



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD MAY 20-21, 2010

The regular meeting of the Ohio Board of Nursing (Board) was held on May 20-21, 2010 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 20, at 8:32 a.m., President Bertha Lovelace, called the Board meeting to order. On Friday, May 21 at 8:37 a.m., Bertha Lovelace called the Board meeting to order. Vice-President Patricia Protopapa read the Board mission each day. Bertha Lovelace recognized students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Bertha Lovelace, RN, President
Patricia Protopapa, LPN, Vice-President
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters (Absent after 11:30 a.m. Friday)
Judith Church, RN
Kathleen Driscoll, RN
Delphenia Gilbert, RN
Maryam Lyon, RN
Johnnie Maier, Consumer Member
J. Jane McFee, LPN
Melissa Meyer, LPN
Tracy Ruegg, RN
Roberta Stokes, RN
Eric Yoon, RN

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.; Angela Johnson, RN applicant and Attorney Elizabeth Collis addressed the Board at 1:00 p.m.; Executive Session was held at 2:00 p.m. with deliberations following Executive Session. Open Forum was held at 10:00 a.m. on Thursday and Friday. On Friday

at 10:30 a.m., Dr. Nancy Spector from NCSBN, and Dennis Corrigan provided a presentation to the Board regarding sexual misconduct by nurses.

Minutes of March 18-19, 2010 Board Meeting

Action: It was moved by Judith Church, seconded by J. Jane McFee, that the Board accept the minutes of the March 18-19, 2010 Board meeting as submitted. Motion adopted by unanimous vote of the Board members.

Minutes of April 12-13 2010, Board Retreat

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board accept the minutes of the April 12-13, 2010 Board Retreat as submitted. Motion adopted by unanimous vote of the Board members

Executive Director Report

Betsy Houchen highlighted the following from the Executive Director Report:

- Board staff were recognized for their years of state service: Carol Polanski (5 years); Emily Brown (10 years); Lisa Ferguson-Ramos (15 years); Susan Mann-Orahood (15 years); and Melody Gullion (20 years).
- Governor Strickland established the Ohio Prescription Drug Abuse Task Force by Executive Order 2010-04S on April 2, 2010. The Task Force is charged with coordinating a multidisciplinary, multi-jurisdictional approach to the problem of prescription drug abuse. B. Houchen is a member of the Task Force.
- Lisa Emrich is representing the Board on a nurse staffing subcommittee, Chaired by Senator Sue Morano, RN, and facilitated by the Ohio Department of Health.
- Board staff, upon a recommendation from nurses, developed a contents/index page for nurses and the public to use when searching and accessing the Nurse Practice Act and administrative regulations. The index is posted on the Board web site.
- B. Houchen testified before the legislative Sunset Review Committee on April 6, 2010 regarding continuation of the Committee on Prescriptive Governance. At this time, the Committee on Prescriptive Governance is not on the list of committees to sunset.
- The Medical Board appointed Darshan Mahajan, MD, a member of the Medical Board, to be its representative on the Committee on Prescriptive Governance.
- Board staff attended the NCSBN Substance Use Disorder Guidelines Forum. The Forum's purpose was to increase acceptance for implementation of guidelines and obtain participant feedback for modification of the guidelines before they are published as part of The Handbook for Best Practices for Alternative Programs and Boards of Nursing. Once the Committee's work is complete, staff will bring the information to the Board for discussion.
- The Ohio Organization of Nurse Executive's Practice and Legislative Committee informed the Board that they have been developing a white paper regarding "Transition into Practice" and are using the NCSBN model. A meeting to discuss the white paper is scheduled for July 9,

2010. B. Houchen and L. Emrich will attend.

- During this year's online renewal process LPNs are given the opportunity to participate in the web-based NCSBN workforce survey at the end of the renewal process. In mid-April NCSBN began distributing an invitation to RNs to participate in the same survey. The Board continues to assist NCSBN in promoting the workforce survey using eNews announcements, Twitter "Tweets" and information on the front page of our web site.
- A meeting about the Nurse Licensure Compact was held with other state nursing boards and NCSBN on May 7, 2010 to discuss questions posed by the Board regarding compact licensure. Board staff will prepare a report for discussion at the July Board meeting.
- As previously reported, Board staff recently participated in a webinar offered by HRSA that provided information and guidance for State licensing authorities. Subsequent to the webinar, staff requested additional clarification from NCSBN and HRSA regarding prior years' cases (2002-2006), many of which were submitted under different sets of instructions. From May 1 to June 30, 2010, a grace period for HIPDB "clean-up," Board staff will be reviewing and resubmitting cases.

Legislative Status Report

Tom Dilling provided the legislative report and highlighted the following bills:

- House Bill 398, PASSPORT Program, specifying home care provisions.
- House Bill 198, medical home model demonstration project, was passed the House and voted out of Committee in the Senate on May 19, 2010.
- House Bill 495, Sunset Committee, will eliminate the Medication Aide Advisory Council and related language.
- House Bill 206, APN prescribing Schedule IIs, was voted out of the House and will move to the Senate.

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg that discussion on this topic be extended by fifteen minutes. Motion adopted by unanimous vote of the Board members.

- There have been discussions about introducing legislation regulating pain clinics.
- Board staff met with ONA regarding the draft legislation for the Board's bill and all are in agreement with the proposals.

Fiscal Report

Kathy King provided the fiscal report and stated that the Board is within budget with 26% of its overall budget remaining for the final quarter of fiscal year 2010.

NEW BUSINESS

Proposed Administrative Rules (Five Year Review and Technical Changes)

Chapter 4723-23 – Dialysis Technicians

The Board agreed that this Chapter will be filed as “no change” rules due to pending changes in the statute that will require substantial changes to rules.

Chapter 4723-8 – Certification, Registration of Nurse-midwife and Other Specialties

After review and discussion, the Board agreed with the following for Chapter 4723-8:

- Title: The new title of this chapter will be “Advanced Practice Nurse Certification and Practice”
- 4723-8-01: Definitions: File as “no change.”
- 4723-8-02 Standards of practice: Minor changes will be made in paragraph (A) and (B)(1) to reference “clinical experience,” because Section 4723.43, ORC, includes “clinical experience” as part of the scope of practice. A change is made in (E) to include “as a registered nurse” to make clear the intent that the APN is not precluded from practicing as an RN.
- 4723-8-03 Title protection: File as “no change”; (the designation “A.P.R.N.” would need to be added if the law is later changed to reflect this designation).
- 4723-8-04 Standard care arrangement for a certified nurse-midwife, certified nurse practitioner, and clinical nurse specialist: Most of this rule reflects statutory requirements set forth in Sections 4723.431 and 4723.50. A typo will be corrected in paragraph (B). Under (C)(5), staff recommends a change so that the quality assurance standards required by rule 4723-8-05 are referenced as one of the minimum standard care arrangement terms, rather than as presently included as a reference for CTP arrangements. Since this rule actually amplifies both 4723.431 and 4723.50, a reference to the latter will be included in the rule filing.
- 4723-8-05 Quality assurance standards: Paragraph (A) is revised to clarify that CE requirements are to be maintained for registered nursing licensure (according to Section 4723.24(C), ORC), and to remove language about providing notice of renewal, since this is addressed in rule 4723-8-07(D) and appears out of place in a standards related rule. Paragraph (C) is revised to reflect that noncompliance with the rule may result in disciplinary action, rather

than stating that the Board “shall conduct an adjudication.” Other changes are made consistent with converting language into “plain English” including eliminating redundant language where possible.

- 4723-8-06 National certifying organizations: Non-substantive changes are made to convert language into plain English and delete redundant language.
- 4723-8-07 Standards and procedures for approval as a certified nurse-midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist: Substantial changes are made that will necessitate rescinding and refiling this rule.
 - New title: “Initial certificate of authority.” The title is changed to reflect that this rule covers issuing the initial certificate of authority (COA). The current rule mixes initial certification with renewal and reactivation language that would more logically be placed in the renewal rule (4723-8-08). That language is deleted and moved to 4723-8-08.
 - Paragraph B (formerly A (2)) is rewritten to be consistent with current rule language for license applications (e.g., rule 4723-7-06(G)).
 - Paragraph (C) (formerly E) is rewritten to be consistent with the law (Section 4723.47, ORC). Language from paragraph (H) is incorporated into (C).
 - Paragraphs (I) and (N) are deleted because the Board is no longer issuing wallet cards.
- 4723-8-08 Certificate of authority renewal: Substantial changes are made to this rule that will require rescinding and re-filing the rule.
 - New title: “Certificate of authority renewal; notification of national recertification.” The change would clarify and emphasize the requirement that COA holders (with the exception of a group of grandfathered CNSs), are required to maintain national certification and notify the Board of recertification.
 - Paragraph (A) is revised to include the renewal requirements contained in law (Section 4723.42, ORC), and to include the time period for the late processing fee (July 1).
 - Paragraph (A)(2) is added to clarify when a COA renewal application is considered “late” and subject to the late processing fee established in Section 4723.08(A)(15), ORC. The deadline is identical to the RN late processing deadline (July 1).
 - Throughout, language is added to more clearly reference the requirements for grandfathered CNSs (certified on or before December 31, 2000), who are not required to hold national

- certification but are required to obtain specific continuing education.
- Paragraph (B) is revised from “April” to “March” consistent with licensure rule changes effective February 1, 2010.
 - Paragraph (C) is revised to more accurately reflect the law (see Sections 4723.42 (B), ORC and 4723.24(A), ORC), which provides a caveat that the Board is not required to provide a renewal application if the Board is aware that an individual is ineligible for renewal for any reason, including those reasons specified in section 4723.24 (A) of the Revised Code. The current language states that failure to receive an application does “not excuse the holder from the requirements of section 4723.42 of the Revised Code” appears to refer to the wrong section of the law, because the law, 4723.42 (B), ORC, states: “Failure of the certificate holder to receive an application for renewal . . . does not excuse the holder from the requirements of section 4723.44 of the Revised Code.”
 - Paragraph (C) is revised to reference 4723.44, ORC.
 - Paragraphs (D) – (I) contains language moved from rule 4723-7-07.
 - Paragraph (D) requires that the holder provide documentation “satisfactory to the board” of re-certification by the national certifying organization. Staff is currently conducting a survey, through NCSBN, to obtain data on what other states require in the form of recertification documentation. Staff is considering whether to require primary source verification, and will present information for the Board’s consideration at the July meeting.
 - Paragraphs (E) and (F) contain language moved from rule 4723-7-07, but are revised to more accurately state the legal consequences of failure to maintain national certification, or, in the case of the grandfathered CNS, failure to meet CE requirements.
- 4723-8-09 Certificates of authority for a certified nurse-midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist practicing in another jurisdiction: This rule will be filed as a “no change” rule. The statute, Section 4723.41, ORC, contains detailed and at times outdated language that the Board is in the process of potentially amending. This rule serves as bookmark to reference that law, and until the law is amended, it was recommended that this rule remain unchanged.
 - 4723-8-10 Continuing education requirements: Paragraph (A) is revised, as discussed at the April Retreat, to clarify that in order to use CE obtained for purposes of national certification for purposes of registered nurse license renewal, the CE must otherwise meet

the requirements of Chapter 4723-14, OAC. Language regarding obtaining the CE in the prior 24-month period is deleted as redundant, because the timing requirements for CE are included in Chapter 4723-14. Paragraph (B) is revised for clarity. Paragraph (E) is deleted as CE compliance is covered in Chapter 4723-14, and that Chapter makes clear that it applies to certificate holders as well as licensees.

Lesleigh Robinson reported that during her presentation on licensure and certification for advanced practice nurses to the Ohio Association of Medical Staff Services, there were questions about primary source verification. Hospitals credentialing personnel are requesting that the Board require primary source verification for national re-certification. Board staff will research this and present information to the Board at the July Board meeting.

Eric Yoon stated he would like to see APNs receive CE hours for precepting. Tracy Ruegg questioned how this change would impact the requirements for national certification. L. Robinson reported that it was previously discussed in the Continuing Education Advisory Group and the Group does not recommend this change. One reason is because they believe that precepting is part of the nurses' job responsibilities and is not continuing education. J. McFee stated she views precepting more as "teaching" rather than "learning." B. Lovelace asked L. Robinson to discuss this concept with the CE Advisory Group on June 18, 2010.

Chapter 4723-9 Course of Study in Advanced Pharmacology

After review and discussion, the Board agreed with the following for Chapter 4723-9:

- The new title of this Chapter will be "Prescriptive Authority."
- 4723-9-01 Definitions: Paragraph (E)(1) is revised to mirror language in rule 4723-5-08 (A), regarding education programs recognized by the Board.

Paragraph (F) is revised to delete the last line, as this is a substantive legal requirement for the externship, and rather than put it in a definition, it is moved to rule 4723-9-04 (externship).

New Paragraph (H) – "Jurisdiction" is added to clarify that for purposes of evaluating out-of-state nurses with prescriptive authority (according to Section 4723.482 (C) and (D) of the new SB 89 language), "jurisdiction" means a member of NCSBN. This is the same definition used in rule 4723-3-01 (H).

Paragraph (I) (formerly (H) - "Physician" is revised because in some instances the physician would not be required to be licensed in Ohio (i.e., rule 9-04 (C)).

Paragraph (J) (formerly I) – "Successfully completion of externship" is revised to remove redundant language that is already set forth in substantive requirements, rule 4723-9-05.

- 4723-9-02 Requirements for a course of study in advanced pharmacology: Minor non-substantive changes are made.

Note that the law, Section 4723.482(B)(3)(a), specifies "a minimum of thirty contact hours." The rule requires "a minimum of forty-five contact hours." The law allows the Board to establish "additional training" in rule (Section 4723.482(B)(3)(d), ORC). SB 89 did not amend this section of the law.

The Board discussed the number of hours and asked Board staff to research other state boards of nursing requirements for further discussion. The Board also asked that this be discussed in the CPG meeting in August.

- 4723-9-03 Completing a course of study in advanced pharmacology: Language is added as required by SB 89. This law exempts out-of-state applicants with prescriptive authority, under Section 4723.482(C) or (D), ORC, from the pharmacology course requirement.
- 4723-9-04 Externship experience: This rule is revised to reflect the changes in law made by SB 89 that:

(a) Allow out-of-state nurses holding prescriptive authority, including controlled substances, to obtain a certificate to prescribe without participating in an externship. Section 4723.482(C), ORC.

(b) Allow out-of-state nurses holding prescriptive authority, not including controlled substances, to obtain a certificate to prescribe by participating in an externship of only 500 hours plus a two-hour Ohio law course. Section 4723.482(D), ORC. The law change defers to the "rules of the Board" regarding the nature of the supervision – its states that Section 4723.48(A) applies, which in turn states that the supervision must be "supervision in accordance with rules adopted under Section 4723.50." Thus, we would be adding *direct* supervision in the new rule language mirroring that language for in-state applicants.

Paragraph (D)(1) (formerly B) for in-state applicants specifies a minimum of 1500 hours, as SB 89 placed this requirement in law.

Paragraph (C) is removed as this was superseded by SB 89, and the requirements are moved to rule 4723-9-06 and 4723-9-05.

Paragraph (E) contains language moved from the definition of “externship” (4723-9-01 (F)).

- 4723-9-05 Standards and procedures for obtaining an externship certificate to prescribe: The rule is amended to reflect changes made by SB 89 for out-of-state nurses holding prescriptive authority, not including controlled substances.
- 4723-9-06 Standards and procedures for obtaining a certificate to prescribe: Changes are made to incorporate the changes made by SB 89 for out-of-state nurses holding prescriptive authority. Other changes are made similar to those made in Chapter 4723-8 (initial certificate of authority):
 - (i) Move language related to renewal/inactive status to rule 4723-9-07 (renewal);
 - (ii) Delete language related to wallet cards and otherwise make the rule consistent with other licensure rules;
 - (iii) Revise language to consolidate the provisions of Section 4723.47 (B), ORC, into one paragraph.
- 4723-9-07 Certificate to prescribe renewal: Changes are made similar to those made in Chapter 4723-8 (renewal of certificate of authority), e.g. moving language related to renewal/inactive status to from rule 4723-9-06 to this rule.

In Paragraph (G), the current rule (located in 4723-9-06 (K)) requires that if a certificate to prescribe has lapsed or been placed on inactive status for three years or longer, the nurse seeking to reinstate or reactivate the certificate shall first obtain an externship certificate to prescribe and shall meet all requirements of externship including completion of the pharmacology course in accordance with rule 4723-9-03 of the Administrative Code. Because the intent of this rule is to address a lapse in practice, language is added to make clear that this requirement applies *even to those CTP holders who, under SB 89, were not originally required to obtain an externship, or a pharmacology course*, in order to obtain the Ohio CTP.

- 4723-9-08 Safety standards for personally furnishing drugs and therapeutic devices: No changes are made at this time, except to correct a typo in the first line of paragraph (A).

E. Yoon discussed that APNs are only authorized to provide a 72-hour supply of samples to patients. This requirement is in Section 4723.481, ORC. The Board agreed by general consensus to explore this further and review the rule subsequent to a statutory change.

- 4723-9-09 Standards of prescribing for nurses with a certificate to prescribe: No changes recommended at this time.
- 4723-9-10 Formulary: No changes recommended at this time.
- 4723-9-11 Course of instruction in Ohio law governing drugs and prescriptive authority: New rule. SB 89, Section 4723.50(B)(6) requires the Board to adopt rules regarding the two-hour course of instruction in the laws of this state that govern drugs and prescriptive authority, which is required for out-of-state applicants entering Ohio either with, or without, prescriptive authority including controlled substances.

Non-Five Year Review Technical Changes

After review and discussion, the Board agreed with the following:

Chapter 4723-5 (Nursing Education Programs):

Rule 4723-5-04. The Board agreed by general consensus at the Retreat to add a provision that the Board “shall” place programs on provisional approval status if the program loses its accreditation. This language is added to as paragraph (D). Note that if a program is already on provisional status, the Board would need to go through the procedures outlined in Chapter 119. in order to withdraw the program’s approval status. The Board agreed by general consensus to use the word “may” place programs on provisional status if the program loses its accreditation.

Rules 4723-5-09 (D)(1) and (D)(3): Language is added to specify that “the controlling agency shall notify the board in writing within forty-five days . . .” to establish a timeframe.

Chapter 4723-7 (Examination and Licensure):

Rules 4723-7-04(A)(2) and 4723-7-04(B)(4): The Board agreed by general consensus to expand the list of countries exempt from demonstration of a “working knowledge of the English language,” to parallel language used for federal VisaScreen assessment purposes, to persons who received their nursing education in countries/provinces *including*: Canada - Quebec (*only* to include graduates of McGill University, Dawson College in Montreal, Vanier College in St. Laurent, John Abbot College in Sainte-Anne-de-Bellevue, and Heritage College in

Gatineau); South Africa; Trinidad/Tobago; Jamaica; and Barbados.

House Bill 648 Related Rules

H. Fischer noted that at the April Retreat, the Board was provided a copy of the Model Rules Template issued March 23, 2010, to implement the requirements of Section 1347.15, ORC (HB 648, 127th GA) to develop administrative rules and related policies on accessing confidential personal information. The proposed rules to be filed on or before June 30, with a rules hearing to occur on July 29, 2010, are based on the Template. The following is an overview of the rules agreed upon by the Board:

4723-1-07 Personal information system: Rescind and file new rule 4723-1-07, entitled "Personal information system definitions." The definitions will be common to all state agencies with little variation.

4723-1-08 Procedures for accessing confidential personal information. The requirements contained in this rule are common to all state agencies and follow Section 1347.15(B), ORC.

4723-1-09 Valid reasons for accessing confidential information. The reasons why authorized employees, or board members, may legally access confidential personal information are required to be set forth in rule. Those appearing in (A) are more generally applicable to the Board, as well as other agencies; those listed in paragraph (B) of the proposed rule are specific to the Board of Nursing.

4723-1-10 Confidentiality statute, regulations and rules. Section 1347.15(B)(3), ORC, requires each agency to list, in rule, all of the federal and state regulations or rules that may make information held, maintained or accessed by the agency confidential. The proposed list includes all of the OBN-specific confidentiality statutes (e.g., 4723.28(I)(1) – investigative information), as well as other federal and Ohio laws that may apply (e.g., FERPA – student records).

4723-1-11 Restricting and logging access to confidential personal information in computerized personal information systems. This rule reflects requirements imposed by HB 648, including the requirement that each employee who accesses any "confidential personal information" in a **computerized** record document that access by "logging", at least until the agency has computerized logging capability. Currently, our Board does not have this capability, thus, employees are required to engage in logging. Certain situations do not require logging, e.g., when an individual requests information about themselves; when staff conducts research or generates reports that are not specific to a particular named individual or group.

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board approve for filing with the Joint Committee on Agency Rule Review, the proposed revisions to Ohio Administrative Code Chapter 4723-1. It was further moved that the Board schedule a public hearing on Ohio Administrative Code Chapter 4723-1 for Thursday, July 29, 2010 at 1:00 p.m. in the Board Room of the Ohio Board of Nursing. Motion adopted by unanimous vote of the Board members.

APPROVALS

Nursing Education Program – Approval of New Programs

Fortis College Practical Nursing Program in Cincinnati

Action: It was moved by J. Jane McFee, seconded by Patricia Protopapa, that the Board grant conditional approval, in accordance with rule 4723-5-08, OAC, to Fortis College Practical Nursing Program in Cincinnati. It was further moved that the program submit a progress report to the Board on or before February 10, 2011. Motion adopted by unanimous vote of the Board members.

Fortis College Associate Degree in Nursing Program in Cincinnati

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant conditional approval, in accordance with rule 4723-5-08, OAC, to Fortis College Associate Degree in Nursing Program in Cincinnati. It was further moved that the program submit a progress report to the Board on or before February 10, 2011. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program in Cuyahoga Falls

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board grant conditional approval, in accordance with rule 4723-5-08, OAC, to Fortis College Practical Nursing Program in Cuyahoga Falls. It was further moved that the program submit a progress report on or before May 27, 2011. Motion adopted by unanimous vote of the Board members.

Fortis College Associate Degree in Nursing Program in Cuyahoga Falls

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board grant conditional approval, in accordance with rule 4723-5-08, OAC, to Fortis College Associate Degree in Nursing Program in Cuyahoga Falls. It was further moved that the program submit a progress to the Board on or before May 27, 2011. Motion adopted by unanimous vote of the Board members.

Kaplan Career Institute (Associate Degree Program)

Action: It was moved by Maryam Lyon, seconded by Anne Barnett, that the Board grant conditional approval, in accordance with rule 4723-5-08, OAC, to Kaplan Career Institute (Associate Degree Program). It was further moved that the program submit progress reports to the Board on or before May 15, 2011 and December 15, 2011. Motion adopted by unanimous vote of the Board members.

ITT Technical Institute, School of Health Sciences Nursing Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to ITT Technical Institute, School of Health Sciences Nursing Program. It was further moved that the program submit progress reports to the Board on or before July 15, 2011 and January 13, 2012. Motion adopted by unanimous vote of the Board members.

Nursing Education – Determination of Approval Status

Mount Carmel College of Nursing

Action: It was moved by Roberta Stokes, seconded by Patricia Protopapa, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to Mount Carmel College of Nursing for a period of five years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

North Central State College Associate Degree Nursing Program

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to North Central State College Associate Degree Nursing Program for a period of five years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

North Central State College Practical Nurse Program

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to North Central State College Practical Nurse Program for a period of five years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Notre Dame College Bachelor of Science in Nursing Program

Action: It was moved by Roberta Stokes, seconded by Delphenia Gilbert, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to Notre Dame College Bachelor of Science in Nursing Program for a period of five years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

College of Mount St. Joseph Baccalaureate of Science in Nursing Program

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board place the College of Mount St. Joseph Baccalaureate of Science in Nursing Program on full approval status for a period of one year at which time, the Board shall review whether a qualified program administrator has submitted a complete application to the Board seeking conditional approval of a registered nurse pre-licensure direct entry master of nursing program. This motion is made after fully considering the survey visit report and the program's response to the report that demonstrate the program has met and maintained the requirements established in rule 4723-5-13 Paragraph (D), (E) and (F), OAC. It was further moved that the program submit a progress report to the Board on or before November 1, 2010. Motion adopted by unanimous vote of the Board members.

The motion was based on a discussion by the Board about the negative effects that placing the program on provisional status would have on the Program. In addition, while it appears that originally the MN track was to be identical in policy and curriculum to the prelicensure track, the Program's current MN track had changed over time, a period of five years since its implementation; the program is taking steps to correct discrepancies with the MN program track and clinical experience.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Judith Church, that the Board retroactively ratify as submitted, the licenses and certificates initially issued by the Board of Nursing March 1, 2010 through April 30, 2010, 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, community health workers, and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

OBN Continuing Education Approver – Omnicare

Action: It was moved by Anne Barnett, seconded by Maryam Lyon, that the Board re-approve the Omnicare Great Lakes Region, Division of Education, OBN-009-93, as an Approver of Continuing Education through May 31, 2015 in accordance with rule 4723-4-10, OAC. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Programs

Alia Health Care Services

Action: It was moved by Judith Church, seconded by J. Jane McFee, that the Board approve Alia Health Care Services, in accordance with rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Salida Woods Assisted Living

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board re-approve Salida Woods Assisted Living, in accordance with rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Otterbein North Shore Retirement Community

Action: It was moved by Tracy Ruegg, seconded by Anne Barnett, that the Board re-approve Otterbein North Shore Retirement Community, in accordance with rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Ohio Medical Career Center

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board re-approve Ohio Medical Career Center, in accordance with rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Belmont Dialysis at Crestview Technician Training Re-Approval

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board re-approve Belmont Dialysis at Crestview Technician Training Program, in accordance with rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Community Health Worker Training Programs Re-Approval

Chatfield College Community Health Worker Program

Action: It was moved by Tracy Ruegg, seconded by Delphenia Gilbert, that the Board re-approve Chatfield College Community Health Worker Program, in accordance with rule 4723-26-14, OAC, as a community health worker training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

North Central State College Community Health Worker Program

Action: It was moved by Maryam Lyon, seconded by Anne Barnett, that the Board re-approve North Central State College Community Health Worker Program, in accordance with rule 4723-26-14, OAC, as a community health worker training program for a period of two years effective May 20, 2010. Motion adopted by unanimous vote of the Board members.

Requests to Change Implementation Dates

Southwestern College Practical Nurse Program

Action: It was moved by J. Jane McFee, seconded by Judith Church, that the Board approve Southwestern College Practical Nurse Program's request for an extension of its implementation date to May 17, 2010, in accordance with rule 4723-5-08 (K), OAC. Motion adopted by unanimous vote of the Board members.

Ohio American Health Care, Inc. Practical Nurse Program

Action: It was moved by Patricia Protopapa, seconded by Delphenia Gilbert, that the Board approve Ohio American Health Care, Inc. Practical Nurse Program's request for an extension of its implementation date to May 17, 2010, in accordance with rule 4723-5-08 (K), OAC. Motion adopted by unanimous vote of the Board members.

Ohio American Health Care, Inc. Registered Nurse Program

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board approve Ohio American Health Care, Inc. Registered Nurse Program's

request for an extension of its implementation date to May 17, 2010, in accordance with rule 4723-5-08 (K), OAC. Motion adopted by unanimous vote of the Board members.

Executive Session

On Thursday May 20, 2010:

Action: It was moved by Patricia Protopapa that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Following Executive Session the Board meeting was adjourned and the Board deliberated on cases pending before the Board.

ADJUDICATION AND COMPLIANCE

Angela Johnson, RN applicant, and her legal representative Elizabeth Collis, Esq., addressed the Board on Thursday, May 20, 2010 at 1:00 p.m. regarding Ms. Johnson's Hearing Report and Recommendation pending before the Board. Karen Unver, Esq., AAG, responded.

Board Actions

On Friday, May 21, 2010, Bertha Lovelace 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 HEARING

On Friday, May 21, 2010, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Blazer, Michelle, J. R.N. 293991 (CASE #09-4911); Carroll, Brenda, L. R.N. 301641, P.N. 098514 (CASE #10-0602); Speers, Brian, C. P.N. 116759 (CASE #10-0598); Laycox, Michael, B. R.N. 138927 (CASE #09-4775); Butcher, Cary, L. P.N. 104869 (CASE #10-0681); Morgan, Terri, L. R.N. 244857 (CASE #10-0563); Franklin, Samantha, P.N. 079957 (CASE #09-5394); Brown, Edwina, P.N. 039716 (CASE #09-5253); Schwartz, Barbara, A. R.N. 306361 (CASE #10-0458); Britton, Shannon, R.N. 334742 (CASE #09-5694); Bond, Melvin, R. R.N. NCLEX (CASE #10-0934); Baker, Keisha, L. P.N. 118626 (CASE #10-0627); Andres, Tina, M. R.N. 269952 (CASE #10-0210); Andres, Tina, R.N. 269952 (Case #10-1155); Alagbe, Rosy, U. P.N. 118353 (CASE #10-1155); Edwards, Christina, P.N. 123701 (CASE #10-1544); Calkins, Mark, D. P.N. 070617 (CASE #09-6601); Erdely, Kathryn, M. P.N. 073284 (CASE #09-5710); Frey, Mary, D. R.N. 207214 (CASE #09-5895); Kvochick, William, E. P.N. 107755 (CASE #09-3584); Hipshire, Micheal, L. R.N. 219322 (CASE #10-1381); Orue, Maria, T. R.N. 327301 (CASE #09-4687); Stamps, Rikole, J P.N. 112199 (CASE #10-0064); Stover, Buffy, P.N. 113120 (CASE #09-3097);

Wilburn, Lori, A MAC 00009 (CASE #09-6221); MAC 00009 (CASE #09-6221); Yates, Ashley, L. P.N. 121615 (CASE #09-5625); Evans, Jill, M. R.N. 222273 (CASE #10-0614); Wilburn, Tammy, S. P.N. 113571 (CASE #10-1264); Moore, Jeri, R. R.N. 277826 (CASE #10-1221); Goldsmith, Desiree, A. R.N. 205699 (CASE #09-5495); Payuyo, Cornelio, A. R.N. 332359 (CASE #09-4995); Rodgers, Lori, R.N. 259763 (CASE #09-6273); and Krickovich, Carrie, A. P.N. 111619 (CASE #10-1319).

Motion adopted by unanimous vote of the Board members.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2010 Board meeting.

WITHDRAWAL OF NOTICE OF OPPORTUNITY FOR HEARING

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on January 22, 2010 for Frazier, Don, C. P.N. 094565 (CASE #09-0703), having received information that Mr. Frazier is deceased.

Motion adopted by unanimous vote of the Board members.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Hart, Alisha, P.N. 127733 (CASE #08-1015); Robson, Tanya, L. R.N. 314526 (CASE #07-2636); Tackett, Samantha, L. R.N. 313266 (CASE #09-6346); Wright, Nancy, E. R.N. 259947 (CASE #09-3185); Doles, Nola, Anne-Ellen R.N. 260349 (CASE #10-1876); Bolar, Chastity, L. P.N. 133047 (CASE #09-6340); Vilevac, Sarah, R. R.N. 263597 (CASE #10-1873); Baker, Roxanne, R.N. 277277, P.N. 076984 (CASE #09-5712); Miller, Christine, E. R.N. 327156 (CASE #09-5811); and Dunnell, Susan, M. R.N. 202633 (CASE #09-5724).

Motion adopted unanimous vote of the Board members.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2010 Board meeting.

POST IMMEDIATE SUSPENSION NOTICE AND OPPORTUNITY FOR HEARING

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board issue a notice of opportunity for hearing for violations of Chapter 4723 ORC, for the following case(s):

Thomas, Patricia, K. P.N. 077979 (CASE #09-4447); Knechtges, Lynn, M. R.N. 286071 (CASE #09-4830); Stayrook, Renae, L. R.N. 132498 (CASE #10-1125); Roscoe, Aimee, J. P.N. 105226 (CASE #09-4696); Nelson, Teresa, A. P.N. 124470 (CASE #10-1232); Kaucic, Jamie, F. P.N. 114939 (CASE #09-3907); Norman, Kelley, R. P.N. 085101 (CASE #10-1116); and Justus, Lora, D. R.N. 296181 (CASE #09-3255).

Motion adopted by unanimous vote of the Board members.

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

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2010 Board meeting.

WITHDRAWAL OF NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by J. Jane McFee, seconded Johnnie Maier, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that issued by the Board on November 18, 1996 for Joseph Racz, RN 247176.

Motion adopted by unanimous vote of the Board members.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Grassman, Jacqualin, L. R.N. 190815 (CASE #10-1157); Kaffenberger, Cathy, L. R.N. 292875 (CASE #10-1225); Moss, Marsha, L. R.N. 274505 (CASE #10-0948); Keck, Sharon, M. R.N. 309677 (CASE #10-1141); Dent, Angela, D. P.N. 113754 (CASE #10-1070); Griss, Amanda, M. R.N. 339748 (CASE #10-1372); Ambriola, Nikole, M. R.N. 290620 (CASE #10-0612); Alamilla, Gina, P.N. 111212 (CASE #10-0611); Brinegar, Tina, M. P.N. 072533 (CASE #10-0949); Swinderman, Tamela, M. P.N. 091562 (CASE #10-0644); Watson, Gary, L. R.N. 175133 (CASE #10-1884); Fessler, Adam, R. P.N. 136322 (CASE #10-

1547); Oney, Tara, M. P.N. 103398 (CASE #10-1256); Maxwell, Jenny, S. P.N. 111411 (CASE #10-1550); and Fent, Sarah, E. P.N. 137517 (CASE #10-1388).

Motion adopted by unanimous vote of the Board members.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2010 Board meeting.

TEMPORARY SUSPENSIONS AND NOTICE OF OPPORTUNITY

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board issue a Notice of Temporary Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following:

Gilbert, Crystal, D. R.N. 296885 (CASE #10-1644); and Nooney, Julia, A. R.N. 275164 (CASE #10-1322).

Motion adopted by unanimous vote of the Board members.

A complete copy of the Temporary Suspension and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2010 Board meeting.

SUMMARY SUSPENSION

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that there is a clear and convincing evidence that continued practice by Jones, Patricia, A. R.N. 231545 (CASE #09-6291), presents a danger of immediate and serious harm to the public, and to Summarily Suspend the license and issue a Notice of Opportunity for Hearing for violations of Chapter 4723 ORC, retroactive to the date it was issued, May 4, 2010.

Motion adopted by unanimous vote of the Board members.

SURRENDERS

Permanent Voluntary Surrender

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Gittinger, Amy, S. P.N. 123378 (CASE #09-1460); Smart, Akim, Y. P.N. 134050 (CASE #08-1477); Williams, Kimberly, S. P.N. 093267 (CASE #09-3943); Plants, Glen, R. R.N. 265703 (CASE #09-3430); McClain, Audry, P.N. 059945 (CASE #10-1386); and Watson, Martha, J. R.N. 309545 (CASE #04-2506).

Motion adopted by unanimous vote of the Board members.

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the May 2010 Board meeting.

Voluntary Non-Permanent Withdrawal of Examination Application

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

Tombragel, Rebecca, R. P.N. NCLEX (CASE #09-4137).

Motion adopted by unanimous vote of the Board members.

A complete copy of the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination shall be maintained in the exhibit book for the May 2010 Board meeting.

Voluntary Non-Permanent Withdrawal of Endorsement Application

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

McPheron, Kristi, L. P.N. endorse (CASE #09-5577).

Motion adopted by unanimous vote of the Board members.

A complete copy of the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement shall be maintained in the exhibit book for the May 2010 Board meeting.

Voluntary Non-Permanent Surrender of Approval Status

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board accept the Voluntary Non-Permanent Surrender of Approval Status for the Ohio Academy of Holistic Health RN Program.

Motion adopted by unanimous vote of the Board members.

A complete copy of the Voluntary Non-Permanent Surrender of approval status shall be maintained in the exhibit book for the May 2010 Board meeting.

VOLUNTARY RETIREMENTS

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following:

Butcher, Kathy, L. R.N. 119063 (CASE #08-0041); D'Urso, Holly, A. R.N. 251024 (CASE #06-0841); and McMahan, Cynthia, A. P.N. 054834 (CASE

#09-4968).

Berth Lovelace abstained on D'Urso, Holly, A. R.N. 251024 (CASE #06-0841) only.

Motion adopted by majority vote of the Board members.

Complete Copies of the Voluntary Retirements shall be maintained in the exhibit book for the May 2010 Board meeting.

CONSENT AGREEMENTS

On Friday, May 21, 2010, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

Action: It was moved by Roberta Stokes, seconded by J. Jane McFee, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board in the following case(s):

Canterbury, Margaret, K. P.N. 065821 (CASE #07-2050); Nickelberry-Pruitt, Benisha, N. R.N. 358601, P.N. 109898 (CASE #10-0590); Grooms, Vernisha, A. P.N. NCLEX (CASE #09-6389); Seckel, Teresa, A. R.N. 185216 (CASE #07-1986); Klein, Christine, L. P.N. NCLEX (CASE #09-4414); Harding, Denetria, J. TC1 03351 (CASE #10-0823); Brown, Janet, H. R.N. endorse (CASE #09-2507); Turner, Bobbi, J. R.N. 322061 (CASE #09-5872); Coche, Nancy, E. R.N. 345358 (CASE #09-4539); Fackler, Kim, M. P.N. 099636 (CASE #07-2353); Scott, Stephanie, J. P.N. 126191 (CASE #09-5247); Vallera, Teresa, S. R.N. 274812 (CASE #09-0689); Casey, Michael, R. R.N. 320744 (CASE #08-4760); Costello, Joanna, L. R.N. 319295 (CASE #08-2688); Flesher, Nicki, R. P.N. NCLEX (CASE #09-5344); Guerra, Linda, Lee R.N. 128677 (CASE #09-1002); Hetrick, Nicholas, R. P.N. NCLEX (CASE #10-0296); Kotkovskaya, Larisa, R.N. 327532 (CASE #09-0944); Lewis, Kimyada, M. P.N. 114940 (CASE #10-1158); Moore, Michael, E. R.N. 261720 (CASE #09-1436); Parkhurst, Tina, M. P.N. 105193 (CASE #09-2466); Peterson, Kurt, W. R.N. 345967 (CASE #09-3600); Riegel, Roxanna, R.N. 292675, P.N. 103896 (CASE #08-4489); Specht, Barbara, A. P.N. 068755 (CASE #09-0368); Spirhanzl, Heather, L. P.N. 128502 (CASE #09-2771); Steinbrook, Audra, R. R.N. 309136, P.N. 106089 (CASE #09-3848); Williams, Mona, L. R.N. 282691 (CASE #09-3267); Willis, Lisa, A. R.N. 261916 (CASE #09-1000); Reyno, Jeanette, R. R.N. 311087 (CASE #09-1934); Lorenz, Robert, M. R.N. 172172 (CASE #09-4997); Birchnaugh, Emily, M. R.N. 330480 (CASE #09-2567); Gorby, Barbara, J. R.N. 262415, NA 02097 (CASE #09-4522); Kuppich, Gabriella, R.N. 251898 (CASE #09-3664); Massey (Hinkle), Karen, L. P.N. 101133 (CASE #09-1692); Daniels, Shannon, R.N. 314677 (CASE #08-4709); Vandervort, Mary, B. R.N. 286620 (CASE #09-3254); Lawson, Ruth, N. R.N. 337629, P.N. 118385 (CASE #10-0947); Smathers, Flynt, J. R.N. 342798 (CASE #09-6252); Daugherty, Kayce, D R.N. 327499 (CASE #09-3124); List, Stephanie, E. R.N. 290896, COA 08573 (CASE #09-1355); Chachko, Christina, A. P.N. 053939 (CASE #09-4750); Bayman,

Heather, R.N. 304282 (CASE #09-5202); Cook, Connie, J. R.N. 333054, P.N. 122786 (CASE #08-3238); Blackburn, Deborah, J. P.N. 082298 (CASE #09-4967); Carter, Joshua, L. R.N. NCLEX (CASE #10-1118); Stull, Yolanda, S. TC1 03190 (CASE #10-0704); Lape, Christopher, J. R.N. 287681, NA 10593 (CASE #09-4315); Bonecutter, Ernest, E. P.N. endorse (CASE #09-6169); Smith, Sandra, L. R.N. 240287 (CASE #10-0610); Stoner, Brett, L. R.N. endorse (CASE #10-0696); Taylor, Cynthia, J. P.N. 118543 (CASE #08-3339); Mabrey, Rose, M. P.N. 094340 (CASE #09-6014); Lahm, Patricia, S. P.N. 123946 (CASE #09-0029); Beggs, Linda, S. R.N. 152581 (CASE #09-5875); Ussai, Robert, R.N. NCLEX (CASE #10-0583); Dixon, Nancy, C. R.N. 257446 (CASE #08-3236); Martin, Jennifer, E. R.N. NCLEX (CASE #10-0832); Bells, Denise, H. R.N. 266973 (CASE #10-1823); Cherry, Niki, S. R.N. 227658 (CASE #09-0766); Bailey, Lisa, L. P.N. NCLEX (CASE #09-6848); Simpson, Cheryl, L. P.N. NCLEX (CASE #10-1030); Jones, Amy, N. P.N. 122265 (CASE #10-1728); Jackson, Latrica, D. P.N. NCLEX (CASE #08-2414); Mokry, Leslie, E. R.N. 199390 (CASE #09-1933); Springer, Heidi, J. R.N. 197059, COA 02311 (CASE #09-2284); Doyle, Michael, W. R.N. 297217 (CASE #09-5256); Shinaberry, Adrienne, N. R.N. 314598 (CASE #09-5635); Gresham, Colleen, A. R.N. 288479 (CASE #10-1483); Dinya, Carrie, R. R.N. 292125 (CASE #09-4325); Mahaley, Marlo, P.N. NCLEX (CASE #09-4841); Killian, Corie, L. R.N. 311590 (CASE #09-5722); Dotson, Latrina, M. P.N. 123838 (CASE #08-2254); Doubleday, Jamie, S. P.N. endorse (CASE #10-0585); Shields, Natasha, P.N. 130830 (CASE #09-5599); Coleman, Carol, A. R.N. 117280 (CASE #10-0950); Jones, Kristi, D. P.N. 087786 (CASE #09-3435); Tecco, Kara, K. P.N. 101110 (CASE #10-1549); Lillo, Raymond, V. R.N. 341543 (CASE #10-0954); Colter, Katrina, M. P.N. 130513 (CASE #10-0049); Wright, Liguori, P.N. 086671 (CASE #10-1551); Tritt, Therese, A. R.N. 225050 (CASE #10-1159); Clark, Robert "Tom", T. P.N. 128487 (CASE #09-3903); Trenary, Christopher, A. R.N. 234285 (CASE #10-1156); Guenther, Becky, R. R.N. 270737 (CASE #10-1431); Gutierrez, Barbra, D. R.N. NCLEX (CASE #10-0587); and Meadows, Kendra, A. R.N. 295495 (CASE #07-2390).

Bertha Lovelace abstained on Springer, Heidi, J. R.N. 197059, COA 02311 (CASE #09-2284) only. Patricia Protopapa abstained on Lillo, Raymond, V. R.N. 341543 (CASE #10-0954) only. Judith Church voted no on the following cases only: Daugherty, Kayce, D R.N. 327499 (CASE #09-3124) Cook, Connie, J. R.N. 333054, P.N. 122786 (CASE #08-3238); Blackburn, Deborah, J. P.N. 082298 (CASE #09-4967); Ussai, Robert, R.N. NCLEX (CASE #10-0583); Shinaberry, Adrienne, N. R.N. 314598 (CASE #09-5635); Gresham, Colleen, A. R.N. 288479 (CASE #10-1483) Dotson, Latrina, M. P.N. 123838 (CASE #08-2254); and Shields, Natasha, P.N. 130830 (CASE #09-5599). Maryam Lyon voted no on the following cases only: Shinaberry, Adrienne, N. R.N. 314598 (CASE #09-5635); Gresham, Colleen, A. R.N. 288479 (CASE #10-1483); and Dotson, Latrina, M. P.N. 123838 (CASE #08-2254). J. Jane McFee voted no on Gresham, Colleen, A. R.N. 288479 (CASE #10-1483) only. Tracy Ruegg voted no on the following cases only: Coche, Nancy, E. R.N. 345358 (CASE #09-4539); Steinbrook, Audra, R. R.N. 309136, P.N. 106089 (CASE #09-3848);

Lape, Christopher, J. R.N. 287681, NA 10593 (CASE #09-4315); and Jones, Kristi, D. P.N. 087786 (CASE #09-3435).

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 2010 Board meeting.

PETITION FOR RECONSIDERATION AND RESCISSION OF CONSENT AGREEMENT

Burke, Janaya, V. R.N. 351840 (CASE #08-3576)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that in the matter of Janaya Burke, aka, Janaya Walton, RN 351840, in accordance with Section 4723.28(E), the November 23, 2009 Warrant of Pardon issued by Governor Strickland, and the dismissal of XXXXXXXXXXXXXXXXXXXXXXXXXXXX, that the Board grant Ms. Burke's *Petition for Reconsideration and Rescission of Consent Agreement*, rescind the July 2009 Consent Agreement, and close OBN Case 08-3576.

Motion adopted by unanimous vote of the Board members.

DEFAULT ORDERS

McCune, Roxann, M. P.N. 090075 (CASE #08-1476)

Action: It was moved Melissa Meyer, seconded by J. Jane McFee, that in the matter of Roxann McCune, the Board finds that **MS. MCCUNE** has failed to submit to an examination and the Board has not received information that the failure to submit to an examination was due to circumstances beyond her control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MS. MCCUNE** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. MCCUNE** has admitted the truth of the allegations set forth in the October 16, 2009 Examination Order issued to **MS. MCCUNE** and that **MS. MCCUNE** is impaired. The Board ORDERS that **MS. MCCUNE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

CONDITIONS FOR REINSTATEMENT

1. **MS. MCCUNE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCCUNE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. MCCUNE** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services (hereinafter "Shepherd Hill") located at 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MS. MCCUNE** shall provide the Examiner with a copy of this Order and the October 16, 2009 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. MCCUNE's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. MCCUNE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. MCCUNE** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency, psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. MCCUNE** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

Reporting Requirements of MS. MCCUNE

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

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

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

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

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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Holmes, Pamela, R.N. 286542 (CASE #08-2169)

Action: It was moved Melissa Meyer, seconded by J. Jane McFee, that in the matter of Pamela Holmes, the Board finds that **MS. HOLMES** has failed to submit to an examination and the Board has not received information that the

failure to submit to an examination was due to circumstances beyond her control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MS. HOLMES** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. HOLMES** has admitted the truth of the allegations set forth in the October 26, 2009 Examination Order issued to **MS. HOLMES** and that **MS. HOLMES** is impaired. The Board ORDERS that **MS. HOLMES's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

CONDITIONS FOR REINSTATEMENT

1. **MS. HOLMES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HOLMES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. HOLMES** shall, at her own expense, submit to a psychiatric examination, specifically addressing her mental capacity to function in a clinical nursing capacity, by Dr. Richard Friedell, Comprehensive Psychiatric Services, Inc. (hereinafter "Dr. Friedell"), located at 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122. Prior to the evaluation, **MS. HOLMES** shall provide the Examiner with a copy of this Order and the October 26, 2009 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. HOLMES's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. HOLMES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. HOLMES** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The

probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. HOLMES** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

Reporting Requirements of MS. HOLMES

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

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

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

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

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 21st day of May, 2010.

Motion adopted by majority vote of the Board members with Bertha Lovelace abstaining.

Schmidt, Darrel, M. P.N. 121781 (CASE #08-3584)

Action: It was moved Melissa Meyer, seconded by J. Jane McFee, that in the matter of Darrel Schmidt, the Board finds that **MR. SCHMIDT** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2009 Default Order, and the Board orders that **MR. SCHMIDT's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of November 20, 2009, with conditions for reinstatement set forth in the November 2009 Default 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

WITHDRAWAL OF DEFAULT ORDER

Butcher, Carolyn, L. R.N. 319808 (CASE #09-2494);

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that in the matter of Carolyn Butcher, RN #319808, the Board withdraw the Default Order issued by the Board on March 19, 2010, upon information that Ms. Butcher died on or about November 22, 2009, and was unable to comply with the examination order issued by the Board on October 23, 2009.

Motion adopted by unanimous vote of the Board members.

HEARING EXAMINER REPORT AND RECOMMENDATION

Freeman-Cooper, Melanie, S. R.N. 263481 (CASE #07-0492)

Action: It was moved by Eric Yoon, seconded by Johnnie Maier, that in the matter of **Melanie Freeman-Cooper**, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and, **ORDERS** that **MELANIE S.**

FREEMAN-COOPER's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further orders **MELANIE S. FREEMAN-COOPER** to surrender her registered nurse license, R.N. 263481, and frameable wall certificate immediately.

The rationale for the modification is based on the egregious nature of the violations and the Board's determination that **MS. FREEMAN-COOPER's** practice as a nurse would be a threat to public safety.

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 21st day of May, 2010.

Motion adopted by majority vote of the Board members with Patricia Protopapa abstaining.

Mullen, Julie, L. P.N. 086610 (CASE #07-3233)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that in the matter of **Julie Mullen**, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **JULIE L. MULLEN's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MULLEN's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Narcotic and Permanent Practice Restrictions** set forth below.

The rationale for this modification is that, in the interest of public safety and consistency, the Board wants to ensure that **MS. MULLEN** successfully completes the terms and conditions imposed in her criminal case before requesting reinstatement of her nursing license.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MULLEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MULLEN** 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. MULLEN** shall provide to the Board satisfactory documentation of successful completion of all terms and conditions in Columbiana County Court of Common Pleas Case No. 08-CR-101.

Monitoring

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

Reporting Requirements of MS. MULLEN

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

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

DURATION

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

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

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

Monitoring

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

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

11. **MS. MULLEN** 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. MULLEN** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. MULLEN** 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. MULLEN

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. MULLEN 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. MULLEN's suspension shall be lifted and MS. MULLEN's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MULLEN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MULLEN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MULLEN** 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. MULLEN** has complied with all aspects of this Order; and (2) the Board determines that **MS. MULLEN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MULLEN** and review of the reports as required herein. Any period during which **MS. MULLEN** 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Bullard, Lesa, D. R.N. 264512 (CASE #08-0385)

Action: It was moved by J. Jane McFee, seconded by Judith Church, that in the matter of **Lesa Bullard**, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and, ORDERS that **LESA D. BULLARD's** license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further orders **LESA D. BULLARD** to surrender the frameable wall certificate for her registered nurse license, R.N. 264512, immediately.

The rationale for the modification is based upon **MS. BULLARD's** deliberate disregard of the practice restrictions in her 2008 Consent Agreement, the fact that **MS. BULLARD** willfully continued to work in an agency setting, and the additional violation of Workers' Compensation Fraud.

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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Lamb, Doris, J. R.N. 170114 (CASE #09-1172)

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that in the matter of **Doris Lamb**, the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation.

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

The Ohio Board of Nursing hereby ORDERS that:

DORIS J. LAMB's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DORIS J. LAMB** to surrender the frameable wall certificate for her registered nurse license, R.N. #170114, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Richeimer, Diane, L. R.N. 269991 (CASE #06-3418)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that in the matter of **Diane Richeimer**, the Board accept the Hearing Examiner's Ruling on Respondent's Motion to Reopen Hearing, all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **DIANE L. RICHEIMER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended and that the suspension is stayed subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Permanent Practice Restrictions set forth below.

The rationale for this modification is based on the length of time that has elapsed since the incidents.

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

1. **MS. RICHEIMER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RICHEIMER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Within six (6) months of the effective date of this Order, MS. RICHEIMER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Professional Boundaries; ten (10) hours of Scope of Practice; and one (1) hour of Ohio Nursing Law and Rules.

Employment Conditions

4. **MS. RICHEIMER** shall notify the Board, in writing, of the name and address of any employer prior to accepting employment.
5. **MS. RICHEIMER** 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. RICHEIMER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further,

MS. RICHEIMER 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. RICHEIMER

6. **MS. RICHEIMER** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **MS. RICHEIMER** 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. RICHEIMER** 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. RICHEIMER** 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. RICHEIMER** 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. RICHEIMER** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. RICHEIMER** 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 in advance by the Board, except for MS. RICHEIMER's current employment and / or assigned patient(s), MS. RICHEIMER 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. RICHEIMER** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

Unless otherwise approved in advance by the Board, except for MS. RICHEIMER's current employment and / or assigned patient(s), MS. RICHEIMER 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. RICHEIMER's suspension shall be lifted and MS. RICHEIMER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. RICHEIMER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RICHEIMER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RICHEIMER** 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. RICHEIMER** has complied with all aspects of this Order; and (2) the Board determines that **MS. RICHEIMER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RICHEIMER** and review of the reports as required herein. Any period during which **MS. RICHEIMER** 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Fletcher, Dusti, L. P.N. 117696 (CASE #07-2354)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that in the matter of **Dusti Fletcher**, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and, ORDERS that **DUSTI L. FLETCHER's** license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further orders **DUSTI L. FLETCHER** to surrender her licensed practical nurse license, P.N. 117696, and frameable wall certificate immediately.

The rationale for the modification is that by engaging in abusive behavior and falsifying clinical records in extended care facilities, **MS. FLETCHER** demonstrated a pattern of misconduct involving patients from an extremely vulnerable population.

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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Johnson, Angela, M R.N. NCLEX (CASE #09-4477)

Action: It was moved by Roberta Stokes, seconded by Eric Yoon, that in the matter of **Angela Johnson**, the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that, upon successful completion of the application process, **ANGELA JOHNSON's** application for licensure by examination to practice nursing as a registered nurse in the State of Ohio shall be granted, and that once granted, **MS. JOHNSON's** license shall be suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JOHNSON's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Permanent Practice Restrictions set forth below.

The Recommendation is modified to allow **MS. JOHNSON** to practice in supervisory roles, pediatric settings, home health, agency, hospice, and as an independent provider only upon the approval of the Board or its designee, and only in the event that a Board approved psychiatrist provides a written recommendation that **MS. JOHNSON** is capable of practicing safely, including maintaining professional boundaries, in these settings.

The rationale for the modification is that the Board or its designee may approve **MS. JOHNSON** to practice in the aforementioned settings, on an individual basis, based upon and consistent with a psychiatric evaluation and after **MS. JOHNSON** has demonstrated to the Board that she can practice nursing safely.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **Prior to seeking reinstatement by the Board, MS. JOHNSON** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. JOHNSON** 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. JOHNSON's** license; a statement as to whether **MS. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care; and a statement as to whether **MS. JOHNSON** is capable of practicing nursing safely, including maintaining professional boundaries, in supervisory roles, pediatric settings, home health, agency, hospice, and as an independent provider.
4. **MS. JOHNSON** 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. JOHNSON's** license.

Reporting Requirements of MS. JOHNSON

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

DURATION

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

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

1. **MS. JOHNSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JOHNSON** 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. JOHNSON** shall notify the Board.
4. **MS. JOHNSON** 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. JOHNSON** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. JOHNSON** 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. JOHNSON

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

Permanent Practice Restrictions

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

Unless otherwise approved in advance by the Board or its designee, on an individual basis, MS. JOHNSON 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.

Unless otherwise approved in advance by the Board or its designee, on an individual basis, MS. JOHNSON shall not function in a nursing position, which would require **MS. JOHNSON** to provide direct, hands-on patient care to pediatric patients. *For the purposes of this Order, pediatric patients shall include patients under the age of 18, and between the ages of newly born through age 17.*

FAILURE TO COMPLY

The stay of MS. JOHNSON's suspension shall be lifted and MS. JOHNSON's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. JOHNSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JOHNSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JOHNSON** 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. JOHNSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. JOHNSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JOHNSON** and review of the reports as required herein. Any period during which **MS. JOHNSON** 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

BOARD HEARING COMMITTEE

Day, Lynnette, M. R.N. 280111 (CASE #07-0014)

Action: It was moved by Melissa Meyer, seconded by Patricia Protopapa, that in that in the matter of **Lynnette Day**, the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation.

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

The Ohio Board of Nursing hereby ORDERS that:

LYNNETTE MARIE DAY's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LYNNETTE MARIE DAY** to surrender her registered nurse license, R.N. 280111, 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 21st day of May, 2010.

Motion adopted by majority vote of the Board members with Johnnie Maier and J. Jane McFee abstaining.

Russell, Jessica, N. P.N. 126673 (CASE #08-0733)

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that in the matter of **Jessica Russell**, the Board accepted all of the Findings of Fact, Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation. Upon this Report and Recommendation, and upon the approval and confirmation by vote of the Board on the above date, the Ohio Board of Nursing ORDERS that **JESSICA N. RUSSELL's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. RUSSELL's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of one (1) year.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

4. **MS. RUSSELL** shall abstain completely from the use of alcohol.
5. **Prior to seeking reinstatement by the Board, MS. RUSSELL** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. RUSSELL** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. RUSSELL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. RUSSELL's** license, and a statement as to whether **MS. RUSSELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. RUSSELL** 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. RUSSELL's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. RUSSELL** 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. RUSSELL'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. RUSSELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RUSSELL's** history.
8. Within thirty (30) days prior to **MS. RUSSELL** initiating drug screening, **MS. RUSSELL** 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. RUSSELL**.

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

Reporting Requirements of MS. RUSSELL

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

DURATION

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

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

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

Monitoring

3. **MS. RUSSELL** 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. RUSSELL's** history. **MS. RUSSELL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RUSSELL** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. RUSSELL** 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. RUSSELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RUSSELL's** history.
6. **MS. RUSSELL** 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. RUSSELL** 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. RUSSELL** 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. RUSSELL** 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. RUSSELL** 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. RUSSELL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RUSSELL** 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. RUSSELL** shall notify the Board.
11. **MS. RUSSELL** 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. RUSSELL** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. RUSSELL** 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. RUSSELL

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

FAILURE TO COMPLY

The stay of **MS. RUSSELL's** suspension shall be lifted and **MS. RUSSELL's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. RUSSELL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RUSSELL** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RUSSELL** 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. RUSSELL** has complied with all aspects of this Order; and (2) the Board determines that **MS. RUSSELL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RUSSELL** and review of the reports as required herein. Any period during which **MS. RUSSELL** 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 21st day of May, 2010.

Motion adopted by majority vote of the Board members with Johnnie Maier and J. Jane McFee abstaining.

Cope, Misti, A. P.N. 128229 (CASE #08-2821)

Action: It was moved by Melissa Meyer, seconded by Patricia Protopapa, that in the matter of **Misti Cope**, the Board accept all of the Findings of Fact, Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation and ORDERED that **MISTI A. COPE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COPE's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

The rationale for this modification is to be consistent with Board Orders in cases with similar factual allegations and legal violations.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. COPE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COPE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to seeking reinstatement, MS. COPE** shall provide to the Board satisfactory documentation of successful completion of all terms and conditions in Hamilton County Court of Common Pleas Case Number B 0804214.

Monitoring

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

- approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. COPE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. COPE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. COPE's** license, and a statement as to whether **MS. COPE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. COPE** 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. COPE's** license.
 8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. COPE** 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. COPE'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. COPE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. COPE's** history.
 9. Within thirty (30) days prior to **MS. COPE** initiating drug screening, **MS. COPE** 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. COPE**.
 10. After initiating drug screening, **MS. COPE** 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. COPE** 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 seeking reinstatement, MS. COPE 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. COPE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. COPE

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

13. MS. COPE 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. COPE 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. COPE 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. COPE 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. COPE shall verify that the reports and documentation required by this Order are received in the Board office.

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

19. MS. COPE shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. COPE** 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. COPE's** history. **MS. COPE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. COPE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. COPE** 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. COPE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. COPE's** history.
6. **MS. COPE** 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. COPE** 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. COPE** 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. COPE** 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. COPE** 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. COPE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. COPE** 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. COPE** shall notify the Board.
11. **MS. COPE** 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. COPE** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. COPE** 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. COPE

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

charges and automatic suspension of her license. Upon receipt of this notice, **MS. COPE** 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. COPE** has complied with all aspects of this Order; and (2) the Board determines that **MS. COPE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. COPE** and review of the reports as required herein. Any period during which **MS. COPE** 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 21st day of May, 2010.

Motion adopted by majority vote of the Board members with Johnnie Maier and J. Jane McFee abstaining.

NO REQUEST FOR HEARING

Thompson, Ashford, L. P.N. 120964 (CASE #09-1435)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **ASHFORD L. THOMPSON** in the November 20, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. THOMPSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. THOMPSON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ASHFORD L. THOMPSON** to surrender his licensed practical nurse license, P.N. #120964, 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 21st day of May, 2010.

Roberta Stokes was absent for the vote. Delphenia Gilbert abstained from voting.

Motion adopted by majority vote of the Board members.

Dabbelt, Beth, A. R.N. 314248 (CASE #09-1267)

Action: It was moved Tracy Ruegg, seconded by Maryam Lyon, that upon consideration of the charges stated against **BETH ANN DABELT** in the November 20, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DABELT** 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. DABELT's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DABELT** 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. DABELT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DABELT** 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. DABELT** shall successfully comply with all terms and conditions imposed in Butler County Court of Common Pleas Case Number CR2008-11-1966 and shall submit satisfactory documentation of compliance.
4. Prior to seeking reinstatement by the Board, **MS. DABELT** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Reporting Requirements of MS. DABELT

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

DURATION

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

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

1. **MS. DABBELT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DABBELT** 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. DABBELT** shall notify the Board.
4. **MS. DABBELT** 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. DABBELT** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board,

along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. DABBELT** 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. DABBELT

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

Temporary Practice Restrictions

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

MS. DABBELT 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. DABBELT's suspension shall be lifted and MS. DABBELT's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DABBELT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DABBELT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DABBELT** 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. DABBELT** has complied with all aspects of this Order; and (2) the Board determines that **MS. DABBELT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DABBELT** and review of the reports as required herein. Any period during which **MS. DABBELT** 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 **BETH ANN DABBELT** to surrender her registered nurse license, R.N. #314248, 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 21st day of May, 2010.

Roberta Stokes was absent for the vote.

Motion adopted by majority vote of the Board members.

Cherney, Kay, L. P.N. 041299 (CASE #10-0010)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **KAY LYNN CHERNEY** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CHERNEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code

Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. CHERNEY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **KAY LYNN CHERNEY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #041299, 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 21st day of May, 2010.

Roberta Stokes was absent for the vote.

Motion adopted by majority vote of the Board members.

Brody, Dennis, M. P.N. 114045 (CASE #09-5255)

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that upon consideration of the charges stated against **DENNIS M. BRODY** in the November 20, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BRODY** 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. The Ohio Board of Nursing ORDERS that **MR. BRODY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **DENNIS M. BRODY** to surrender his frameable wall certificate for his licensed practical nurse license, P.N. #114045, 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 21st day of May, 2010.

Roberta Stokes was absent for the vote.

Motion adopted by majority vote of the Board members.

Brengartner, Kimberly, S. P.N. 104333 (CASE #09-5246)

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that upon consideration of the charges stated against **KIMBERLY SUE BRENGARTNER** in the January 22, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BRENGARTNER** 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. BRENGARTNER'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. BRENGARTNER** 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 and Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BRENGARTNER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRENGARTNER** 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. BRENGARTNER** shall successfully complete all terms and conditions imposed in Seneca County Court of Common Pleas Case Number 09-CR-0162 and shall submit satisfactory documentation of completion.
4. Prior to seeking reinstatement by the Board, **MS. BRENGARTNER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Reporting Requirements of MS. BRENGARTNER

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

DURATION

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

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

1. **MS. BRENGARTNER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRENGARTNER** 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. BRENGARTNER** shall notify the Board.
4. **MS. BRENGARTNER** 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. BRENGARTNER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BRENGARTNER** 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. BRENGARTNER

5. **MS. BRENGARTNER** shall sign releases of information forms allowing

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

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

Temporary Practice Restrictions

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

MS. BRENGARTNER 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.

Permanent Practice Restriction

MS. BRENGARTNER shall not practice in any positions in which **MS. BRENGARTNER** is responsible for financial transactions.

FAILURE TO COMPLY

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

The Board further Orders **KIMBERLY SUE BRENGARTNER** to surrender her licensed practical nurse license, P.N. #104333, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Ramey, Erkka, S. P.N. 121430 (CASE #09-3750)

Action: It was moved by Melissa, seconded by J. Jane McFee, that upon consideration of the charges stated against **ERKKA SHERISE RAMEY** in the November 20, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RAMEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. RAMEY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **ERKKA SHERISE RAMEY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #121430, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Anderson, Kimberly, S. R.N. 168707 (CASE #09-5764)

Action: It was moved by Eric Yoon, seconded by Melissa Meyer, that upon consideration of the charges stated against **KIMBERLY S. ANDERSON** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ANDERSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. ANDERSON'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KIMBERLY S. ANDERSON** to surrender her registered nurse license, R.N. #168707, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Wright, Teresa, R.N. NCLEX, P.N. 098402 (CASE #09-3424)

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that upon consideration of the charges stated against **TERESA WRIGHT** in the September 25, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WRIGHT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. WRIGHT's** application for licensure by examination to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**. The Ohio Board of Nursing further ORDERS that **MS. WRIGHT's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WRIGHT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. WRIGHT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history. **MS. WRIGHT** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. WRIGHT** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. WRIGHT** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WRIGHT** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. WRIGHT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WRIGHT's** license, and a statement as to whether **MS. WRIGHT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. WRIGHT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. WRIGHT's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WRIGHT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WRIGHT's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board

- may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WRIGHT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history.
8. Within thirty (30) days prior to **MS. WRIGHT** initiating drug screening, **MS. WRIGHT** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. WRIGHT**.
 9. After initiating drug screening, **MS. WRIGHT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. WRIGHT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WRIGHT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WRIGHT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. WRIGHT

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

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

DURATION

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

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

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

Monitoring

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

license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WRIGHT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history.

6. **MS. WRIGHT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WRIGHT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. WRIGHT

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

MS. WRIGHT shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care

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

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

FAILURE TO COMPLY

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

DURATION

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. WRIGHT** has complied with all aspects of this Order; and (2) the Board determines that **MS. WRIGHT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WRIGHT** and review of the reports as required herein. Any period during which **MS. WRIGHT** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Efaw, Angela, K. P.N. 113980 (CASE #09-4046)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **ANGELA EFAW** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. EFAW** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. EFAW'S** license to

practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA EFAW** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #113980, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Abernathy, David, S. R.N. 347484 (CASE #09-4445)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **DAVID ABERNATHY** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ABERNATHY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. ABERNATHY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DAVID ABERNATHY** to surrender his registered nurse license, R.N. #347484, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

McMillen, Tiffany, B. R.N. 327323 (CASE #09-0847)

Action: It was moved by Eric Yoon, seconded by Maryam Lyon, that upon consideration of the charges stated against **TIFFANY BETH MCMILLEN** in the November 20, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCMILLEN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. MCMILLEN'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TIFFANY BETH MCMILLEN** to surrender her registered nurse license, R.N. #327323, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

McCreary, Kari, A R.N. 320317 (CASE #09-5589)

Action: It was moved by Eric, Yoon, seconded by Maryam Lyon, that upon consideration of the charges stated against **KARI ANN MCCREARY** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCCREARY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. MCCREARY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KARI ANN MCCREARY** to surrender her registered nurse license, R.N. #320317, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Sutton, John, K. R.N. endorse (CASE #09-3807)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that upon consideration of the charges stated against **JOHN K. SUTTON** in the September 25, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SUTTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. SUTTON'S** application for licensure by endorsement to practice nursing as a registered nurse 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

King, Richard, W. P.N. 134771 (CASE #09-5885)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **RICHARD W. KING** in the November 20, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. KING** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. KING'S** license to

practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **RICHARD W. KING** to surrender his frameable wall certificate for his licensed practical nurse license, P.N. #134771, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Melott, Tasha, M. P.N. 124757 (CASE #09-3692)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **TASHA MELOTT** in the January 22, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MELOTT** 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. MELOTT's** license to practice nursing as a licensed practical nurse is hereby **REPRIMANDED** for the violation of Section 4723.28(B)(1), Ohio Revised Code, as stated in the January 22, 2010 Notice of Opportunity for Hearing. For the remaining violations in the January 22, 2010 Notice of Opportunity for Hearing, the Ohio Board of Nursing ORDERS that **MS. MELOTT's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than ninety (90) days, with the conditions for reinstatement set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MELOTT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MELOTT** 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. MELOTT** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Reporting Requirements of MS. MELOTT

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

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

DURATION

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

The Board further Orders **TASHA MELOTT** to surrender her licensed practical nurse license, P.N. #124757, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Johnson, Sandra, E. R.N. 310193, COA 07738 (CASE #09-6213)

Action: It was moved by Eric Yoon, seconded by Maryam Lyon, that upon consideration of the charges stated against **SANDRA ELLEN JOHNSON** in the January 22, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JOHNSON** has committed acts in

violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. JOHNSON'S** license to practice nursing as a registered nurse and certificate of authority as a certified registered nurse anesthetist are hereby **PERMANENTLY REVOKED.**

The Board further Orders **SANDRA ELLEN JOHNSON** to surrender her registered nurse license, R.N. #310193, and certificate of authority as a certified registered nurse anesthetist, COA #07738, and frameable wall certificates 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Marks, Harold, C. R.N. 242555, COA 04589 (CASE #09-2270)

Action: It was moved by Eric Yoon, Maryam Lyon, that upon consideration of the charges stated against **HAROLD MARKS** in the July 24, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. MARKS** 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. The Ohio Board of Nursing ORDERS that **MR. MARKS'S** license to practice nursing as a registered nurse and certificate of authority as a certified registered nurse anesthetist are hereby **PERMANENTLY REVOKED.**

The Board further Orders **HAROLD MARKS** to surrender his frameable wall certificates for his registered nurse license, R.N. #242555, and certificate of authority as a certified registered nurse anesthetist, COA #04589, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Retz, Amy, Y. R.N. 169083 (CASE #08-0869)

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that upon consideration of the charges stated against **AMY Y. RETZ** in the November 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RETZ** 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. RETZ's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following

reinstatement, **MS. RETZ** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. RETZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RETZ** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeing reinstatement, **MS. RETZ** 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. RETZ** 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. RETZ's** history. **MS. RETZ** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. RETZ** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. RETZ** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. RETZ** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. RETZ** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. RETZ's** license, and a statement as to whether **MS. RETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. RETZ** 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. RETZ's** license.

8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. RETZ** 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. RETZ'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. RETZ** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RETZ's** history.
9. Within thirty (30) days prior to **MS. RETZ** initiating drug screening, **MS. RETZ** 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. RETZ**.
10. After initiating drug screening, **MS. RETZ** 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. RETZ** 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 seeking reinstatement, MS. RETZ** 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. RETZ** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. Prior to seeking reinstatement by the Board, **MS. RETZ** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. RETZ** 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. RETZ's** license, and a statement as to whether **MS. RETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

13. **MS. RETZ** 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. RETZ's** license.

Reporting Requirements of MS. RETZ

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

DURATION

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

RETZ and review of the documentation specified in this Order.

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

The Board further Orders **AMY Y. RETZ** to surrender her registered nurse license, R.N. #169083, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Raines, Eva, M. P.N. 069151 (CASE #09-1166)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **EVA M. RAINES** in the January 22, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RAINES** 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. RAINES'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. RAINES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. RAINES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RAINES** 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. RAINES** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the

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

Monitoring

4. **MS. RAINES** 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. RAINES's** history. **MS. RAINES** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. RAINES** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. RAINES** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. RAINES** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. RAINES** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. RAINES's** license, and a statement as to whether **MS. RAINES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. RAINES** 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. RAINES's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. RAINES** 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. RAINES'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. RAINES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS.**

RAINES's history.

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

Reporting Requirements of MS. RAINES

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

this Order are received in the Board office.

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

19. **MS. RAINES** shall submit to an FBI and BCI criminal records check.

DURATION

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

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

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

Monitoring

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

6. **MS. RAINES** 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. RAINES** 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. RAINES** 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. RAINES** 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. RAINES** 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. RAINES** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RAINES** 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. RAINES** shall notify the Board.
11. **MS. RAINES** 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. RAINES** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. RAINES** 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. RAINES

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. RAINES 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. RAINES's suspension shall be lifted and MS. RAINES's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. RAINES** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RAINES** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RAINES** 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. RAINES** has complied with all aspects of this Order; and (2) the Board determines that **MS. RAINES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RAINES** and review of the reports as required herein. Any period during which **MS. RAINES** 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 **EVA M. RAINES** to surrender her licensed practical nurse license, P.N. #069151, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Meier, April, M. P.N. 112736 (CASE #09-5067)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **APRIL M. MEIER** in the January 22, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MEIER** 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. MEIER'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. MEIER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years with the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MEIER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MEIER** 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. MEIER** 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. Prior to seeking reinstatement by the Board, **MS. MEIER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. MEIER** 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. MEIER's** license, and a statement as to whether **MS. MEIER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. MEIER** 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. MEIER's** license.

Reporting Requirements of MS. MEIER

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

DURATION

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

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

1. **MS. MEIER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MEIER** 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. MEIER** shall notify the Board.
4. **MS. MEIER** 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. MEIER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. MEIER** 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. MEIER

5. **MS. MEIER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MEIER** 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. MEIER** 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. MEIER** 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. MEIER** 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. MEIER** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MEIER** 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. MEIER 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. MEIER** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. MEIER 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. MEIER's suspension shall be lifted and MS. MEIER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MEIER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MEIER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MEIER** 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. MEIER** has complied with all aspects of this Order; and (2) the Board determines that **MS. MEIER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MEIER** and review of the reports as required herein. Any period during which **MS. MEIER** 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 **APRIL M. MEIER** to surrender her licensed practical nurse license, P.N. #112736, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Evans, Sheryl, A. P.N. 110047 (CASE #09-4540)

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that upon consideration of the charges stated against **SHERYL EVANS** in the November 20, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. EVANS** 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. EVANS's** license to practice nursing as a licensed practical nurse is hereby suspended

for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. EVANS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. EVANS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. EVANS** 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. EVANS** 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 Medication Administration, ten (10) hours of Documentation and one (1) hour continuing education on Law and Rules

Monitoring

4. **MS. EVANS** 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. EVANS's** history. **MS. EVANS** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. EVANS** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. EVANS** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. EVANS** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. EVANS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. EVANS's** license, and a statement as to whether **MS. EVANS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

Reporting Requirements of MS. EVANS

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

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

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

DURATION

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

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

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

Monitoring

3. **MS. EVANS** 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. EVANS's** history. **MS. EVANS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. EVANS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. EVANS** 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. EVANS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. EVANS's** history.
6. **MS. EVANS** 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. EVANS** 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. EVANS** 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. EVANS** 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. EVANS** 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. EVANS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. EVANS** 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. EVANS** shall notify the Board.
11. **MS. EVANS** 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. EVANS** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. EVANS** 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. EVANS

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. EVANS 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. EVANS's suspension shall be lifted and MS. EVANS's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. EVANS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. EVANS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. EVANS** 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. EVANS** has complied with all aspects of this Order; and (2) the Board determines that **MS. EVANS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. EVANS** and review of the reports as required herein. Any period during which **MS. EVANS** 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Lange, Heather, R. P.N. 117298 (CASE #09-4703)

Action: It was moved by Eric Yoon, seconded by Maryam Lyon, that upon consideration of the charges stated against **HEATHER R. LANGE** in the January 22, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LANGE** 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. The Ohio Board of Nursing ORDERS that **MS. LANGE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **HEATHER R. LANGE** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #117298, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

Beck, Jennifer, E. P.N. 111277 (CASE #09-0185)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **JENNIFER ELAINE BECK** in the July 24, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board dismisses the following factual allegations contained in Paragraph A.1 of the Notice of Opportunity for Hearing: On or about December 7, 2008, Ms. Beck documented administration of one tab at 1:50 a.m. for Patient # 1, although you did not document withdrawal of the tab; and on or about December 17, 2008, you Ms. Beck withdrew one tab at 1:50 a.m. for Patient # 1 and did not document administration or waste. The Board also dismisses the following factual allegations contained in Paragraph B.3 of the Notice of Opportunity for Hearing: On or about December 17, 2008, Ms. Beck withdrew two tabs at 12 a.m. and at 6:15 a.m. for Patient # 2 and did not document administration or waste.

For the remaining allegations, the Board finds that **MS. BECK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing

ORDERS that **MS. BECK's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BECK** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. BECK** 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. BECK's** history. **MS. BECK** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. BECK** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. BECK** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BECK** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. BECK** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BECK's** license, and a statement as to whether **MS. BECK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. BECK** 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. BECK's** license.

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

Reporting Requirements of MS. BECK

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

DURATION

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

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

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

Monitoring

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

5. During the probationary period, **MS. BECK** 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. BECK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BECK's** history.
6. **MS. BECK** 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. BECK** 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. BECK** 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. BECK** 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. BECK** 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. BECK** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BECK** 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. BECK** shall notify the Board.
11. **MS. BECK** 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. BECK** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board,

along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BECK** 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. BECK

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

Temporary Narcotic Restriction

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

refills.

Temporary Practice Restrictions

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

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

The Board further Orders **JENNIFER ELAINE BECK** to surrender her licensed practical nurse license, P.N. #111277, 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 21st day of May, 2010.

Motion adopted by unanimous vote of the Board members.

MONITORING

LIFTS OF SUSPENSION/PROBATION

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudication orders:

Ashley, Maria, A. P.N. 130367 (CASE #07-3423); Bell, Rochelle, M. R.N. 211923 (CASE #08-1798); Guinn, Constance, A. R.N. 142932 (CASE #05-3208); Oberholtzer, Brandy, L. P.N. 103502 (CASE #08-0144); Nutter, Tracey, L. R.N. 298299 (CASE #08-1081); Pritchett, Delilah, A P.N. 132960 (CASE #08-2698); Mitchell, Carmella, S. R.N. 348868 (CASE #08-4551); Kiraly, Carmen, Y. R.N. 348867 (CASE #08-4560); Linhart, Nicole, M. P.N. 134175 (CASE #08-3139); and Nwabunike, Janice, H. P.N. 080081 (CASE #06-0721).

Motion adopted by unanimous vote of the Board members.

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their consent agreements or adjudication orders:

Henry, Dawn, P.N. 111324 (CASE #06-3358); Kish, Cindy, L. R.N. 250450 (CASE #05-3496); Schroeder, Gina, M. R.N. 346601 (CASE #08-1698); Adams, Robin, M. R.N. 331058 (CASE #07-0710); Dye, Donald, E. P.N. 096891 (CASE #07-0127); and Young, Eleanor, L. R.N. 346381, P.N.106416 (CASE #08-0197).

Motion adopted by unanimous vote of the Board members.

LIFT OF TEMPORARY NARCOTIC RESTRICTION

Action: It was moved by Maryam Lyon, seconded by Tracy Ruegg, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restrictions within their respective consent agreements or adjudication orders:

Adams, Stacey, L. P.N. 093989 (CASE #08-3439) and Robbins, Martha, R.N. 179540 (CASE #08-4285).

Motion adopted by unanimous vote of the Board members.

LIFT OF TEMPORARY PRACTICE RESTRICTION TO ACCEPT SPECIFIC EMPLOYMENT

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the temporary practice restriction within the respective Consent Agreement specific to the Quality Assurance Coordinator of Angel Hearts Plus Home Care Agency:

Hubbard, Kathy, R. P.N. 092765 (CASE #08-0544).

Motion adopted by unanimous vote of the Board members.

LIFT OF TEMPORARY NARCOTIC RESTRICTION WITH THE EXCEPTION OF HOME HEALTH CARE SETTINGS

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the temporary narcotic restriction within the respective Consent agreement with the exception of Home Health Care settings:

Buck, Mickey, R. R.N. 311291 (CASE #09-3003).

Motion adopted by unanimous vote of the Board members.

LIFT SUSPENSION/PROBATION ONLY – PERMANENT PRACTICE RESTRICTION(S) REMAIN

Action: it was moved by Judith Church, seconded by Delphenia Gilbert, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreement with the exception of the permanent practice restriction(s) that will remain in effect:

Hayward, Tamea, R. P.N. 121102 (CASE #07-1414).

Motion adopted by unanimous vote of the Board members.

LIFT OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT PRACTICE RESTRICTION(S) REMAIN

Action: It was moved by J Jane McFee, seconded by Johnnie Maier, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their Consent Agreements or Adjudication Orders with the exception of th permanent practice restriction(s) that will remain in effect:

Bogan, Rebecca, S. R.N. 288502 (CASE #07-0676) and Vance, Lynette, A. R.N. 275778 (CASE #07-2911).

Motion adopted by unanimous vote of the Board members.

LIFT OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT PRACTICE AND NARCOTIC RESTRICTIONS REMAIN

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their Consent Agreement with the exception of the permanent practice and narcotic restriction(s) that will remain in effect:

Arebaugh, Lance, A. R.N. 276545 (CASE #06-1246).

Motion adopted by unanimous vote of the Board members.

REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, having met the requirements for reinstatement contained within their Consent Agreements with the Board be reinstated subject to the terms and conditions of probation contained within their Consent Agreements:

Zavala, Shelley, L. R.N. 331395 (CASE #08-3228); Barre, Melissa, J. R.N. 337791 (CASE #08-1456); Kendell, Jennie, S. P.N. 115765 (CASE #09-0767); Fox, Frederick, D. R.N. 278713 (CASE #09-3175); Zahler, Stephanie, M. P.N. 096411 (CASE #09-3033).

Motion adopted by unanimous vote of the Board members.

APPROVAL OF NURSING POSITION

Action: It was moved by Mary Lyon, seconded by Tracy Ruegg, that the following, with the recommendation by Anne Barnett, supervising member for disciplinary matters be approved to accept nursing employment at GNC Nursing, teaching home health aides in the classroom only, with no clinical components:

Seawright, Theresa, R.N. 220039 (CASE #07-0820).

Motion adopted by unanimous vote of the Board members.

MISCELLANEOUS MONITORING

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, that the Board accept the following approvals:

Loeffler, Christina, R.N. 298049 (CASE #09-4791) –License reinstatement in April 2010 subject to the probationary terms contained within the January 2010 Consent Agreement; Kirschbaum, Traci, A. R.N. 259419 (CASE #08-2236) – Approval to accept a nursing position at Plasma Care Cleveland; Beyl, Linda, M. P.N. 101162 (CASE #09-1746) – Approval to accept nursing employment at Meadow Wind Health Care Center; Delap, Victoria, M. R.N. 299836 (CASE #06-0406) – Approval to accept employment at Columbus Neighborhood Health; and Patton, Laurice, R. P.N. 098350 (CASE #08-0233) – Approval for release from narcotic restriction specific to employment at Wesleyan Village.

Motion adopted by unanimous vote of the Board members

REPORTS TO THE BOARD

Open Forum – Thursday, May 20 and Friday, May 21, 2010

On Thursday May 20, 2010, Susan Johnson and Gail Burns from the College of Mount St. Joseph addressed the Board regarding the approval status of the Mount St. Joseph Baccalaureate of Science in Nursing program.

On Friday, May 21, 2010, Keeley Harding from OAAPN presented the results of the OAAPN Barrier to Practice Survey.

Advisory Group Reports

Nursing Education Advisory Group

Judith Church, Chair of the Nursing Education Advisory Group, reported on the April 29, 2010 meeting. She stated the Advisory Group discussed the Carnegie report on education and there was consensus that nurses should receive specialty certifications within five years of graduating. There was also a discussion regarding BSN preparation, but no consensus was reached. T. Ruegg stated that some states are requiring a bachelor degree in ten years.

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

The Board discussed further education for LPNs to become RNs and RNs to obtain their BSNs. It was noted more articulation models are needed to assist nurses in furthering their education. L. Emrich noted she has been in contact with the Ohio Board of Regents and the Career College Board.

Delphenia Gilbert stated she believes LPN programs should be located on college and university campuses.

Action: It was moved by Eric Yoon, seconded by Tracy Ruegg, that discussion of this topic be extended for ten minutes. Motion adopted by unanimous vote of the Board members.

Committee on Prescriptive Governance

E. Yoon, Chair of CPG, reported on the May 10, 2010 meeting. He stated that CPG is considering an exclusionary formulary and will further discuss the formulary at its August 2010 meeting. A change would result in shorter and user-friendly formulary. E. Yoon discussed the results of the OAPN survey related to the formulary.

E. Yoon stated that OAPN is currently meeting with ONA regarding the APN delegation of medication administration to unlicensed persons. OAPN then will then meet with the Board.

Other Reports

School Health Services Advisory Council

D. Gilbert reported on the final report issued by the School Health Services Advisory Council. She stated that majority of school districts do not currently have school nurses, and that most schools use unlicensed personnel. It was originally envisioned that the Wellness Coordinator position specified by statute would be an LPN, but the report recommends the Wellness Coordinator be an RN who would have additional education preparation beyond the licensed school nurse. It was noted also that the report grouped LPNs with unlicensed personnel and stated that additional review was needed regarding their roles in school nursing.

Action: It was moved by Patricia Protopapa, seconded by Tracy Ruegg, to extend the discussion on this topic for ten minutes. Motion adopted by unanimous vote of the Board members.

A. Barnett stated that schools would not be able to hire Wellness Coordinators due to the costs. If LPNs were utilized in the school setting, under the direction of an RN, there would be more nurses in the school setting.

Board Committee on Practice Report

E. Yoon reported that the Committee met at noon on Thursday, May 20, 2010, and discussed a proposed Interpretive Guideline regarding the role of the RN with bariatric lap-band procedures. It was noted that the Board learned that fluoroscopy may be involved in the procedure. Board staff will research this, since the use of fluoroscopy is regulated in Ohio. The Committee will meet in July for further discussion.

Interpretive guidelines

Emergent Intubations

L. Emrich reported that the Board received no comments on the new proposed Interpretive Guideline.

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board approve the Interpretive Guideline entitled “The Registered Nurse’s Role in Emergent Intubation,” as submitted. Motion adopted by unanimous vote of the Board members.

Moderate Sedation

L. Emrich stated that the Board received one comment regarding use of the words “anesthetic agent.” After discussion, the Board decided not to change the Interpretive Guideline.

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board approve the Interpretive Guideline entitled “The Role of the Care of Patients Receiving Intravenous Moderate Sedation for Medical and/or Surgical Procedures,” as submitted. Motion adopted by unanimous vote of the Board members.

Board Discussion Follow-Up

At the Retreat, the Board discussed convening a new Committee on Practice to discuss the use of the title “Advanced Practice Registered Nurse” to replace “Advanced Practice Nurse” and review scopes of practice for the certified nurse practitioner and the clinical nurse specialist. The Board established the Committee with the following volunteers: Tracy Ruegg (Chair), Judith Church, J. Jane McFee, and Eric Yoon. The Committee will meet during the September 2010 Board meeting.

At a previous meeting, it was suggested that the Board consider adding auto-suspension language in the Practice Intervention and Improvement Program (PIIP) agreements. After discussion, the Board agreed by general consensus, not to make this change to the PIIP agreements.

Just Culture Analysis

At the Retreat, the Board requested a case example to which the Just Culture analysis could be applied. The Board reviewed the case example provided using the analysis. Scott Griffith from Outcome Engineering will provide training to Board members on Just Culture at the July Board meeting.

OCADNEA Meeting Report

In April, L. Emrich and Jody Hostetler, Board Education Consultant, attended the OCADNEA meeting to provide a Board update. OCADNEA thanked staff for attending and asked that their comments be provided to the Board. The Board reviewed the memorandum listing OCADNEA’s

comments. Board staff stated they will investigate if education program completion letters can be accepted electronically.

GENERAL INFORMATION (FYI)

The Board reviewed the general information items and had no questions.

BOARD GOVERNANCE

Designation of Delegates and Alternate for 2010 NCSBN Delegate Assembly

Bertha Lovelace and Patricia Protopapa, as President and Vice-President respectively, will be the Ohio delegates for the 2010 NCSBN Delegate Assembly. B. Houchen will attend as a member of the NCSBN Board of Directors, and L. Emrich will attend as a NCSBN Committee Chair. L. Emrich can serve as an Alternate Delegate, as needed. E. Yoon and J. Jane McFee volunteered to attend if either the President or Vice-President is unable to attend. All travel expenses for Board members and staff are covered by NCSBN. L. Emrich is running for election as the Area II representative on the Leadership Succession Committee.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on Friday, May 21, 2010 at 2:17 p.m.

Bertha Lovelace, RN, CRNA
President



Attest:

Betsy Houchen, RN, MS, JD
Executive Director

