785 (Case #05-3466)

Action: It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **SHARYN (SHARON) LYNN DUPONTY** in the November 19, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DUPONTY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. DUPONTY's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **SHARYN (SHARON) LYNN DUPONTY** to surrender her registered nurse license #R.N. 235690 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Nader, Karensue, R.N. 171800 (Case # 06-1739)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **KARENSUE NADER** in the May 21, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NADER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. NADER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year and the Temporary Practice Restrictions set forth below.

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

1. **MS. NADER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. NADER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. By November 1, 2008, **MS. NADER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Identification and Treatment of Burns and ten (10) hours of Practice in Emergency Situations.

Employment Conditions

4. **MS. NADER** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days of receipt of this Order**, or any new employer prior to beginning employment.
5. **MS. NADER, within fifteen (15) days of receipt of this Order**, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order. Further, **MS. NADER** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment. **MS. NADER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis **beginning July 1, 2008**. **MS. NADER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date the Order was received.

Reporting Requirements of MS. NADER

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Rufino, Alvin, D.T. 01079 (Case #05-2489)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **ALVIN RUFINO** in the November 20, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. RUFINO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. RUFINO's** certificate to practice as a dialysis technician is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ALVIN RUFINO** to surrender his dialysis technician certificate #D.T. 01079 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Smith, Tunisha, P.N. 101682 (Case #06-2215)

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **TUNISHA SMITH** in the September 25, 2006 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SMITH** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. SMITH's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TUNISHA SMITH** to surrender her licensed practical nurse license #P.N. 101682 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

Motion adopted by majority vote of the Board members.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Scherff, Michael, P.N. 120950 (Case #06-1725)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **MICHAEL SCHERFF, L.P.N.** in the January 22, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SCHERFF** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MR. SCHERFF's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year and the Temporary Practice Restrictions set forth below.

MR. SCHERFF shall be subject to the following probationary terms, conditions, and limitations:

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

Monitoring

3. **MR. SCHERFF** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SCHERFF's** history. **MR. SCHERFF** shall self-administer prescribed drugs only in the manner prescribed.
4. **Beginning within forty-five (45) days and continuing throughout the probationary period, MR. SCHERFF** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens that **MR. SCHERFF** submits shall be negative,

except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SCHERFF's** history.

Employment Conditions

5. **MR. SCHERFF** shall notify the Board, in writing, of the name and address of any current employer **within forty-five (45) days following receipt of this Order**, or any new employer prior to beginning employment.
6. **MR. SCHERFF**, **within fifteen (15) days of receipt of this Order**, if working in a position in which a nursing license is required, shall provide his employer(s) with a copy of this Order and shall have his employer(s) send documentation to the Board of receipt of a copy of this Order within forty-five (45) days. Further, **MR. SCHERFF** is under a continuing duty to provide a copy of this Order to any new employer prior to accepting employment.
7. If at anytime during the effective period of this Order, the Board's Supervising Member or designee determines that the Board should receive reports from **MR. SCHERFF's** employer(s), **MR. SCHERFF** shall have his employer(s) submit written reports regarding job performance on a quarterly basis or as otherwise requested by the Board.

Reporting Requirements of MR. SCHERFF

8. **MR. SCHERFF** shall report to the Board in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. **MR. SCHERFF** shall submit any and all information, which the Board or its designee may request, regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing care.
10. **MR. SCHERFF** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
11. **MR. SCHERFF** shall submit the reports and documentation required by this Order on forms specified by the Board. All

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

12. **MR. SCHERFF** shall submit all documentation required by this Order or requested by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
13. **MR. SCHERFF** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **MR. SCHERFF** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

Dillinger, Jodie, P.N NCLEX (Case #07-0535)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **JODIE DILLINGER** in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DILLINGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. DILLINGER** shall be granted a license to practice nursing as a licensed practical nurse upon successful completion of the licensure process. **MS. DILLINGER's** license to practice nurse as a licensed practical nurse shall be suspended for an indefinite period of time, and the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year and the Permanent Practice Restrictions set forth below.

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

1. **MS. DILLINGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DILLINGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within sixty (60) days after the successful completion of the licensure process, **MS. DILLINGER** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation,

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

Employment Conditions

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

Reporting Requirements of MS. DILLINGER

7. **MS. DILLINGER** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
8. **MS. DILLINGER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
9. **MS. DILLINGER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

10. **MS. DILLINGER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
11. **MS. DILLINGER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
12. **MS. DILLINGER** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. DILLINGER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

Permanent Practice Restrictions

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

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

MS. DILLINGER shall not be involved in financial activities or supervise financial activities while working in a position in which a nursing license is required.

FAILURE TO COMPLY

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

McCain, Debbie, P.N. 083777 (Case #07-1201)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **DEBBIE MCCAIN** in the May 21, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCCAIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. MCCAIN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years retroactive to May 2007, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MCCAIN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

2. **MS. MCCAIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. MCCAIN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: one (1) hour of Ohio nursing law and rules; ten (10) hours of Ethics & Professionalism; and ten (10) hours of Medication Administration.

Reporting Requirements of MS. MCCAIN

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

DURATION

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

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

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

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

Employment Conditions

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

Reporting Requirements of MS. MCCAIN

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

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

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

The Board further Orders **DEBBIE MCCAIN** to surrender her licensed practical nurse license #P.N. 083777 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of May, 2008.

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

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2008 Board Meeting.

MONITORING

LIFTS OF SUSPENSION/PROBATIONS

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements:

Hicks, Tonia, J. R.N. 330476 (CASE #06-2441); Alvarado, Tiffney, N. R.N. 283960 (CASE #05-2251); Cox, Patricia, L. R.N. 324533 (CASE #06-2186); Smith, Trishia, R. P.N. 110207 (CASE #05-2127); White, Leanne, E. R.N. 278163 (CASE #05-1125); Post, Allison, M R.N. 329821 (CASE #07-0916); Ford, Gerald, B. R.N. 284296 (CASE #06-2016); Brisby, Tawana, L. P.N. 126149 (CASE #06-2527); Copenhaver, Donald, R. R.N. 163366 (CASE #04-2510); Maines, Timothy, E. R.N. 275152 (CASE #04-2935); Day, Clarissa, M R.N. 332498 (CASE #07-0500); Davis, Michael, H. R.N. 208283 (CASE #04-2550); Greene, Jaclyn, F. D.T. 02537 (CASE #06-2260); Duncan, Dianna, L R.N. 227616, P.N. 053587 (CASE #03-1713); Wheat, Melinda, L. R.N. 314412 (CASE #05-2716); and Byers, Elaina, M. P.N. 100904 (CASE #06-0788).

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

LIFTS OF SUSPENSION/PROBATION - EARLY RELEASE

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

Quinn, Marcy, L. R.N. 239512 (CASE #05-3236); Gomez, Lisa, M P.N. 088162 (CASE #03-2188); Botts, Rhonda, M. R.N. 271878 (CASE #06-0630); Waggoner, Larissa, L R.N. 264699 (CASE #03-1477); Hughes, Erica, L. P.N. 124891 (CASE #06-2010); Marinelli, Dannee, R.N. 187186 (CASE #05-1005); Fields, Diane, L. R.N. 158872 (CASE #03-0045); and Brezine, Colleen, M. R.N. 207998, N.M. 03844, R.X. 03844 (CASE #04-0442).

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

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

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

Weber, Jennifer, S. P.N. 125242 (CASE #06-3219) and Coughlin, Cynthia, R.N. 191017 (CASE #04-0597).

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

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

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

Robb, Lisa, M. P.N. 113582 (CASE #05-2771); Wells, Christina, M. R.N. 328999 (CASE #06-1746); and Hall, Shelli, R.N. 240765 (CASE #05-1771).

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

LIFT OF NARCOTIC RESTRICTION

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

Clark, Lisa, M. P.N. 094481 (CASE #05-2636); McGrady, Dawn, R. R.N. 291264 (CASE #07-1860); Lipp, Aaron, J. R.N. 295708 (CASE #02-0844); Shelko, Fred, P P.N. 103410 (CASE #05-3475); Shroades, Julie, A. R.N. 260925 (CASE #06-0458); and Doringo, Claudia, S. R.N. 251589 (CASE #06-3209).

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

LIFT OF SUSPENSION ONLY – PERMANENT AND TEMPORARY WORK RESTRICTIONS REMAIN

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that Freeman, Lynnette, M. R.N. 216753, P.N. 066787 (CASE #03-1232), with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters be released from the terms and conditions of her consent agreement with the exception of the permanent and temporary practice restriction(s) that will remain in effect.

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

LIFT OF SUSPENSION– EARLY RELEASE – PERMANENT NARCOTIC RESTRICTION(S) REMAINS

Action: it was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that Smith, Gregory, T. R.N. 233941 (CASE #04-2691), with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, having met the terms and conditions of his consent agreement with the Board be released early from the terms and conditions of the consent agreement with the exception of the permanent narcotic restriction(s) that will remain in place.

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

LIFT OF PRACTICE RESTRICTION

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that Grinblat, Irina, A. R.N. 330475 (CASE #06-2037), with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from the practice restriction within her consent agreement.

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

REPORTS TO THE BOARD

Board Committee Reports

Board Committee on Practice

L. Klenke reported that the Committee was asked about requiring certain qualifications for physicians who write orders for nursing administration of Botox or dermal fillers. Delphenia Gilbert raised the point that in some cases, a nerve block is needed for the cosmetic procedures. It was also recommended to specify that the order must be "written." These areas will be reviewed for possible revisions in the Interpretative Guideline and Board staff will distribute a new draft for review by interested parties. The Committee will reserve July 17, 2008, from 12:00 – 1:00 p.m. for a meeting, if needed.

Committee on Prescriptive Governance Appointments

Action: It was moved by Debra Broadnax, seconded by Eric Yoon, that Pamela Hutton, CNS, and Erin Keels, CNP, be appointed for a period of three years to the Committee on Prescriptive Governance to fill the committee positions of Clinical Nurse Specialist and Certified Nurse Practitioner. Motion adopted by unanimous vote of the Board members.

Open Forum – 10:00 a.m. Thursday, May 15, 2008 and Friday, May 16, 2008

On Thursday, May 15, 2008, Duncan Anderson and Kathy Hill, representing Education Affiliates, addressed the Board regarding the pending approval status of RETS College School of Nursing. No attendees addressed the Board on Friday May 16, 2008.

Advisory Group Reports

Continuing Education Meeting

A. Barnett reported that the Advisory Group welcomed new member Cathy Patton, at its May 2, 2008 meeting. The group discussed continued competency and requirements for IV certification for LPNs endorsing from out-of-state. The group also discussed recommending an amendment to the administrative rules so that only OBN Approvers will be authorized to approve Category A continuing education. The Advisory Group identified that some Category A continuing education programs may not contain accurate information. The Board was in agreement that approval of Category A continuing education should be done by OBN Approvers. The Advisory Group also discussed the appropriateness of several continuing education activities that committee members had received.

Committee on Prescriptive Governance

L. Emrich reported that a meeting was held on May 5, 2008. The Committee considered requests for revisions in the Formulary. Vendor presentations

relating to the formulary were postponed and may be held at a future meeting. The Committee will review other states' formularies in the near future.

Dialysis Meeting

D. Broadnax reported the group discussed the newly proposed Federal regulations for dialysis. The Advisory Group recommends that the Board proposed requirements match the federal regulations. The group also discussed disaster preparedness. The Advisory Group is scheduled to meet again in August.

OTHER REPORTS

Consumer Direction Care

The Board received the ODJFS proposed draft legislative language. H. Fischer provided an overview of the discussions regarding the Board's concerns. The Board noted that its major concerns appeared to be addressed at this time, but H. Fischer will provide additional language when it becomes available. ODJFS' intent is to seek a legislative vehicle for the language by the end of 2008 and have the proposed changes in effect by July 2009.

Nurse Education Study Committee

J. Boeckman reported that the Committee continues to meet the third Tuesday each month. The Committee discussed students learning through the use of simulation. In July, the Committee will discuss the correlation between the number of clinical hours and NCLEX passage rates. In August, the Committee will look at a computer application that identifies and coordinates clinical sites for students. J. Boeckman also reported that Ohio applied to attend a national Nursing Education Summit, but the Ohio team was not selected to attend.

NEALP

H. Fischer stated that the Ohio Board of Regents (OBR) is eliminating one of the two application periods in response to feedback from program administrators that the two periods created confusion. Discussion with OBR has focused on increasing participation in the post-licensure "instructor" program. To this end, hospitals and other employers are being asked to disseminate information regarding the post-licensure program. K. Driscoll asked if loans are available to part time students. H. Fischer responded that the regulations specify the individual must be enrolled in at least half-time study. She reported that the minimum loan amount for the post-licensure program is \$5,000, which may deter potential applicants. OBR has discussed an amendment to the statute that removes the \$5,000 minimum amount.

Plasmapheresis

L. Emrich reported she obtained additional information and learned that the procedure for plasmapheresis involves IV administration of sodium citrate, which is not within the LPN scope of practice. The Board reviewed, and approved by consensus, a draft letter to respond to the question regarding the LPN's role in

plasmapheresis. L. Buschmann suggested this practice issue be discussed with the Board Committee on Practice that will be reviewing Chapter 4723-4 and IV therapy. The Board agreed.

Elimination of Wallet Cards

L. Robinson collected information regarding options for a one-time wallet card for licensees. The Board discussed alternatives and voiced concern that a one-time card could also be used fraudulently. L. Klenke noted that most federal and state requirements for employers mandate primary source verification. The Spring 2008 issue of *Momentum* included an article about elimination of wallet cards and asked for comments. Board staff will present that information at the July 2008 meeting.

PICC Line Placement

The State Medical Board of Ohio provided a letter indicating that the verification of a PICC line location by limited chest x-ray interpretation is the practice of medicine, and therefore not within the nursing scope of practice. The information will be added to the Board web site.

NEGP

L. Emrich provided a summary regarding the status of the NEGP awards. The Robert T. White School of Nursing requested to use funds for equipment other than originally proposed, and the Board agreed with this request. Wright State has chosen to defer their awarded funds for use in a later quarter. We are waiting to receive the report from Firelands.

Requests from OCADNEA and OCDD

The Board received two letters from OCADNEA and OCDD. One letter was about preceptors asking the Board to gather additional information through the Nursing Education Program Annual Report and stating that the nursing programs would like the requirement to be one, rather than two years, of nursing experience. Several Board members stated they continue to believe two years is necessary for a nurse to gain the knowledge to serve as a preceptor. J. Boeckman stated that educators are looking for more latitude because of the difficulties in finding preceptors. The Board agreed that staff should review the information requested in the Annual Report and add a question, as needed, to gather the requested information.

The second letter asked about the use of simulation in nursing education programs. L. Emrich stated that the statute or administrative rules do not prohibit programs from using simulation. A nursing education program could incorporate simulation in its curriculum, but could not categorize it as clinical experience. Because the Board does not establish hours for clinical experience, the nursing program may establish how many hours would be clinical experience and how many hours in the curriculum would be for

simulation. E. Buschmann stated that simulation is a good resource and opportunity for student to see situations they may not normally see in their clinical education. A. Barnett stated that it is becoming harder to find clinical sites and simulation could be a very effective tool in education. J. Boeckman stated a concern that because the rules do not specify a minimum number of hours for clinical experience, programs could establish a large number of hours for simulation and only a few hours for clinical experience.

K. Driscoll suggested these issues be discussed at the Nursing Education Advisory Group meetings. The Board agreed.

Inquiry from Anodyne Therapy

L. Emrich and H. Fischer provided a report to the Board regarding an inquiry from Anodyne Therapy to the Medical Board regarding the use of light-based devices. Both attended the Medical Board Committee meeting where the issue was discussed to provide comments relating to nursing practice and nursing statute and administrative rules related to the question. They reported that the Committee recommended to the Medical Board, that the Medical Board's response to Anodyne, not include a reference to advanced practice nursing. Further, the Medical Board agreed to review its administrative rules regarding the use of light-based devices. A. Barnett stated that she believes the issue is appropriate for the Medical Board's review because she sees the potential of light-based therapy being used increasingly by nurses providing wound care.

GENERAL INFORMATION (FYI)

L. Klenke asked if there were questions regarding the General Information items. The following comments were made:

Letter to EMS Board

L. Emrich explained that the EMS Board stated that a paramedic or EMT would need to consider the circumstances of a patient prior to accepting a transfer and they are supportive of nurse involvement for complex patient transfers.

Letter to ONA

The Board was provided the letter sent to ONA to clarify that there are no peer support programs approved by the Board and ONA's letter of response. L. Klenke stated the Board would continue discussions with ONA in the future, as needed, regarding peer support programs.

Attorney General Opinion

The Ohio Attorney General's Office provided an informal opinion that an on-line newspaper posting of a notice of opportunity for hearing would not meet the

Chapter 119. requirements for publication of a notice in a newspaper of general circulation.

BOARD GOVERNANCE

Designation of Delegates/Alternates for NCSBN Annual Meeting

The Board agreed by general consensus that L. Klenke and J. Boeckman would serve as the Board's delegates at the 2008 NCSBN Annual Meeting/Delegate Assembly in Nashville. B. Houchen will attend as a member of the NCSBN Board of Directors, and L. Emrich will attend as Chair of the NCSBN TERCAP Committee. L. Emrich will be an Alternate Delegate. If one of the Board members cannot attend, J. Jane McFee will attend. Expenses will be covered by the NCSBN for all attendees.

Laptop Security

E. May reviewed measures to keep Board Member laptops as secure as possible.

Schedule Meeting for Board Committee for Practice – Review of Administrative Rule and Related Statutory Revisions

At the Board Retreat, the Board agreed to establish a Board Practice Committee initially to review proposed changes to Chapter 4723-4, OAC, and subsequently to discuss and consider possible statutory and regulatory changes regarding LPNs and IV therapy. By establishing this Committee, interested parties can attend the meetings for input on practice. P. Burns, K. Driscoll, E. Buschmann, D. Broadnax, and J. Jane McFee volunteered to be on the Committee. The Board agreed that the Committee meet on July 18 from 12:00 to 1:30 p.m. to review the proposed revisions for Chapter 4723-4.

2009 Board Meeting Schedule Change

The Board agreed by general consensus to change the July 2009 Board meeting from July 16-17 to July 23-24, 2009.

EVALUATION OF MEETING AND ADJOURNMENT

Board Members thanked the staff for the work they did in preparation for the meeting. E. Buschmann thanked everyone for their condolences.

Board members stressed the importance of having appointments made for the open Board member positions.

The meeting adjourned on May 16, 2008 at 2:31 p.m.

Lisa Klenke, MBA, RN, CNAA
President

Handwritten signature of Lisa R. Klenke in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Secretary

Handwritten signature of Betsy J. Houchen in cursive script.