

OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD NOVEMBER 15-16-17, 2006

The regular meeting of the Ohio Board of Nursing (Board) was held on November 15-16-17, 2006 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 Wednesday, November 15, 2006 beginning at noon a meeting was held of the Board Committee on Advisory Group Appointments and at 1:00 p.m. the Public Rules Hearing was held. Following the public hearing, Richard Canaly and Attorney Alek El Kamhawy for Larissa Loukach addressed the Board regarding disciplinary matters. At 2:30 p.m. the Board adjourned to deliberate on cases before the Board.

On Thursday, November 16, 2006, at 9:05 a.m., President Cynthia Krueger called the Board meeting to order.

On Friday, November 17, 2006, at 9:05 a.m., President Cynthia Krueger called the Board meeting to order. Vice-President Teresa Williams read the Board mission statement each day.

BOARD MEMBERS

Cynthia Krueger, RN, MSN, President
Teresa Williams, LPN, Vice-President
Anne Barnett, BSN, RNC, CWS
Janet L. Boeckman, RN, MSN, CPNP
Judith Brachman, Consumer Member
Debra Broadnax, MSN, RN, CNS
Patricia Burns, LPN
Elizabeth Buschmann, LPN
Kathleen Driscoll, JD, MS, RN
Lisa Klenke, MBA, RN, CNA-A
Bertha Lovelace, RN, BA, CRNA, Supervising Member, Disciplinary Matters (absent Wednesday, November 15, 2006)
J. Jane McFee, LPN
Kathleen O'Dell, RN, M.ED, NCSN

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

- President Krueger reported that meetings were held on Wednesday, November 15, 2006 as scheduled.
- On Thursday, President Krueger reported that at 8:30 a.m. a Board Reception was held. A noon meeting of the Board Committee on Practice is scheduled with a report to follow. Open Forum is scheduled at 1:30 p.m., as requested by Jean Scholz and Rosalie Weakland, OHA and Wynne Simpkins, LPNAO. At 3:30 p.m., an Executive Session is scheduled. At 6:30 p.m. the dinner is scheduled to recognize Board members with terms ending.
- On Friday, a noon meeting of the Board Committee for the Ohio Center for Nursing is scheduled.
- In addition, on Thursday and Friday President Krueger recognized students, welcomed the gallery, and requested that Board members introduce themselves and indicate their practice areas and hometowns.

Minutes of September 21-22, 2006 Board Meeting

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY PATRICIA BURNS, THAT THE MINUTES OF THE SEPTEMBER 21-22, 2006 BOARD MEETING BE APPROVED, AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Executive Director Report

The Board received the written Executive Director Report and Betsy Houchen highlighted the report and answered questions.

Practice Consultant

B. Houchen welcomed Amy Rettig, the new Practice Consultant who started work on November 6, 2006. The Board is pleased to welcome Amy, who has a strong practice background.

Combined Charitable Campaign (CCC)

B. Houchen gave special thanks to L. Halliburton and T. Notturniano, the volunteer coordinators for the Combined Charitable Campaign, and to all of the staff who generously contributed. The goal was \$8,564 and staff contributions totaled \$11,464!

National Council of State Boards of Nursing (NCSBN)

- NCSBN was awarded the Health Resources and Services Administration (HRSA) Licensure Portability Grant (LPG). Part of the award will fund a Nurse Licensure Portability Summit on December 11, 2006 for the purpose of exploring issues surrounding licensure portability. H. Fischer and L. Ferguson Ramos plan to attend.
- B. Houchen congratulated L. Emrich for co-authoring an article, "TERCAP: Creating a National Database on Nursing Errors," published in the *Harvard Health Policy Review*. She distributed a copy of the article.

ODJFS Consumer Directed Care

L. Emrich attended a meeting convened by ODJFS on October 18, 2006 to discuss the nursing regulations pertaining to delegation of nursing tasks and the general scopes of practice for the registered nurse and licensed practical nurse. At the meeting, ODJFS staff clarified that it was their opinion that the ODJFS rules, not those of the Board, appear to be barriers to the reimbursement of care requested by consumers.

Board staff clarified the Board's role regarding participation in the ODJFS convened meetings. Included on the agenda is a letter to ODJFS, and also included is the ODJFS Office of Legal Services' memorandum providing their legal analysis regarding nursing delegation.

Presentations

B. Houchen stated presentations would be listed in the Executive Director Report together, rather than throughout the report. B. Houchen reported that a new document, "Quick Facts About the Ohio Board of Nursing" was developed and used for the orientation of new nursing education program administrators. B. Houchen noted that Board member L. Klenke presented a Board update at the Fall Meeting of the Ohio Organization of Nurse Executives in October.

Rule Review

The five chapters of administrative rules, totaling 92 individual rules, were filed with the Joint Committee on Agency Rule Review (JCARR) on October 11, 2006 and will be reviewed by the Board.

Board Legislative Proposals

The Legislative Service Commission (LSC) is drafting the bill requested by Rep. Larry Flowers (R-Canal Winchester) on behalf of the Board. The draft should be ready in November and will then be provided to interested parties for review and comment before the end of the year. Rep. Flowers is willing to work with the Board on the legislation and assist with identifying a bill sponsor.

Transition to 2007

Given the change in the State's administration, the lame duck legislative session in November and December is likely to be busy. The end of 2006 will also be busy as the Taft administration prepares the transition to the incoming administration. As part of the transition, state agencies were requested by the Governor's office to submit a Transition Manual. The transition information, as submitted for the Board, was provided to the Board.

Legislative Status Report

Due to the elections, there is little new legislative activity to report since the last Board meeting and a Legislative Status Report was not provided. There is one bill of interest, HB 675, recently introduced by Rep. Catherine Barrett (D-Cincinnati) that would add language to the chapters of all licensed professionals. The bill appears to establish a new statutory classification for offenders with drug dependency called "drug treatment intervention" and if a licensee received "drug treatment intervention" the Board could not take disciplinary action on this basis alone, as the Board currently does based on Intervention in Lieu of Conviction (ILC). Also, there would be no notification/summary suspension triggered by "drug treatment intervention" as there is with ILC. The staff will monitor any movement of this bill, but the staff does not anticipate it will move during the end of this legislative session.

Human Resources

The staff is happy to report that Office of Budget and Management (OBM) approved the Board's request to restore the personnel ceiling to 62 staff positions. OBM approved all of the six positions requested.

Fiscal Quarterly Report

The budget proposal for fiscal years 2008-2009 was submitted to OBM on October 1, 2006. Part of the budget request was to provide a "Director's Summary." The Board was provided a copy of the summary.

The Board received the Fiscal Report submitted by R. Booker and S. Thacker. R. Booker reviewed the report with the Board. The report reflected the revenue and expenditures for the first quarter of fiscal year 2007 (July 1, 2006 through September 30, 2006).

NEALP Report

The Board received the NEALP Report submitted by R. Booker and S. Thacker. J. Brachman, R. Booker, and S. Thacker recently met with Carlos Bing, the Ohio Board of Regents NEALP Administrator, to discuss the program. It was determined that if NEALP information is presented to the Board at the November and March Board meetings, the data provided will correlate with the award and disbursement periods. The NEALP report reviewed by the Board at this meeting provided detailed information regarding the number of applicants, the awards, applicants participating in the three programs (RN, LPN, and post-licensure), and cash flow.

J. Brachman thanked staff for providing the additional information which she stated was more understandable. J. Brachman asked if NEALP could provide the number of eligible applicants who were not funded. D. Broadnax asked if the Board could see a breakdown regarding financial eligibility. It was also asked who establishes the income requirements as the basis of the awards. R. Booker stated she will be meeting with the Board of Regents in December and will obtain additional information.

Executive Session

On Thursday, November 16, 2006:

IT WAS MOVED BY TERESA WILLIAMS, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS EMPLOYMENT OF PERSONNEL AND TO CONFER WITH LEGAL COUNSEL REGARDING PENDING AND IMMINENT COURT ACTION. FOLLOWING EXECUTIVE SESSION THE BOARD MEETING WILL BE ADJOURNED. MOTION ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

NEW BUSINESS

Rules Public Hearing Wednesday, November 15, 2006

The Board received the proposed rule chapters as filed with JCARR on October 11, 2006. The Board also received a copy of the public notice announcing the public hearing. The notice was posted on the Board web site with a link to the Ohio Register to the proposed rules.

Review of Comments

Review of Staff Proposed Revisions to Filed Rules

Board staff and interested parties continued to review the rules approved by the Board to be filed with JCARR. The Board received recommendations for revisions in Chapter 4723-14 from the Continuing Education Advisory Group, which met in October. The Advisory Group on Nursing Education also met in October and reviewed Chapter 4723-5, but made no recommendations for revisions to Chapter 4723-5.

The Board received a memorandum submitted by C. Snyder and B. Houchen regarding Proposed Revisions to Filed Rules. The memorandum contained the following revisions proposed for Board consideration:

Chapter 4723-5 Prelicensure Nursing Education Programs

- Further review of rule 4723-5-04 indicates that the Board may lack the statutory authority to grant full approval to a program on provisional status before the end of the time period originally established by the Board, based on language in division (A)(7) of section 4723.06 of the Revised Code. Accordingly, proposed new language is deleted in paragraph (A)(3) of this rule. The Board agreed with this revision.

Chapter 4723-7 Licensure

C. Snyder reviewed the proposed revisions to Chapter 4723-7. The Board agreed by general consensus to the following:

- A new paragraph (G) is added to rule 4723-7-02 to address a drafting oversight. This language is included in the current rule and it provides that the Board may deny admission to the licensure examination pursuant to adjudication under Chapter 119. of the Revised Code.
- Staff review determined that additional revisions are needed to address the requirements for foreign educated nurse graduates seeking licensure by endorsement. The filed rule addresses only the requirements for foreign educated nurse graduates seeking licensure by examination. Revisions would consolidate all provisions related to licensure for foreign educated nurse graduates, whether by examination or endorsement, under one rule. Rule 4723-7-04 is revised so that paragraph (A) addresses the requirements for foreign educated nurse graduates seeking licensure by examination. To the extent that the requirements are the same as for others applying to take the licensure exam, the rule incorporates the provisions in rules 4723-7-02 and 4723-7-03. Paragraph (B) is rewritten to address the requirements for foreign educated nurse graduates seeking licensure by endorsement. These requirements are largely unchanged from the current rules, but revised for clarity.
- The Board identified that “the” should replace “a” in paragraph (A)(2) of rule 4723-7-04.

- Staff reported that recently there has been an issue with obtaining transcripts for endorsement applicants from closed nursing programs. To address this, language in the filed rule 4723-7-05(B)(4) has been moved to proposed paragraph (A)(1)(b). As revised, the rule would allow, in addition to a transcript from the nursing program, receipt of a copy of the transcript from the jurisdiction in which an endorsement applicant was originally licensed by examination. This information could take the form of a transcript or “other documentation acceptable to the board.”
- The changes proposed for rule 4723-7-06 are similar to those proposed for rule 4723-7-05 regarding transcripts.

Chapter 4723-14 Continuing Education

C. Snyder reviewed the proposed revisions to Chapter 4723-14. The Board agreed by general consensus to the following:

It was requested by LPNAO that a modification be made in paragraphs (A)(2) and (A)(3) of rule 4723-14-03. Specifically, LPNAO recommended inserting the term “initially” before “licensed by endorsement” in both paragraphs. Following review and discussion, staff does not recommend this change. The Board agreed. There is no distinction in law or rule between an “initial license” and a “license,” so use of this term could be confusing. The purpose of these paragraphs is to allow for a pro-rated continuing education requirement when a nurse has been endorsed for twelve months or less.

- In rule 4723-14-05, paragraph (A)(7) is revised to include the content that appears in the filed rule following paragraph (A)(8). The language relates to faculty credit for continuing education presentations and should be addressed together with the language in (A)(7). Accordingly, the language of (A)(7) is reworked to avoid an unnumbered paragraph, as well as to clarify the issue of continuing education credit for presenters.
- In paragraph (E)(4) of rule 4723-14-06, language regarding “quarter, trimester, or semester hours” is deleted because in rule 4723-14-04(B), new language addresses situations when credit hours are not identified as “quarter, trimester, or semester.” The Advisory Group recommended the revision for consistency.
- The Advisory Group recommended changing paragraph (B) of rule 4723-14-09 to require that Board staff conduct a site visit prior to approving an OBN approver (change “may” to “shall”). Although Board staff are currently conducting site visits, the language in the filed rule would allow site visits to be discretionary based on Board direction. Staff believes that in some situations a document review may be sufficient, or there could be situations when time may not permit Board staff to conduct a site visit within a desired time frame. For these reasons, staff recommends allowing the Board to exercise its discretion regarding site visits, and not changing the language of the filed rule. The Board agreed.
- In paragraph (F) of rule 4723-14-09, the Advisory Group recommended adding “or a provider unit” so the paragraph applies to both a continuing education activity or provider unit.
- At the recommendation of the Advisory Group, paragraph (A)(5) of rule 4723-14-12 was revised by adding “unit” to clarify that the provision applies to provider units.
- The Advisory Group recommended new paragraph (A)(19) of rule 4723-14-12. As filed, the language was proposed in rule 4723-14-17, but the Advisory Group identified this provision as more appropriate for rule 4723-14-12 because it is a requirement for OBN approvers. Accordingly, an OBN approver would be required to develop a policy for investigation and documentation of complaints made about a provider or a provider unit.

- The Advisory Group recommended that another provision from rule 4723-14-17 be moved to rule 4723-14-12 since it is a requirement for an OBN approver. This language appears in paragraph (E) and requires that an OBN approver establish a means to review a provider unit during its three-year approval period.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY BERTHA LOVELACE, THAT THE BOARD CONTINUE DISCUSSION FOR THIRTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

A discussion of Chapter 4723-14 continued and the Board agreed by consensus to the following:

- The Advisory Group recommended language changes in paragraph (C) of rule 4723-14-14 for clarity.
- The term “unit or other person” is deleted after “provider” in paragraphs (D) and (E) of rule 4723-14-15. In addition, language in paragraph (G), as filed, is moved to rule 4723-14-17. The Advisory Group recommended this change since the language relates to provider units, rather than individual continuing education activities.
- The Advisory Group proposed several changes in rule 4723-14-17: In paragraph (A)(5), sub-paragraph (e) is deleted and the record-keeping requirements are specified in new paragraph (E) of this rule; paragraphs (B) and (C) in the filed rule are deleted as these provisions relate to OBN approvers and therefore are moved to rule 4723-14-12; and paragraph (D) is moved from rule 4723-14-15 as this provision relates to this rule.

Review of Comments Received for Public Hearing

On Thursday, November 16, 2006, the Board reviewed the written and oral comments received and discussed changes to the filed rules based on the comments.

Rule 4723-5-08

Testimony was received requesting that the language of paragraph (B)(1)(d) be revised to require new program applicants to submit letters from potential clinical placement sites indicating the clinical sites would accommodate program students. The Board discussed the concerns that clinical placements are becoming difficult to obtain and maintain with the increasing numbers of education programs. Following review, the Board agreed by general consensus not to change the rule. Paragraph (B)(1)(d) addresses the initial letter of intent information and paragraph (D)(5)(f) specifies that for the program proposal, the applicant must provide information about contractual relationships, which addresses clinical placements.

Rule 4723-5-09

Testimony was received opposing the ninety-day limit in paragraph (D) for interim program administrators. Following review and discussion, the Board agreed by general consensus to remove the ninety-day limit.

Rule 4723-5-09

Testimony was received stating that the requirement in paragraph (D) that interim administrators must have been an instructor “with the program for one year or more” is too restrictive. The Board discussed the need of the individual to be familiar with the program to better maintain the requirements for full program approval, and that is the intent of the requirement. Following discussion, the Board agreed by general consensus not to change the rule.

Rules 4723-5-09 and 4723-5-20

Comments were received recommending that the faculty or teaching assistant to student ratio of one to ten for clinical experience be removed in paragraph (B)(7) of rule 4723-5-09 and paragraph (E) of rule 4723-5-20. L. Klenke asked if some

administrators would use the ratio to increase numbers of students and secure additional funding, even if the faculty felt they should not have a one to ten ratio. J. Brachman stated she was concerned that if the Board does not have a ratio, with the trend to increase student enrollment, there could be pressure to have higher ratios than one to ten and this could impact patient safety.

C. Krueger discussed that observational experience is not included as part of the clinical ratio and since the Board has defined observational experience, the ratio is appropriate. J. Boeckman stated she agreed. There was a discussion that for clarification, it would be appropriate to delete the word "clinical" and insert "direct patient care" in both of the paragraphs.

Following review, the Board agreed by general consensus not to change the ratio but to change "clinical" to "direct patient care" in both paragraphs.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA BURNS, THAT THE BOARD CONTINUE DISCUSSION FOR THIRTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Rule 4723-5-10

- There was a comment stating that the Board should change "master's" to "graduate degree in nursing" in paragraph (A)(2)(c) to address doctorate programs that admit individuals with bachelor's degrees and do not grant a master's degree. Following discussion, the Board agreed by general consensus not to change the rule as this change may create a retroactive standard due to the current rule language. The Board stated they would discuss this change during the next review of this chapter.
- There were comments stating that preceptors should not be required to have practiced for two years so then faculty could designate preceptors they deemed qualified [see paragraph (A)(5)]. There were comments that obtaining and recording the qualifications of preceptors is burdensome. Following review, the Board agreed by general consensus not to change the rule.

Rule 4723-5-12

There was a comment stating that the Board should delete the requirement in paragraph (A)(6) that programs develop a policy relating to student illness. The commenter views this as unnecessary and prescriptive. Following review, the Board agreed by general consensus not to change the rule.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD CONTINUE DISCUSSION FOR SIXTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Rule 4723-5-20

There was a comment noting the rescission of rule 4723-5-18 eliminated the "one time task rule." The Board discussed revised rule 4723-5-20 that covers supervision and would prohibit the one time delegation of supervision of a nursing student performing a particular task to a nurse who is not a preceptor. K. Driscoll stated she believes paragraph (C) of this rule is appropriate because the faculty is directing the student's clinical experiences. Following review, the Board agreed by general consensus not to change the rule.

Rule 4723-5-23

There was a comment stating this rule is prescriptive in the steps that the Board takes based on an education program's recurrent, low NCLEX pass rates. The Board noted that the current rule includes language about Board action based on the NCLEX rates and stated the Board needs to retain the ability to take specific action if the program has recurring, low NCLEX rates. Following review, the Board agreed by general consensus not to change the rule.

Following discussion and review;

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD ADOPT THE PROPOSED CHANGES AND REFILE THE FOLLOWING RULES: 4723-5-04; 4723-5-09; 4723-5-20; 4723-7-02; 4723-7-04; 4723-7-05; 4723-7-06; 4723-14-05; 4723-14-06; 4723-14-09; 4723-14-12; 4723-14-14; 4723-14-15 AND 4723-14-17. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

NCLEX EXAM TRANSLATION

The Board received a memo submitted by B. Houchen regarding a request by the National Council of State Boards of Nursing (NCSBN), asking states to respond to a survey about translation of the NCLEX examinations into other languages. B. Houchen brought this to the Board for discussion and direction prior to responding to NCSBN.

The translation options being considered by NCSBN are: (1) allowing the use of a translation dictionary, i.e., specific words without definitions are translated into the identified language; or (2) translating the entire examination into another language. NCSBN posed the following questions:

1. Does your Board support translating the NCLEX into other languages using a translation dictionary or direct translation?
2. Does your jurisdiction have any laws/rules/regulations/policies that require proof of English proficiency to practice nursing for U.S. educated candidates or internationally educated candidates? (The Board's regulations require evidence that internationally educated candidates have a working knowledge of English.)
3. Does your jurisdiction have any laws/rules/regulations/policies identifying English as the official language that may impact licensure of candidates? (The State of Ohio does not identify English as the official language, however, legislation has been introduced that would do so.)
4. Would your Board license by examination candidates who use a translation dictionary on the NCLEX examination?
5. Would your Board license by examination candidates who take a fully translated NCLEX examination?
6. Would your Board grant a license by endorsement to a nurse who has used a translation dictionary for the NCLEX examination?
7. Would your Board grant a license by endorsement to a nurse who has taken a fully translated NCLEX examination?
8. If your Board allows license by examination or accepts license by endorsement for those candidates taking a translated examination, would you require the results to be flagged (identified)?
9. In addition to the availability of a Spanish translated NCLEX, would your Board want NCLEX translated into other languages?

Following discussion, the Board agreed by general consensus not to support translating the NCLEX into other languages, such as Spanish. The Board's rationale was based on patient safety issues. The Board discussed that nurses need to communicate effectively with other health care providers and patients in Ohio whose primary language is English. The Board agreed by consensus that applicants applying for either licensure by examination or licensure by endorsement must be required to successfully pass an English language NCLEX examination. Ohio regulations rely on the applicant passing an English language NCLEX because the NCLEX is used not only as a measure of the English language in general, but also English competency in nursing and medical terminology.

NURSING EDUCATION BOARD MEMBER LIAISON

The Board received a memorandum submitted by L. Emrich and K. Hill recommending that a Board member be designated as a Board Education Liaison to provide for increased Board review and involvement with the nursing education programs, similar to the concept of having the Board Supervising Member for Disciplinary Matters. All education programs would continue to be presented for the full Board's review and approval, but the Board would have a designated liaison to review program issues

prior to programs being presented to the full Board. Currently, Board Policy (4723-B-012) specifies that the Board may appoint Board member liaisons. Staff anticipates a monthly conference call (one to two hours) between the Educational Consultant(s) and the Board member liaison to review site visit reports, progress reports for programs on provisional status, proposed programs, and various questions that may arise.

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD DESIGNATE A BOARD MEMBER AS THE EDUCATION PROGRAM LIAISON TO BOARD STAFF. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Proposed Legislative Initiatives

The Board received a memorandum submitted by B. Houchen and H. Fischer. At the 2006 Board Retreat and May Board meeting, the Board discussed legislative initiatives, prioritized certain matters and requested additional research regarding others. Based upon the Board's direction, in September 2006, a letter was submitted to Representative Flowers (R-Canal Winchester) outlining proposed Nurse Practice Act revisions. Since April, several additional legislative proposals have been suggested for the Board's review. If the Board agrees with the following proposals, staff recommended including those revisions as part of the legislative language that LSC is drafting. C. Snyder stated that the legislative language is subject to change and LSC will work out the final proposed language.

Following review and discussion, the Board agreed by general consensus to include the proposed revisions, as submitted, in ORC Section 4723.65 regarding medication aides; ORC Section 4723.06 regarding grounds for denial of an application for approval of a new educational program; and ORC Section 4723.09 to eliminate the reference to "in good standing" and to require two hours of Ohio nursing law and rules as a condition for licensure by endorsement.

J. Brachman posed the following question: If an individual's license is lapsed in another state for five or more years and then re-activates in that state and that individual applies for licensure by endorsement in Ohio, should the Board require a refresher course? D. Broadnax stated she agrees with the language as proposed requiring the two hours of law and rules and that if the nurse re-activates in another state, the nurse must meet the other state's requirements. T. Williams stated she agreed and the Board could review the issue later after requesting additional information from other states regarding program approvals and endorsement applicants.

Dialysis Technicians

The Board received a memo submitted by D. Broadnax, L. Emrich and H. Fischer. At the 2006 Board Retreat and May Board meeting, the Board discussed legislative initiatives including dialysis technician language. At that time the Board requested the Advisory Group on Dialysis provide recommendations to the Board regarding dialysis technician certification requirements, and the Advisory Group discussed recommendations at the August 15, 2006 meeting. D. Broadnax noted that the Advisory Group did not review the actual language being presented to the Board, but did recommend the requirements, as drafted. The Advisory Group will meet in April 2007 to review the draft legislative language and staff will provide the language to the Advisory Group members for review and comment prior to that time.

D. Broadnax requested a change in Section 4723.75 (B)((1)(c) to "shall be ineligible for certification" rather than "shall be ineligible to repeat the examination" because the Board does not technically control whether an applicant sits for the exam, but controls eligibility for dialysis certification. The Board agreed by general consensus.

Following review of the proposed revisions in ORC Section 4723.75, the Board agreed by general consensus to the proposed revisions and asked that staff continue to work with the Advisory Group on Dialysis. D. Broadnax stated that the Advisory Group could meet earlier in February and C. Snyder agreed that would be a good idea.

The Board then began a discussion about taking the NCLEX examination and how many times a candidate should be able to retake the NCLEX. It was noted that this was previously discussed by the Board and is an area for follow-up so that staff may gather information from NCSBN, other states, and review the issue with the Advisory Group on Nursing Education.

APPROVALS

Nursing Education Programs - New Program Approvals

Akron Institute Associate Degree Program, Akron

The Board reviewed a written memo and attached letter from the Akron Institute Associate Degree Program, Akron. The purpose of the letter was to request an extension of the program's implementation date. The Program was granted conditional approval by the Board at the July 2006 Board meeting based on an implementation date of September 6, 2006. Representatives from the program were present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD GRANT AN EXTENSION OF THE IMPLEMENTATION DATE FOR THE AKRON INSTITUTE ASSOCIATE DEGREE PROGRAM, AKRON, FROM THE ORIGINALLY APPROVED IMPLEMENTATION DATE OF SEPTEMBER 6, 2006 TO JANUARY 10, 2007. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED A WRITTEN REQUEST FOR THE EXTENSION PURSUANT TO 4723-5-08(F), OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Chamberlain School Of Nursing, Bachelor of Science Degree In Nursing Program, Columbus

The Board reviewed a summary report of the survey visit conducted by K. Hill on October 27, 2006, for the proposed Chamberlain School of Nursing, Bachelor of Science Degree In Nursing Program, Columbus. The purpose of the survey visit was to verify the accuracy of the information presented in the proposal for establishing a new nursing education program. Representatives from the program were present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE CHAMBERLAIN SCHOOL OF NURSING, BACHELOR OF SCIENCE DEGREE IN NURSING PROGRAM, COLUMBUS, EFFECTIVE NOVEMBER 16, 2006. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Chamberlain School of Nursing, Associate Degree In Nursing Program, Columbus

The Board reviewed a summary report of a survey visit conducted by K. Hill on October 27, 2006, for the proposed Chamberlain School of Nursing, Associate Degree In Nursing Program, Columbus. The purpose of the survey visit was to verify the accuracy of the information presented in the proposal for establishing a new nursing education program. Representatives from the program were present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE CHAMBERLAIN SCHOOL OF NURSING, ASSOCIATE DEGREE IN NURSING PROGRAM,

COLUMBUS, EFFECTIVE NOVEMBER 16, 2006. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Notre Dame School Of Nursing, Bachelor of Science Degree In Nursing Program, South Euclid

The Board reviewed a summary report of a survey visit conducted by K. Hill on October 26, 2006, for the proposed Notre Dame School of Nursing, Bachelor of Science Degree In Nursing Program, South Euclid. The purpose of the survey visit was to verify the accuracy of the information presented in the proposal for establishing a new nursing education program. Representatives from the program were present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE NOTRE DAME SCHOOL OF NURSING, BACHELOR OF SCIENCE DEGREE IN NURSING PROGRAM, SOUTH EUCLID, EFFECTIVE NOVEMBER 16, 2006. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. CYNTHIA KRUEGER ABSTAINED.

Northcoast Medical Training Academy Licensed Practical Nursing Program, Kent

The Board reviewed a summary report of a survey visit conducted by K. Hill on October 25, 2006, for the proposed Northcoast Medical Training Academy Licensed Practical Nursing Program, Kent. The purpose of the survey visit was to verify the accuracy of the information presented in the proposal for establishing a new nursing education program. Representatives from the program were present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY PATRICIA BURNS, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE NORTHCOAST MEDICAL TRAINING ACADEMY LICENSED PRACTICAL NURSING PROGRAM, KENT, EFFECTIVE NOVEMBER 16, 2006. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Nursing Education Programs - Determination of Program Approval Status

Lakeland Community College, Department of Nursing, Associate Degree In Nursing Program, Kirtland

The Board reviewed the summary report of the September 26-28, 2006 survey visit to the Lakeland Community College, Department of Nursing, Associate Degree In Nursing Program, Kirtland, to determine approval status. Following review and discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD GRANT FULL APPROVAL TO THE LAKELAND COMMUNITY COLLEGE, DEPARTMENT OF NURSING, ASSOCIATE DEGREE IN NURSING PROGRAM, KIRTLAND, EFFECTIVE NOVEMBER 16, 2006 IN ACCORDANCE WITH RULE 4723-5-04, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Bryant & Stratton College Department of Nursing Associate Degree Program, Willoughby Hills

The Board reviewed the summary report of the October 23-24, 2006 focused survey visit conducted to the Bryant & Stratton College Department of Nursing Associate Degree Program, Willoughby Hills. Following review and discussion;

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE BOARD ACCEPT, AS REPORTED, THE FINDINGS OF THE FOCUSED SURVEY VISIT FOR BRYANT & STRATTON COLLEGE DEPARTMENT OF NURSING, ASSOCIATE DEGREE IN NURSING PROGRAM, WILLOUGHBY HILLS. IT IS FURTHER MOVED THAT THE RECOMMENDATIONS FOR ENHANCEMENT OF THE PROGRAM BE ADDRESSED IN THE CONDITIONAL APPROVAL PROGRESS REPORT DUE FOUR WEEKS BEFORE THE JANUARY 2007 BOARD MEETING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Tri-Rivers School of Practical Nursing, Marion

The Board reviewed the summary report of the October 18-20, 2006 survey visit to the Tri-Rivers School of Practical Nursing, Marion, to determine approval status. Following review and discussion;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD GRANT FULL APPROVAL TO THE TRI-RIVERS SCHOOL OF PRACTICAL NURSING, MARION, EFFECTIVE NOVEMBER 16, 2006 IN ACCORDANCE WITH RULE 4723-5-04, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Education Programs – 2005-06 Annual Reports Summary

The Board received the summary of the Annual Reports of Ohio Pre-licensure Nursing Education Programs for July 1, 2005 through June 30, 2006 submitted by K. Hill. The Board reviewed the report and K. Hill answered questions of the Board. J. Boeckman stated she appreciated the tremendous amount of information and thanked staff for their work. K. Hill reported that all programs responded, but some did not complete all of the questions and those were sent back for completion. J. Brachman asked if staff could provide the percentage of the loss of faculty in next year's report.

OBN Approvers of Continuing Education

The Board reviewed summary reports from survey visits conducted by N. Selders to review the OBN Approvers of continuing education for re-approval. Following review and discussion;

HEALTH ALLIANCE (OBN 007-92)

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD GRANT REAPPROVAL TO HEALTH ALLIANCE, OBN APPROVER 007-92, AS AN APPROVER OF CONTINUING EDUCATION FROM NOVEMBER 17, 2006 THROUGH NOVEMBER 30, 2009 IN ACCORDANCE WITH RULE 4723-14-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

THE OHIO DEPARTMENT OF MR/DD (OBN 010-93)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD GRANT REAPPROVAL TO THE OHIO DEPARTMENT OF MR/DD, OBN APPROVER 010-93, AS AN APPROVER OF CONTINUING EDUCATION FROM NOVEMBER 17, 2006 THROUGH NOVEMBER 30, 2009 IN ACCORDANCE WITH RULE 4723-14-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

THE OHIO DEPARTMENT OF MENTAL HEALTH (ODMH) (OBN 003-92)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD GRANT REAPPROVAL TO ODMH, OBN APPROVER 003-92, AS AN APPROVER OF CONTINUING EDUCATION FROM NOVEMBER 17, 2006 THROUGH NOVEMBER 30, 2009 IN ACCORDANCE WITH RULE 4723-14-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

THE OHIO NURSES ASSOCIATION (ONA) (OBN 001-91)

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE BOARD GRANT REAPPROVAL TO ONA, OBN APPROVER 001-91, AS AN APPROVER OF CONTINUING EDUCATION FROM NOVEMBER 17, 2006 THROUGH NOVEMBER 30, 2009 IN ACCORDANCE WITH RULE 4723-14-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Certified Medication Aide Pilot Program

The Board received a memorandum submitted by L. Halliburton about two Medication Aide Training Program applications submitted for the Board's consideration and approval. Board staff reviewed these applications to determine that the information submitted in the applications is in accordance with Chapter 4723-27-07, OAC. A document summarizing the applications was provided to the Board. Following review;

Sinclair Community College, Dayton

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD APPROVE SINCLAIR COMMUNITY COLLEGE, DAYTON, AS A MEDICATION AIDE TRAINING PROGRAM, FINDING THAT THE PROGRAM HAS MET THE REQUIREMENTS OF RULE 4723-27-07, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Greens Adult Living Community, Lyndhurst

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY LISA KLENKE, THAT THE BOARD APPROVE GREENS ADULT LIVING COMMUNITY, LYNDHURST, AS A MEDICATION AIDE TRAINING PROGRAM, FINDING THAT THE PROGRAM HAS MET THE REQUIREMENTS OF RULE 4723-27-07, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

National Certifying Organization(s) – Advanced Practice Nurses

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD REAPPROVE, FOR 2007, THE FOLLOWING NATIONAL CERTIFYING ORGANIZATIONS FOR CERTIFIED NURSE PRACTITIONERS, CERTIFIED NURSE-MIDWIVES, CERTIFIED REGISTERED NURSE ANESTHETISTS, AND CLINICAL NURSE SPECIALISTS SEEKING A CERTIFICATE OF AUTHORITY (COA) TO PRACTICE IN OHIO IN ACCORDANCE WITH DIVISION (A) OF SECTION 4723.46, ORC:

AMERICAN ACADEMY OF NURSE PRACTITIONERS;
AMERICAN ASSOCIATION OF CRITICAL CARE NURSES CERTIFICATION CORP;
COUNCIL ON CERTIFICATION OF NURSE ANESTHETISTS;
COUNCIL ON RECERTIFICATION OF NURSE ANESTHETISTS;
ACNM CERTIFICATION COUNCIL, INC.;
AMERICAN NURSES CREDENTIALING CENTER;
NATIONAL BOARD FOR CERTIFICATION OF HOSPICE & PALLIATIVE CARE NURSES;
NATIONAL CERTIFICATION CORPORATION FOR THE OBSTETRIC, GYNECOLOGIC & NEONATAL NURSING SPECIALTIES;
ONCOLOGY NURSING CERTIFICATION CORPORATION; AND PEDIATRIC NURSING CERTIFICATION BOARD.

MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

National Certifying Organization(s) – Dialysis Technicians

National Nephrology Certification Organization (NNCO)

IT WAS MOVED BY BERTHA LOVELACE, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD REAPPROVE, FOR 2007, THE NATIONAL NEPHROLOGY CERTIFICATION ORGANIZATION (NNCO) AS A DIALYSIS TECHNICIAN TESTING ORGANIZATION IN ACCORDANCE WITH RULE 4723-23-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Board of Nephrology Examiners Nurses Technology (BONENT)

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD REAPPROVE, FOR 2007, THE BOARD OF NEPHROLOGY EXAMINERS NURSES TECHNOLOGY (BONENT) AS A DIALYSIS TECHNICIAN TESTING ORGANIZATION IN ACCORDANCE WITH RULE 4723-23-10, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Retroactive Approvals for Licensees/Certificate Holders

Registered Nurses

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO REGISTERED NURSES AS DEFINED IN SECTION 4723.09, ORC, TAKING INTO ACCOUNT THOSE LICENSES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Licensed Practical Nurses

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO LICENSED PRACTICAL NURSES AS DEFINED IN SECTION 4723.09, ORC, TAKING INTO ACCOUNT THOSE LICENSES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advanced Practice Nurses

Certificates of Authority

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES OF AUTHORITY (COA) INITIALLY ISSUED SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO CERTIFIED REGISTERED NURSE ANESTHETISTS, CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.41, ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advanced Practice Nurses

Certificates to Prescribe

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES TO PRESCRIBE (CTP AND CTP-EXTERNSHIP) INITIALLY ISSUED SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.48, ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Dialysis Technicians

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES INITIALLY ISSUED SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO OHIO CERTIFIED DIALYSIS TECHNICIANS (OCDTS) IN ACCORDANCE WITH SECTION 4723.75, ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Community Health Workers

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE BOARD RETROACTIVELY RATIFY AS SUBMITTED ALL CERTIFICATES INITIALLY ISSUED SEPTEMBER 1, 2006 THROUGH OCTOBER 31, 2006 TO COMMUNITY HEALTH WORKERS (CHWS) IN ACCORDANCE WITH SECTION 4723.85 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

ADJUDICATION AND COMPLIANCE

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, November 17, 2006, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): SISLOW, JOHN, E., R.N. 207497 (CASE #05-3350); PATENAUDE (STAMPER), MARY (MIRANDA), T., R.N. 025901 (CASE #06-2058); HILL, CELESTINE, R.N. 222413 (CASE #05-2691); HUZZIE, MONIQUE, R.N. 293157 (CASE #04-1870); JASKELA, WILLIAM, D., P.N. 101238 (CASE #05-2642); MCCALL, JODI, E, R.N. 234782 (CASE #03-1362); MOORE, DARRYL, S., P.N. 103082 (CASE #06-2350); PHILLIPS, DONNA, J, R.N. 223925 (CASE #03-1972); TAYLOR, AMANDA, J., R.N. 290208 (CASE #06-1328); WILLIAMS-TOWNSEND, ROBIN, A., P.N. 079563 (CASE #06-1439); CARROLL, NARDA, J., P.N. 085617 (CASE #06-2485); HOWES (DANSER), AUDRA, M., P.N. 092449 (CASE #05-0372); ROSE, TINA, M., P.N. 095797 (CASE #04-1772); NICELY, PATTY, S., P.N. 074692 (CASE #06-1531); PERRY, AMY, J., P.N. 089905 (CASE #04-1288); FILKA, JR, JACKIE, V., R.N. 297985 (CASE #06-2295); RUFINO, ALVIN, M., D.T. 01079 (CASE #05-2489); MARCUM, DELMA, M., R.N. 216242 (CASE #06-0692); DIXON, BONNIE, L., R.N. 187073 (CASE #06-1280); SAPP, GLADYS, M., P.N. 095411 (CASE #06-0443); VAN BUREN, GARY, R., R.N. 324417 (CASE #06-2275); WILLIAMS, LORI, L., P.N. 117136 (CASE #06-2302); GIBSON, LYNN, D, R.N. 280641 (CASE #03-1563); GOSNELL, CINDY, S., R.N. 279503 (CASE #03-0555); HENDRICHS, DAVID, W., R.N. 258753 (CASE #06-0004); MOSSING, DANIEL, W., R.N. 263365 (CASE #06-1525); WATSON, LORETTA, R.N. 245919 (CASE #06-2937); MALCOLM-FORBES, SONIA, M., R.N. 279087 (CASE #06-0809); CUNNINGHAM, TERESA, L., P.N. 114176 (CASE #05-1330); SMITH, MARIETTA, F., P.N. 033844 (CASE #05-1498); SOWERS, TERRY, L., R.N. 208095 (CASE #06-1314); BREWER, CYNTHIA, D., R.N. ENDORSE (CASE #06-0862); SCHNEIDER, ANDREA, N., R.N. 287131 (CASE #06-1124); FORD, DONNA, R., R.N. 233981 (CASE #06-2264) AND FORNSHIL-PASCH, LISA, E, P.N. 087116 (CASE #05-3514). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2006 Board meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): KILGORE, ANGELA, M., R.N. 287617 (CASE #06-1420); DAVIS, DOROTHY, R., P.N. 035587 (CASE #06-0834); MOSKALY, TRUDY, A., R.N. 202604 (CASE #06-0849); HEROD, LORAIN, C., R.N. 228463 (CASE #06-1801); EVATZ, PHILIP, C., P.N. 100698 (CASE #06-0766); LAWSON, CINDY, M., R.N. 263545 (CASE #06-1391); WALKER, NORMA, J., R.N. 237218 (CASE #05-1120); SHOUP, KERSTIN, R.N. 274488 (CASE #05-1865); BARNETT, LISA, A., P.N. 111589 (CASE #06-0364); SHIVNER, DANIELLE, R., P.N. 105100 (CASE #06-1929); FREISTUHLER, MELISSA, D., P.N. 103872 (CASE #06-1283); PEARSON, SHEVENE, C., P.N. 097205 (CASE #06-2495) AND NEWHOUSER, MICHELLE, R., R.N. 306043 (CASE #06-2231). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Immediate Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the November 2006 Board meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE BOARD ISSUE A NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): KOSTECKI, LOUISE, E., R.N. 155859 (CASE #06-2838); MAZZEI, DARLENE, R., R.N. 185707 (CASE #06-2991); TRUITT, VALERIE, L., R.N. 284131 (CASE #06-2976); MUSGRAVE, PAMELA, R., P.N. 085711 (CASE #06-2962); SMITH, RICHARD, W., R.N. 290242 (CASE #06-1907) AND BURKHALTER, CRAIG, T., R.N. 302819 (CASE #06-2537). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Notices of Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the November 2006 Board meeting.

SURRENDERS

PERMANENT VOLUNTARY SURRENDERS

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ANNE BARNETT, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY SURRENDER OF LICENSE FOR THE FOLLOWING CASE(S): JACOBS, JOSEPH, C., R.N. 328614 (CASE #06-2463); DEARING, CHRISTINA, M., P.N. 092344 (CASE #05-1673); CHORBA, MARJORIE, A., R.N. 240874 (CASE #06-2683); SCOLES, KARLA, J., P.N. 085421 (CASE #06-0340) AND MEZINGER, KARI, A., R.N. 259890 (CASE #05-3257). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the November 2006 Board meeting.

WITHDRAWALS OF APPLICATIONS

VOLUNTARY NON-PERMANENT WITHDRAWAL OF APPLICATION

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE BOARD ACCEPT THE VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY EXAMINATION FOR THE FOLLOWING CASE: GRINDSTAFF, KAREN, F., P.N. NCLEX (CASE #06-2294). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE BOARD ACCEPT THE VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY ENDORSEMENT FOR THE FOLLOWING CASE: ANDERSON, STACI, A., R.N. ENDORSE (CASE #06-1980). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

CONSENT AGREEMENTS

On Friday, November 17, 2006, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY PATRICIA BURNS, THAT THE BOARD APPROVE THE CONSENT AGREEMENTS FOR VIOLATIONS OF CHAPTER 4723. ORC ENTERED INTO BY AND BETWEEN THE BOARD AND THE FOLLOWING LICENSEES: HALL, JENNIFER, S., R.N. 294884 (CASE #05-3175); MARTIN, MARILYN, S., P.N. 105773 (CASE #04-2278); HEICHEL, RYAN, C., R.N. NCLEX (CASE #06-1763); JONES, KARL, A., P.N. NCLEX (CASE #06-1845); WAWRZYNIAK, LOUISE, T., P.N. 054857 (CASE #06-2017); ADAMSKI, DAROLYN, R, R.N. 243886 (CASE #05-3305); HNIDA, JENNIFER, L., R.N. 299842 (CASE #06-0706); GASTON, CARRIE, M., R.N. NCLEX (CASE #06-2120); RICE, YOLANDA, M., P.N. 114799 (CASE #05-2656); SONAGERE, DEBORAH, A., R.N. 329303 (CASE #06-2211); SHORT, LISA, A., P.N. 081630 (CASE #05-3202); SMITH, SHAWN, E., R.N. 291488 (CASE #03-0947); FORTE, REBECCA, A., R.N. NCLEX (CASE #06-1295); MARTIN, MONA, R., R.N. 202243 (CASE #05-2398); HANSON, MATTHEW, P., R.N. 268089 (CASE #06-1727); CENNI, JENNIFER, E., R.N. 303655 (CASE #06-1322); PUMMILL, LORI, K., P.N. 121914 (CASE #06-1522); WALLER, JULIE, A., R.N. NCLEX (CASE #06-2008); SHEPPARD, NATALIE, A., P.N. NCLEX (CASE #06-1427); TAYLOR, CHERYL, D., R.N. NCLEX (CASE #06-2261); HUGHES, ERICA, L., P.N. NCLEX (CASE #06-2010); MOORMAN EALY, CINDY, L., P.N. 056362 (CASE #06-0262); CUMMINGS, MELISSA, R., P.N. NCLEX (CASE #06-1748); BONNER, PAMELA, S., R.N. 257523 (CASE #05-1867); BALLARD, LAKEIA, H., P.N. 117742 (CASE #06-1556); CLARK, DENISE, R., P.N. 087628 (CASE #06-2173); SCARRETT, WENDY, B., P.N. 099690 (CASE #06-1135); LINTON, HAILEY, R, P.N. 105468 (CASE #06-1479); LOMBARDO, DOMINIC, J., R.N. NCLEX (CASE #06-1856); GRIFFIN, SUSAN, M., R.N. 313507 (CASE #05-2433); HESLER, LILLIAN, M., R.N. 226051 (CASE #06-2079); MIHIYLOV, PAMELA, J., P.N. 092324 (CASE #04-1440); BURWINKEL, HOLLY, I., R.N. 208433 (CASE #06-0863); RUOFF, NICOLE, A., P.N. 109440 (CASE #06-0040); KIDD, ROBERT, J., R.N. 284386 (CASE #06-2204); LIPP, AARON, J., R.N. 295708 (CASE #06-2214); (BURTON) BROWN, BONNIE, K., P.N. 078693 (CASE #06-0477); MCCRACKIN, DEBRA, L., P.N. 081634 (CASE #06-0563); JONES, MATTHEW, P., R.N. 280957 (CASE #06-2849); GILL, DEBRA, D., R.N. 264270 (CASE #06-0848); HIXSON, DANIEL, R., R.N. 286341 (CASE #06-1958); HARVILLE, JODI, J., R.N. 195000 (CASE #04-1888); ARMBRUSTER, YVONNE, G., P.N. 076989 (CASE #06-1991); SUMMERS, HOLLY, M, P.N. 110326 (CASE #06-1481); LAWRENCE, CYNTHIA, L., R.N. 237479 (CASE #06-0885); FAUCHEAUX, MARY, G., R.N. 295822 (CASE #06-1659); GRIZZARD, ROBERT, H., P.N. 092508 (CASE #06-2816); UNTERBRINK, STEPHANIE, A., R.N. 245585 (CASE #06-0799); HOLLER, JANA, L., P.N. 097525 (CASE #03-0013); KORTE, JEANNE, M., R.N. 193990 (CASE #06-0286); PARKS, LISA, S, R.N. 167394 (CASE #05-2871); SMITH, KELLI, C., R.N. 311372 (CASE #06-1886); TOLSON, RONALD, W., R.N. 298024 (CASE #05-0811); STEMM, CAROL, J., R.N. 187114 (CASE #06-1775); KUHN, JANET, L., P.N. 029319 (CASE #06-1049); KELLEY, TAMMY, P.N. 102999 (CASE #04-1855); BAILEY, MATTIE, J., R.N. ENDORSE (CASE #06-2753); FALLS, CAROL, J., P.N. 111092 (CASE #06-2423); GIMLICH, DONNA, L., R.N. 266282 (CASE #06-2216); GERALD, TINA, M., P.N. 102758 (CASE #06-1185); THOMAS, ELLA, B., P.N. 108583 (CASE #06-1032); HARTLINE, ROSE, A., P.N. 116867 (CASE #06-1571); AMBRIOLA, NIKOLE, M., R.N. 290620 (CASE #06-2489); SHAFFER, CORIE, L., R.N. 311590 (CASE #06-0977); SOCKRIDER, AMY, M., R.N. 227825 (CASE #06-0797); HERSMAN, LINDA, S., R.N. 225523 (CASE #03-0871); TOTH, SARAH, A., P.N. NCLEX (CASE #06-1767); MOSS, MARSHA, L., R.N. 274505 (CASE #06-2225);

WALLINGFORD, TABITHA, Y., R.N. 205103 (CASE #06-2394); NEVINS, KRISTINE, V., P.N. 060582 (CASE #06-0815); ADAMS, SADIE, D., P.N. NCLEX (CASE #06-2606); HEISTER, ANDREW, M., R.N. 289588 (CASE #06-2213); MWANGI, FLORENCE, P.N. 112998 (CASE #06-1992); HAJEK, DEBBIE, P.N. 050462 (CASE #06-2132); THOMAS, CYNTHIA, G., P.N. 105534 (CASE #06-2815); BROWN, GERALDINE, P.N. 038435 (CASE #02-0895); CALHOUN, EBONY, D., P.N. NCLEX (CASE #06-2767); HEATON, SAMANTHA, A., P.N. 111740 (CASE #06-2374); MAY, SUSAN, K., R.N. 197094 (CASE #06-2847); POLAK, NANCY, A, R.N. 167026 (CASE #05-3538); CARPENTER, JAMES, D., R.N. 318818 (CASE #06-2107); FUSON, RUTH, R.N. 307206 (CASE #05-2036); SHAFER, DAVID, L., R.N. 201967 (CASE #06-2560); PROPER, JESSICA, M., R.N. 277538 (CASE #06-0131); DALTON, DENISE, E., R.N. 215876 (CASE #05-1054); ABRAMS, BENJAMIN, P.N. 110843 (CASE #06-2436); BLANKENSHIP, KATHY, L., P.N. 089907 (CASE #06-2150); WALSH, ALICIA, M., P.N. 107895 (CASE #06-2208); MULHALL, PATTIE, C., R.N. 268503 (CASE #06-2229); WOODS, SANDRA, J, P.N. 079579 (CASE #03-2124); HARRIS, MARIANNE, R.N. 291936 (CASE #04-1417); BARRETT, STACEY, L., R.N. 298560 (CASE #06-3071); LASHUK, AARON, D., P.N. 114817 (CASE #05-2046); MOREZ, BETTY, J., P.N. NCLEX (CASE #06-2524); RATLIFF, NANCY, E., P.N. 109011 (CASE #03-1941); LACEY, LATONYA, L., R.N. 297267 (CASE #03-1945); BRENNEMAN, JONATHAN, D., P.N. 076412 (CASE #05-2773); GRADISHER, BETH, L., P.N. 081472 (CASE #05-0885); MCGRODER, DANIELLE, P.N. 108018 (CASE #05-0752); BECKREST, AMBER, M., R.N. NCLEX (CASE #06-2646); OSITADIMMA, JENNIFER, E., R.N. 304042 (CASE #05-3176); SAUNDERS, CHRISTINA, A., R.N. 297757 (CASE #05-1240); GARCIA, EVANGELINE, R.N. 254094 (CASE #05-2432); MARTIN, LISA, M., R.N. 192874 (CASE #06-2027); COOK, PAMELA, S., R.N. 161375 (CASE #06-1057); MCAVENA, CHERYL, D., R.N. 230169 (CASE #05-1239); HASTINGS, KATHLEEN, M., R.N. 222297 (CASE #06-2814); JACKSON, DOUGLAS, A., R.N. NCLEX (CASE #06-2029); LINDSEY, KARIN, C., R.N. 295903 (CASE #06-3072); BRYANT, MARTHA, A., R.N. 228874 (CASE #06-3092); GIPSON, LAURA, L., P.N. NCLEX (CASE #06-2689); MOSS, MICHELLE, R., R.N. 315429 (CASE #06-3110); POST, ALLISON, M., R.N. NCLEX (CASE #06-2368); FINLEY, PAMELA, L., R.N. 254805 (CASE #04-2279); FOULKE, CORREAN, E., R.N. 198865 (CASE #06-1619); HALL, JIMMIE, C., P.N. NCLEX (CASE #06-1861); KESSLER, ASHLEY, M., R.N. 281061 (CASE #06-0976); LOCHRIDGE, JAMES, T, R.N. 225933 (CASE #03-1548); LENTZ, LURA, A., R.N. 294797 (CASE #05-0641); FAFATA, DORIS, I, R.N. 266620 (CASE #05-3109); WICK, JAPHONDA, K., R.N. 251856 (CASE #05-0621); SHANER, THERESA, M., P.N. 110482 (CASE #05-1660); RAMIREZ-FALCON, ANGEL, P.N. 104255 (CASE #06-1965); TEETS, GLORIA, I., R.N. 240227 (CASE #06-2073) AND BAKER, ANNE, E., R.N. 222672 (CASE #06-0070). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. JUDITH BRACHMAN OPPOSED ON THE FOLLOWING CASE(S): MARTIN, MARILYN, S., P.N. 105773 (CASE #04-2278; RICE, YOLANDA, M., P.N. 114799 (CASE #05-2656); BURWINKEL, HOLLY, I., R.N. 208433 (CASE #06-0863); SMITH, SHAWN, E., R.N. 291488 (CASE #03-0947); UNTERBRINK, STEPHANIE, A., R.N. 245585 (CASE #06-0799); HOLLER, JANA, L., P.N. 097525 (CASE #03-0013); KORTE, JEANNE, M., R.N. 193990 (CASE #06-0286); STEMM, CAROL, J., R.N. 187114 (CASE #06-1775); KUHN, JANET, L., P.N. 029319 (CASE #06-1049); KELLEY, TAMMY, P.N. 102999 (CASE #04-1855); FUSON, RUTH, R.N. 307206 (CASE #05-2036); PROPER, JESSICA, M., R.N. 277538 (CASE #06-0131); MULHALL, PATTIE, C., R.N. 268503 (CASE #06-2229); RATLIFF, NANCY, E., P.N. 109011 (CASE #03-1941); LACEY, LATONYA, L., R.N. 297267 (CASE #03-1945) AND GARCIA, EVANGELINE, R.N. 254094 (CASE #05-2432). DEBRA BROADNAX ABSTAINED ON THE FOLLOWING CASE: JONES, MATTHEW, P., R.N. 280957 (CASE #06-2849). KATHLEEN DRISROLL ABSTAINED ON THE FOLLOWING CASE: HESLER, LILLIAN, M., R.N. 226051 (CASE #06-2079). CYNTHIA KRUEGER ABSTAINED ON THE FOLLOWING CASE(S): NEVINS, KRISTINE, V., P.N. 060582 (CASE #06-0815) AND BLANKENSHIP, KATHY, L., P.N. 089907 (CASE #06-2150). BERTHA LOVELACE ABSTAINED ON ALL CASES.

Complete copies of the Consent Agreement(s) shall be maintained in the exhibit book for the November 2006 Board meeting.

HEARING EXAMINER REPORTS & RECOMMENDATIONS

CANALY, RICHARD, L., R.N. ENDORSE (CASE #06-0771)

On Wednesday, November 15, 2006 Richard Canaly addressed the Board regarding the Hearing Officer's Report and Recommendation. AAG Katherine Bockbrader, JD, also addressed the Board members.

On Friday, November 17, 2006, President Krueger requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

In the matter of Canaly, Richard, L., R.N Endorse (Case #06-0771); upon hearing affirmative responses from each voting Board member that they reviewed all of the following: Hearing transcript, State's Exhibits, Respondent's Exhibits, Report and Recommendation and Respondent's Objections to the Report and Recommendation.

Richard Canaly made a personal appearance before the Board. AAG Katherine Bockbrader, JD, also addressed the Board.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD ACCEPT ALL OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND THE RECOMMENDATION IN THE HEARING EXAMINER'S REPORT AND RECOMMENDATION AND THAT RICHARD CANALY'S APPLICATION FOR LICENSURE BY ENDORSEMENT TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY DENIED.

UPON THIS REPORT AND RECOMMENDATION AND UPON 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.

RICHARD CANALY'S APPLICATION FOR LICENSURE BY ENDORSEMENT TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY DENIED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. ELIZABETH BUSCHMANN OPPOSED. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

LOUKACH, LARISSA, L., R.N. 294256 (CASE #04-2346)

On Wednesday, November 15, 2006 Larissa Loukach and her attorney addressed the Board to request a continuance to file objections regarding the Hearing Officer's Report and Recommendation. AAG Katherine Bockbrader, JD, also addressed the Board members regarding the request. Following discussion;

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD DENY LARISSA LOUKACH'S MOTION FOR A CONTINUANCE TO FILE OBJECTIONS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. BERTHA LOVELACE WAS ABSENT.

Following, Larissa Loukach and her attorney personally addressed the Board regarding the Report and Recommendation. AAG Katherine Bockbrader, JD, also addressed the Board.

On Friday, November 17, 2006, President Krueger requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

In the matter of Loukach, Larissa, L., R.N. 294256 (Case #04-2346); upon hearing affirmative responses from each voting Board member that they reviewed all of the following: Hearing transcript, State's Exhibits, Respondent's Exhibits, Report and Recommendation, and motions.

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD ACCEPT ALL OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND TO MODIFY THE RECOMMENDATION IN THE HEARING EXAMINER'S REPORT AND RECOMMENDATION THAT LARISSA LOUKACH'S LICENSE TO PRACTICE NURSING, AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN TWO YEARS, AND THAT THE SUSPENSION SHALL BE STAYED SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS AS SET FORTH BELOW. THE RATIONALE FOR THE MODIFICATION IS BASED UPON THE AMOUNT OF TIME SINCE THE OCCURRENCE, NO EVIDENCE OF PRACTICE ISSUES, REMORSE, AND THE LEVEL OF THE CRIME.

UPON THIS REPORT AND RECOMMENDATION WITH THE ABOVE NOTED MODIFICATION AND UPON 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.

MS. LOUKACH SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS UNDER A STAYED SUSPENSION FOR A MINIMUM PERIOD OF TWO (2) YEARS.

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

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

MS. LOUKACH SHALL SUCCESSFULLY COMPLETE AND SHALL SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING NURSING EDUCATION: SIX (6) HOURS OF CRITICAL THINKING AND TEN (10) HOURS OF ETHICS.

WITHIN NINETY (90) DAYS AFTER THE MAILING DATE OF THIS ORDER, MS. LOUKACH SHALL, AT HER OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION BY A BOARD APPROVED PSYCHIATRIST AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. LOUKACH SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER AND ALL EXHIBITS. FURTHER, MS. LOUKACH SHALL EXECUTE RELEASES TO PERMIT THE PSYCHIATRIST TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. LOUKACH SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF COMPLIANCE WITH ALL ASPECTS OF THE TREATMENT PLAN DEVELOPED BY THE PSYCHIATRIST DESCRIBED ABOVE UNTIL RELEASED. FURTHER, THE BOARD MAY UTILIZE THE PSYCHIATRIST'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. LOUKACH'S LICENSE.

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. LOUKACH

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

MS. LOUKACH 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.

MS. LOUKACH SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. LOUKACH 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.

MS. LOUKACH 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.

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

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

TEMPORARY PRACTICE RESTRICTIONS

MS. LOUKACH SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR

AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. EVANS TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. LOUKACH SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, NURSING RESPONSIBILITIES, OR SUPERVISING AND EVALUATING NURSING PRACTICE. SUCH POSITIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: DIRECTOR OF NURSING, ASSISTANT DIRECTOR OF NURSING, NURSE MANAGER, VICE PRESIDENT OF NURSING.

FAILURE TO COMPLY

THE STAY OF MS. LOUKACH'S SUSPENSION SHALL BE LIFTED AND MS. LOUKACH'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. LOUKACH HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. LOUKACH VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. LOUKACH 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. LOUKACH HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. LOUKACH IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. LOUKACH AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. LOUKACH 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 CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

NO REQUEST FOR HEARING CASES

BOGGS, JENNIFER, J., P.N. ENDORSE (CASE #05-1886)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, IN THE MATTER OF JENNIFER BOGGS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. BOGGS IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. BOGGS 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. BOGGS'S APPLICATION FOR LICENSE BY ENDORSEMENT TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IS HEREBY DENIED FOR A MINIMUM PERIOD OF THREE (3 YEARS).

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

TRITT, THERESE, A., R.N. 225050 (CASE #06-1149)

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, IN THE MATTER OF THERESE TRITT, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. TRITT IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. TRITT HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT MS. TRITT'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. TRITT SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A PERMANENT NARCOTIC AND PERMANENT PRACTICE RESTRICTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

MS. TRITT 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. TRITT'S HISTORY. MS. TRITT SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. TRITT SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. TRITT SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. TRITT SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. TRITT 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. TRITT'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. TRITT 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. TRITT'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. TRITT SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. TRITT'S HISTORY.

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

AFTER INITIATING DRUG SCREENING, MS. TRITT 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. TRITT 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.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. TRITT 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. TRITT SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. TRITT

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

MS. TRITT 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.

MS. TRITT SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. TRITT 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.

MS. TRITT 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.

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

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

MS. TRITT SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

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

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

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

MONITORING

MS. TRITT 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. TRITT'S HISTORY. MS. TRITT SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

MS. TRITT 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. TRITT SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. TRITT'S HISTORY.

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. TRITT 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. TRITT SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

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

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

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. TRITT

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

MS. TRITT 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.

MS. TRITT SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. TRITT 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.

MS. TRITT 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.

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

MS. TRITT 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.

PRIOR TO WORKING AS A NURSE, MS. TRITT SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT NARCOTIC RESTRICTION

MS. TRITT SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. TRITT'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. TRITT'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. TRITT SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. TRITT SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

PERMANENT PRACTICE RESTRICTIONS

MS. TRITT SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. TRITT TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. TRITT SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, NURSING RESPONSIBILITIES, OR SUPERVISING AND EVALUATING NURSING PRACTICE. SUCH POSITIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: DIRECTOR OF NURSING, ASSISTANT DIRECTOR OF NURSING, NURSE MANAGER, VICE PRESIDENT OF NURSING.

FAILURE TO COMPLY

THE STAY OF MS. TRITT'S SUSPENSION SHALL BE LIFTED AND MS. TRITT'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. TRITT HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. TRITT VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. TRITT 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. TRITT HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. TRITT IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. TRITT AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. TRITT 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 THERESE TRITT TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 225050 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

PARRINO-NESTER, LISA, A., P.N. 065339 (CASE #06-1172);

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, IN THE MATTER OF LISA PARRINO-NESTER, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. PARRINO-NESTER IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. PARRINO-NESTER HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT LISA PARRINO-NESTER'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS LISA PARRINO-NESTER TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 065339 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

WILHELM, MARY , A., R.N. 201303 (CASE #02-0075)

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, IN THE MATTER OF MARY WILHELM, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. WILHELM IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. WILHELM HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT MARY WILHELM'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS MARY WILHELM TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 201303 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

HENDERSON, LINDA, K, R.N. 246030 (CASE #05-1649);

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY KATHLEEN O'DELL, IN THE MATTER OF LINDA HENDERSON, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HENDERSON IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. HENDERSON HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND THE OHIO BOARD OF NURSING HEREBY ORDERS THAT MS. HENDERSON'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN ONE (1) YEAR WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND FOLLOWING REINSTATEMENT, MS. HENDERSON SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A TEMPORARY NARCOTIC AND TEMPORARY PRACTICE RESTRICTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

MS. HENDERSON 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. HENDERSON'S HISTORY. MS. HENDERSON SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. HENDERSON SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. HENDERSON SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. HENDERSON SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND

NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. HENDERSON 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. HENDERSON'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HENDERSON 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. HENDERSON'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. HENDERSON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HENDERSON'S HISTORY.

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

AFTER INITIATING DRUG SCREENING, MS. HENDERSON 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. HENDERSON 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.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HENDERSON 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. HENDERSON SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. HENDERSON

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

MS. HENDERSON 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.

MS. HENDERSON SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HENDERSON 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.

MS. HENDERSON 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.

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

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

MS. HENDERSON SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

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

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

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

MONITORING

MS. HENDERSON 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. HENDERSON'S HISTORY. MS. HENDERSON SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

MS. HENDERSON 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. HENDERSON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HENDERSON'S HISTORY.

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. HENDERSON 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. HENDERSON SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

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

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

EMPLOYMENT CONDITIONS

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

MS. HENDERSON 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. HENDERSON SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS

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

REPORTING REQUIREMENTS OF MS. HENDERSON

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

MS. HENDERSON 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.

MS. HENDERSON SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HENDERSON 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.

MS. HENDERSON 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.

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

MS. HENDERSON 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.

PRIOR TO WORKING AS A NURSE, MS. HENDERSON SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY NARCOTIC RESTRICTION

MS. HENDERSON SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. HENDERSON'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HENDERSON'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. HENDERSON SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. HENDERSON SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

TEMPORARY PRACTICE RESTRICTIONS

MS. HENDERSON SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY

THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. HENDERSON TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. HENDERSON SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, NURSING RESPONSIBILITIES, OR SUPERVISING AND EVALUATING NURSING PRACTICE. SUCH POSITIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: DIRECTOR OF NURSING, ASSISTANT DIRECTOR OF NURSING, NURSE MANAGER, VICE PRESIDENT OF NURSING.

FAILURE TO COMPLY

THE STAY OF MS. HENDERSON'S SUSPENSION SHALL BE LIFTED AND MS. HENDERSON'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. HENDERSON HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. HENDERSON VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. HENDERSON 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. HENDERSON HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. HENDERSON IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. HENDERSON AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. HENDERSON 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 LINDA HENDERSON TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 246030 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

JACKSON, LATASHIA, M., P.N. ENDORSE (CASE #05-2401)

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY PATRICIA BURNS, IN THE MATTER OF LATASHIA JACKSON, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. JACKSON IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. JACKSON 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 HEREBY ORDERS THAT LATASHIA JACKSON'S APPLICATION FOR LICENSURE BY ENDORSEMENT TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY DENIED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

HURLBURT, VICTORIA, L., R.N. 307967 (CASE #05-1264)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, IN THE MATTER OF VICTORIA HURLBURT, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HURLBURT IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. HURLBURT HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND THE OHIO BOARD OF NURSING HEREBY ORDERS THAT MS. HURLBURT'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 FOLLOWING REINSTATEMENT, MS. HURLBURT SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A PERMANENT NARCOTIC AND PERMANENT PRACTICE RESTRICTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

MS. HURLBURT 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. HURLBURT'S HISTORY. MS. HURLBURT SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. HURLBURT SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. HURLBURT SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. HURLBURT SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. HURLBURT 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. HURLBURT'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HURLBURT 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. HURLBURT'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. HURLBURT SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HURLBURT'S HISTORY.

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

AFTER INITIATING DRUG SCREENING, MS. HURLBURT 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. HURLBURT 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.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HURLBURT 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. HURLBURT SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. HURLBURT

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

MS. HURLBURT 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.

MS. HURLBURT SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HURLBURT 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.

MS. HURLBURT 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.

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

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

MS. HURLBURT SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

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

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

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

MONITORING

MS. HURLBURT 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. HURLBURT'S HISTORY. MS. HURLBURT SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

MS. HURLBURT 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. HURLBURT SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HURLBURT'S HISTORY.

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. HURLBURT 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. HURLBURT SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

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

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

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. HURLBURT

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

MS. HURLBURT 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.

MS. HURLBURT SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HURLBURT 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.

MS. HURLBURT 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.

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

MS. HURLBURT 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.

PRIOR TO WORKING AS A NURSE, MS. HURLBURT SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT NARCOTIC RESTRICTION

MS. HURLBURT SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. HURLBURT'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HURLBURT'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. HURLBURT SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. HURLBURT SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

PERMANENT PRACTICE RESTRICTIONS

MS. HURLBURT SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. HURLBURT TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. HURLBURT SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, NURSING RESPONSIBILITIES, OR SUPERVISING AND EVALUATING NURSING PRACTICE. SUCH POSITIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: DIRECTOR OF NURSING, ASSISTANT DIRECTOR OF NURSING, NURSE MANAGER, VICE PRESIDENT OF NURSING.

FAILURE TO COMPLY

THE STAY OF MS. HURLBURT'S SUSPENSION SHALL BE LIFTED AND MS. HURLBURT'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT

MS. HURLBURT HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. HURLBURT VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. HURLBURT 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. HURLBURT HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. HURLBURT IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. HURLBURT AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. HURLBURT 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 VICTORIA HURLBURT TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 307967 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

HARRIS, KATRINA, D., P.N. 090233 (CASE #06-0171)

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY DEBRA BROADNAX, IN THE MATTER OF KATRINA HARRIS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HARRIS IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. HARRIS HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT MS. HARRIS' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN THREE (3) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. HARRIS SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND PERMANENT PRACTICE RESTRICTIONS AND PERMANENT FINANCIAL RESTRICTION.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MS. HARRIS SHALL SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF CONTINUING NURSING EDUCATION ON 10 (TEN) HOURS OF ETHICS, ONE (1) HOUR OF LAW AND RULES, 10 (TEN) HOURS OF PROFESSIONAL BOUNDARIES.

REPORTING REQUIREMENTS OF MS. HARRIS

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

MS. HARRIS 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.

MS. HARRIS SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HARRIS 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.

MS. HARRIS 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.

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

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

MS. HARRIS SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

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

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

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

EMPLOYMENT CONDITIONS

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

MS. HARRIS 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. HARRIS

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

REPORTING REQUIREMENTS OF MS. HARRIS

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

MS. HARRIS 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.

MS. HARRIS SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. HARRIS 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.

MS. HARRIS 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.

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

MS. HARRIS 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.

PRIOR TO WORKING AS A NURSE, MS. HARRIS SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT PRACTICE RESTRICTIONS

MS. HARRIS 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) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. HARRIS TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. HARRIS SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, NURSING RESPONSIBILITIES, OR SUPERVISING AND EVALUATING NURSING PRACTICE. SUCH POSITIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: DIRECTOR OF NURSING, ASSISTANT DIRECTOR OF NURSING, NURSE MANAGER, VICE PRESIDENT OF NURSING.

PERMANENT FINANCIAL RESTRICTION

MS. HARRIS SHALL NOT FUNCTION IN A NURSING POSITION THAT INVOLVES FINANCIAL TRANSACTIONS OR OTHER FINANCIAL RESPONSIBILITIES.

FAILURE TO COMPLY

THE STAY OF MS. HARRIS' SUSPENSION SHALL BE LIFTED AND MS. HARRIS' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. HARRIS HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. HARRIS VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. HARRIS 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. HARRIS HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. HARRIS IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. HARRIS AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. HARRIS 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 KATRINA HARRIS TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 090233 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

EVANS, DONNA, E., P.N. 096793 (CASE #04-1189)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY LISA KLENKE, IN THE MATTER OF DONNA EVANS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. EVANS IN THE NOTICE OF 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 OPPORTUNITY FOR HEARING AND THE OHIO BOARD OF NURSING HEREBY ORDERS THAT DONNA EVANS' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN EIGHTEEN (18) MONTHS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. EVANS SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND PERMANENT PRACTICE RESTRICTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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' HISTORY. MS. EVANS SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. EVANS SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. EVANS SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. 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 AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

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' LICENSE.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. EVANS SHALL, AT HER OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION BY A BOARD APPROVED PSYCHIATRIC PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. EVANS SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. EVANS SHALL EXECUTE RELEASES TO PERMIT THE PSYCHIATRIST TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. EVANS 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. EVANS' LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING 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' 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' HISTORY.

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.

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.

REPORTING REQUIREMENTS OF MS. EVANS

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

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.

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.

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.

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.

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

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

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; (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.

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

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

MONITORING

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' HISTORY. MS. EVANS SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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' HISTORY.

TREATING PRACTITIONERS AND REPORTING

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.

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.

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

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

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

REPORTING REQUIREMENTS OF MS. EVANS

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

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.

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.

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.

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.

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

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.

PRIOR TO WORKING AS A NURSE, MS. EVANS SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

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) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE

STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. 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, 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' SUSPENSION SHALL BE LIFTED AND MS. EVANS' 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.

THE BOARD FURTHER ORDERS DONNA EVANS TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 096793 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. DEBRA BROADNAX OPPOSED. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

JONES, SUE, A., P.N. 059223 (CASE #05-2560)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, IN THE MATTER OF SUE JONES, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. JONES IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. JONES HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND THE OHIO BOARD OF NURSING HEREBY ORDERS THAT MS. JONES' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN TWO (2) YEARS WITH

THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. JONES SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A TEMPORARY NARCOTIC AND TEMPORARY PRACTICE RESTRICTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

MS. JONES 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. JONES' HISTORY. MS. JONES SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. JONES SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. JONES SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. JONES SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. JONES 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. JONES' LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. JONES 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. JONES' 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. JONES SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. JONES HISTORY.

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

AFTER INITIATING DRUG SCREENING, MS. JONES 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. JONES 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.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. JONES 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. JONES SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. JONES

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

MS. JONES 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.

MS. JONES SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. JONES 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.

MS. JONES 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.

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

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

MS. JONES SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

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

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

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

MONITORING

MS. JONES 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. JONES' HISTORY. MS. JONES SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

MS. JONES 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. JONES SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. JONES' HISTORY.

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. JONES 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. JONES SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

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

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

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. JONES

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

MS. JONES 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.

MS. JONES SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. JONES 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.

MS. JONES 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.

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

MS. JONES 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.

PRIOR TO WORKING AS A NURSE, MS. JONES SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY NARCOTIC RESTRICTION

MS. JONES SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. JONES' USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. JONES' HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. JONES SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. JONES SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

TEMPORARY PRACTICE RESTRICTIONS

MS. JONES 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) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. JONES TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

FAILURE TO COMPLY

THE STAY OF MS. JONES' SUSPENSION SHALL BE LIFTED AND MS. JONES' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. JONES HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. JONES VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. JONES 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. JONES HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. JONES IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. JONES AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. JONES 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 SUE JONES TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 059223 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

DURBIN, CHRISTINA, M., R.N. 255669 (CASE #05-2821)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, IN THE MATTER OF CHRISTINA DURBIN, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. DURBIN IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. DURBIN 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 HEREBY ORDERS THAT MS. DURBIN'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. DURBIN SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF ONE (1) YEAR.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

MS. DURBIN 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. DURBIN'S HISTORY. MS. DURBIN SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. DURBIN SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. DURBIN SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. DURBIN SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. DURBIN 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. DURBIN'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. DURBIN 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. DURBIN'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. DURBIN SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. DURBIN'S HISTORY.

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

AFTER INITIATING DRUG SCREENING, MS. DURBIN 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. DURBIN 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.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. DURBIN 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. DURBIN SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. DURBIN

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

MS. DURBIN 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.

MS. DURBIN SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. DURBIN 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.

MS. DURBIN 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.

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

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

MS. DURBIN SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

FOLLOWING REINSTATEMENT, MS. DURBIN SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF ONE (1) YEAR.

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

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

MONITORING

MS. DURBIN 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. DURBIN'S HISTORY. MS. DURBIN SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

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

MS. DURBIN 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. DURBIN SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. DURBIN'S HISTORY.

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. DURBIN 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. DURBIN SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

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

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

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. DURBIN

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

MS. DURBIN 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.

MS. DURBIN SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. DURBIN 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.

MS. DURBIN 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.

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

MS. DURBIN 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.

PRIOR TO WORKING AS A NURSE, MS. DURBIN SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

FAILURE TO COMPLY

THE STAY OF MS. DURBIN'S SUSPENSION SHALL BE LIFTED AND MS. DURBIN'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. DURBIN HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. DURBIN VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. DURBIN 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. DURBIN HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. DURBIN IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. DURBIN AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. DURBIN 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 CHRISTINA DURBIN TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 255669 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

RICH, ANGELA, M., R.N. 306153 (CASE #04-1326)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, IN THE MATTER OF ANGELA RICH, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. RICH IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MS. RICH HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT ANGELA RICH'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN ONE (1) YEAR WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. RICH SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF ONE (1) YEAR.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MS. RICH SHALL SUCCESSFULLY COMPLETE AND SHALL SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING NURSING EDUCATION: TWENTY-FOUR (24) HOURS OF PHARMACOLOGY/MEDICATION ADMINISTRATION; SIX (6) HOURS OF CRITICAL THINKING; AND TEN (10) HOURS OF COMMUNICATION.

REPORTING REQUIREMENTS OF MS. RICH

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

MS. RICH 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.

MS. RICH SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. RICH 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.

MS. RICH 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.

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

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

MS. RICH SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

DURATION

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

FOLLOWING REINSTATEMENT, MS. RICH SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF ONE (1) YEAR.

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

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

EMPLOYMENT CONDITIONS

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

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

REPORTING REQUIREMENTS OF MS. RICH

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

MS. RICH 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.

MS. RICH SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. RICH 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.

MS. RICH 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.

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

MS. RICH 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.

PRIOR TO WORKING AS A NURSE, MS. RICH SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

FAILURE TO COMPLY

THE STAY OF MS. RICH'S SUSPENSION SHALL BE LIFTED AND MS. RICH'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. RICH HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS

ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. RICH VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. RICH 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. RICH HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. RICH IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. RICH AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. RICH 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 ANGELA RICH TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 306153 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

KRAFT, KEVIN, G., R.N. 305653 (CASE #04-2124)

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, IN THE MATTER OF KEVIN KRAFT, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. KRAFT IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES, THE BOARD FINDS THAT MR. KRAFT 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 HEREBY ORDERS THAT MR. KRAFT'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS KEVIN KRAFT TO SURRENDER HIS REGISTERED NURSE LICENSE #R.N. 305653 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 17TH DAY OF NOVEMBER 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the November 2006 Board meeting.

RELEASES/MODIFICATIONS/RESTRICTIONS LIFTS

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY J. JANE MCFEE, THAT THE BOARD WITHDRAW THE IMMEDIATE SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON MAY 23, 2005 FOR ANGELA KILGORE, RN 287617. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY RETIREMENT FROM THE PRACTICE OF NURSING FOR THE FOLLOWING: KOVACS, JUDITH, A., R.N. 092559 (CASE #06-2191) AND MCNALLY, DIANA, K., P.N. 057042 (CASE #05-2045). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, WITH THE RECOMMENDATION BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS, BE RELEASED FROM THEIR CONSENT AGREEMENTS: LOWERY, BRENT, I., P.N. 117340 (CASE #05-1374); MAPLE, BARBARA, J., R.N. 265399 (CASE #01-0671); DANIELOWICZ, JENNIFER, A., R.N. 271893 (CASE #04-1610); LOCKE, CONSTANCE, M, P.N. 042960 (CASE #04-0057); BRYANT, KAREN, L., P.N. 095255 (CASE #04-1851); HOBBS, JOSHUA, A., P.N. 121101 (CASE #05-2596); HUGHES, SALLY, J., R.N. 260165 (CASE #05-2767); MILLER, ELIZABETH, J., P.N. 097580 (CASE #05-2494); PHILLIPS, JENNIFER, N., P.N. 117932 (CASE #05-0774); SCHAFFTER, SUSAN, R, R.N. 272458 (CASE #03-1503); NTIAMOAH, FELICIA, P.N. 121104 (CASE #05-1103) AND INGRAM, CINDY, L., R.N. 233424 (CASE #05-3246). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, BE RELEASED EARLY FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS. THESE RELEASES HAVE BEEN RECOMMENDED BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: DAVIS, MARY, A., R.N. 105799 (CASE #03-0092) AND CALDWELL, ASHLEY, D., P.N. 112784 (CASE #05-0888). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS, WITH THE EXCEPTION OF THE PERMANENT LICENSURE RESTRICTION(S) THAT WILL REMAIN IN EFFECT. THESE RELEASES HAVE BEEN RECOMMENDED BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: KUHN, KIMBERLY, M., P.N. 120259 (CASE #05-1596) AND NEWSOME, KIMBERLY, R.N. 319943 (CASE #05-1101). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY DEBRA BROADNAX, THAT THE FOLLOWING BE RELEASED FROM THEIR NARCOTIC RESTRICTIONS WITHIN THEIR RESPECTIVE CONSENT AGREEMENTS. THESE RELEASES HAVE BEEN RECOMMENDED BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: BEANS, LAURA, L., P.N. 117367 (CASE #04-1555); STILTNER, CHRISTINE, A., P.N. 099019 (CASE

#04-0949); SEGAR, KATHLEEN, L., R.N. 179534 (CASE #05-2714) AND DELLINGER, JAMES, J., R.N. 308509 (CASE #04-2381). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED ON ALL CASES.

IT WAS MOVED BY LISA KLENKE, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING BE RELEASED EARLY FROM HIS NARCOTIC RESTRICTION WITHIN HIS RESPECTIVE CONSENT AGREEMENT. THIS RELEASE HAS BEEN RECOMMENDED BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: MIKULA, MICHAEL, A., R.N. 181111 (CASE #05-1482). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE FOLLOWING HAVING MET THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT WITH THE BOARD BE RELEASED EARLY FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENT WITH THE EXCEPTION OF THE PERMANENT LICENSURE RESTRICTION(S) THAT WILL REMAIN IN EFFECT. THIS RELEASE HAS BEEN RECOMMENDED BY BERTHA LOVELACE, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: HANNAH, ROBERTA, M., R.N. 221939 (CASE #02-1220). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

DEFAULT ORDER

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY DEBRA BROADNAX, THAT IN ACCORDANCE WITH THE ORDER OF THE FRANKLIN COUNTY COURT OF COMMON PLEAS IN BAKER V. OHIO BOARD OF NURSING, THE OHIO BOARD OF NURSING HEREBY MOVES THAT THE BOARD RESCIND THE DEFAULT ORDER OF JULY 21, 2006 AND RESTORE THE STATUS OF MS. BAKER'S LICENSE TO "LAPSED" RATHER THAN SUSPENDED. IT WAS FURTHER MOVED THAT THE BOARD WITHDRAW THE BOARD'S EXAMINATION ORDER, ISSUED APRIL 4, 2006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BERTHA LOVELACE ABSTAINED.

OTHER

Compliance Statistics Overview (PowerPoint Presentation)

L. Ferguson-Ramos presented an overview of compliance statistics from 2001 through 2005 using a power point presentation and she answered questions of the Board. The Board asked why there was an increase in complaints. L. Ferguson-Ramos responded that possible reasons are that mandatory reporting was enacted in 2001, we are publishing disciplinary actions in *Momentum*, and investigators are working more closely with employers. The Board members thanked L. Ferguson-Ramos for the presentation.

Criminal Offense Research

The Board discussed the Criminal Offense Research memorandum (September 2006) submitted by H. Fischer and L. Ferguson-Ramos. This memorandum was provided at the September Board meeting and the Board asked for further discussion at the November meeting. The memorandum included information about criminal offenses in relation to expanding the list of bars to licensure and including language that would preclude licensure for a period of ten years following any felony conviction. Revisions could be proposed for Section 4723.09 (B)(2)(b), ORC.

In 2005, the NCSBN Disciplinary Panel identified the crimes listed below as those crimes that should be considered for a permanent bar to licensure. ORC Section 4723.09 currently prohibits licensure based upon the felonies involving violent crimes and sexual offenses like those numbered 1 through 5.

1. Murder
2. Felonious assault
3. Kidnapping
4. Rape/sexual assault
5. Aggravated robbery
6. Sexual crimes involving children
7. Criminal mistreatment of children or vulnerable adults
8. Exploitation of vulnerable individuals (e.g., financial exploitation in an entrusted role)

Supplemental Materials: Criminal Offense Research

H. Fischer distributed a chart, "Options-Criminal Offenses," and answered questions of the Board. J. Brachman stated she believes absolute bars are helpful in providing direction to potential nursing students, but she questions which ones are appropriate. D. Broadnax and L. Klenke agreed with adding numbers 6 and 7 from the above list as absolute bars and K. Driscoll agreed and added she would support number 8 as well. T. Williams agrees with these three additions and stated she believes the exploitation of vulnerable individuals could increase based on the population trends and an increasing amount of care being provided in the home setting. J. McFee stated she agreed with T. Williams.

J. Boeckman stated she agrees with a time restriction for felonies, but is unsure about the length of time and A. Barnett agreed. D. Broadnax stated that she could agree with a ten-year preclusion for some, but not for all felonies. A. Barnett and E. Buschmann indicated a five-year bar might be more appropriate than a ten-year bar.

For the January meeting, the Board requested additional research regarding the exploitation of vulnerable individuals; staff recommendations regarding singling out crimes for absolute bars and/or time limits; requirements that compact states have enacted related to absolute bars and time preclusions for felonies. K. Driscoll recommended additional research to assist in determining the length of time for felony bars. D. Broadnax thanked H. Fischer for the Department of Justice web site as she found it helpful.

Memo re Porter – Tenth District Court Decision

The Board received a written memo submitted by H. Fischer regarding a recent court decision. On October 10, 2006, the Tenth District Court of Appeals (Franklin Co.) issued a decision in *Porter v. State Medical Board of Ohio* that will significantly impact many Ohio regulatory agencies, including this Board. The decision indicates that the Board may no longer re-mail notices to alternative or new addresses after the first certified mailing. Rather, the Board must publish the notice in a newspaper of general circulation in the area of residence of record or deliver the notice via personal delivery. Unfortunately, personal service and publication are expensive. Personal service requires staff time, travel, and at times, personal safety risks. Publication costs range from about \$200 to \$2,000, depending on the newspaper's geographic area.

Historically, the regulatory boards have construed Chapter 119. to mean that if a board is unable to serve a notice via certified mail, it may employ personal service or publication as a last resort. However, this was only after all efforts had been exerted, including attempting multiple certified mailings, to obtain service by certified mail.

Board staff is working with the Attorney General's office and the State Medical Board to discuss a possible law change. In the interim, staff attorneys are redoubling their efforts to determine the licensee's most recent address information at the time the notice is issued.

The Board recommended that staff include an article in *Momentum* alerting licensees and certificate holders of the impact of the decision when the Board is trying to contact them.

REPORTS TO THE BOARD

Board Committee Reports

Ohio Center for Nursing

E. Buschmann highlighted the topics discussed in the meeting. She thanked Jane Mahowald and B. Houchen for their contributions. J. Mahowald convened a conference call of Ohio regional nursing centers and interested parties on October 31, 2006. Another conference call is scheduled in January. It is valuable for the centers to share information and it will be helpful to have a web site to centralize information. The group discussed the web site, links, and disclaimers. E. Buschmann distributed possible questions for a workforce survey and the group agreed to review the questions at the next meeting. The Board Committee plans to meet again on January 19, 2007 at noon.

Board Committee on Practice

L. Klenke thanked S. Milne, L. Emrich, and H. Fischer for drafting the Interpretive Guideline template and for the work done in preparing the information for the meeting. Interpretative Guidelines were reviewed for Obstetrical and Non-Obstetrical Epidural Infusions and Conservative Sharp Wound Debridement. Based on review and discussion, the draft versions of the Interpretive Guidelines will be revised and prepared for the Board Committee and for full Board review at the January meeting. L. Klenke reported that Kathleen Morris, ONA, requested the Committee consider developing a guideline on the role of the registered nurse in administering moderate sedation and propofol.

L. Klenke stated that the practitioners attending the meeting were positive about the Board developing this type of information and were providing valuable recommendations for consideration. The Board commended the Committee for the work accomplished in a short period of time. The Board Committee plans to meet again on Thursday, January 18, 2007 at noon.

Ectopic pregnancies

The Board received a copy of a letter and response regarding registered nurses administering methotrexate to patients with ectopic pregnancies. B. Houchen stated the Board staff has received questions and requested Attorney General clarification based on the previous Attorney General Opinion.

In 2005 the Ohio Attorney General issued Opinion No. 2005-012 indicating that the law prohibits nurses from administering drugs with the intent and effect of terminating a live pregnancy. Thus, a nurse's administration of methotrexate, if the intent and effect were to terminate a live pregnancy, would violate Ohio law. The Board sought clarification from the Attorney General regarding the application of the 2005 Opinion.

Recently, the Attorney General has advised the Board that an ectopic pregnancy should be considered "live pregnancies" unless it is known that the fetus or embryo has stopped developing and the tissue is dead. Otherwise, termination of an ectopic pregnancy is construed to be an abortion, and administration of drugs by a nurse to achieve this result is prohibited. Regarding a molar pregnancy, the same analysis would apply. If the molar pregnancy involves a mass of non-embryonic or dead tissue, then removal of the tissue by any means, including the administration of drugs is not an abortion, and thus would not be prohibited.

Board members suggested the Board's response to this question be published in *Momentum*.

Board Committee on Retreat

Board members determined that a meeting would be held on Friday, January 19, 2007 at 8:00 a.m. to plan the next Board Retreat. Board member J. Brachman stated she would be unable to attend the April Retreat. Following discussion, the

Board agreed by general consensus to schedule the Board Retreat on April 16-17, 2007. Board members stated they liked last year's location at the Drury Hotel, Dublin, and requested staff schedule that location for 2007, if possible.

Advisory Group Appointments

The Board Committee on Advisory Group Appointments met on Wednesday, November 15, 2006 to review applications for the Advisory Groups. The Committee prepared recommendations for the Board's consideration.

Advisory Group Reports

Nursing Education Advisory Group

K. Driscoll highlighted the topics discussed in the Nursing Education Advisory Group meeting held in October 2006. She stated that B. Houchen provided an update on the September Board meeting and the Medication Aide program, K. Hill reviewed the Annual Report Summary, and C. Snyder provided a legislative update. The Committee reviewed the proposed revisions to Chapter 4723-5 and did not recommend any changes. Discussion was held regarding IV therapy requirements in relation to the shortage of sites for experience, new programs and the difficulty of obtaining hospital experience for practical nursing students, the shortage of qualified faculty, and less public money available for education. K. Driscoll requested that thank-you letters be sent to Advisory Group members whose terms expired. B. Houchen stated staff would send letters to all Advisory Group members with terms expiring. K. Driscoll also requested that a presentation be made at the next Advisory Group meeting about NEGP.

Dialysis Advisory Group

D. Broadnax reported on the topics discussed in the Dialysis Advisory Group meeting held in October 2006 and stated that a meeting will be rescheduled for February regarding the proposed legislative changes discussed earlier in the meeting.

Continuing Education

L. Klenke highlighted topics discussed in the Continuing Education Advisory Group meeting held in October 2006. The Committee reviewed OAC Chapter 4723-14 and made additional recommendations, as presented to the Board. The group will meet again in April 2007.

Committee on Prescriptive Governance

D. Broadnax reported on the topics discussed in the Committee on Prescriptive Governance meeting held in October 2006. She reported that the formulary was updated and there are no issues at this time.

Open Forum – 1:30 p.m. Thursday, November 16, 2006

Representatives Jean Scholz and Rosalie Weakland, addressed the Board regarding the OHA Hospital Quality Initiatives, J. Scholz provided an introductory overview of the initiative. R. Weakland distributed and reviewed "Getting Involved in Safety, Life After Do No Harm" slide presentation. Their focus is to have nursing involved to work collaboratively on patient safety issues.

Following, Wynne Simpkins, LPNAO, presented a "Resolution of Collegiality" plaque to President Krueger in honor of the Board. The plaque was presented to C. Krueger, who thanked LPNAO and acknowledged B. Houchen and the staff for all of their hard work.

Other Reports

Nurse Education Grant Program (NEGP) Report

The Board received a written memorandum submitted by S. Thacker regarding NEGP. Attached were annual reports from each grantee for the first year of the two-year grant cycle (September 1, 2005 through August 31, 2007). The first page of each report provided a summary of financial information and the following pages provided detailed information on the progress of each program toward meeting their goals.

There was a discussion about the return of grant funds and S. Thacker stated that each proposal has quarterly spending plans and the grantees are responsible for returning funds. The Board discussed reviewing grantees that have not spent the grant funds, to ensure the grantees are meeting their goals over the two-year period. J. Brachman requested information about grantees that are not meeting their established goals. The Board asked staff to recommend any changes to the rules or processes for the next grant cycle.

Strategic Plan – review of progress

The Board received the evaluation of the Strategic Plan outcome measures submitted by B. Houchen. The outcome measures will be reviewed again at the March 2007 meeting and the Strategic Plan will be discussed at the April Board Retreat. B. Houchen reviewed the outcome measures and answered questions of the Board.

Emergency Planning (Pandemic)

The Board received a written memorandum submitted by L. Emrich and H. Fischer regarding Emergency Planning (Pandemic). H. Fischer highlighted how a system would be activated in the event of the influenza pandemic or another emergency situation. L. Emrich has been attending the Medical Surge meetings to discuss expansion of existing delegation regulations. One possibility would be to give nurses expanded authority to delegate medication administration to trained unlicensed persons. Training would need to start before a crisis occurs to establish a registry, possibly through the Citizens Corp. L. Klenke stated she would like to see the medication aide rules and curriculum used as a model. Staff will continue to update the Board on future meetings and developments.

Medication Aide Report

The Board received a memorandum submitted by J. Brachman, L. Emrich and L. Halliburton regarding the Medication Aide Pilot Program. L. Halliburton highlighted the report and stated no Pilot Program Certificates have been issued to medication aides. The Board has received nine applications, however all of the applications are incomplete, because the Board has not received the required criminal records check reports, test results, or attestation of training program completion. A total of 13 individuals have completed the training and of that number, 12 have passed the required examination.

Although there are currently no certified medication aides being used in Ohio, the administrative rules pertaining to the Pilot Program require Pilot Program facilities to submit a report to the Board by December 31, 2006, concerning the facilities' use of certified medication aides and the related financial impact on the facilities. A letter was mailed to the Pilot Program facilities indicating that, although there are currently no certified medication aides, the facility is still required to provide information that is available concerning its preparations for utilization of certified medication aides, the financial impact, and any information about the utilization of certified medication aides. The financial information must be as of November 30, 2006.

Presently, the statute provides that the Board, in consultation with the Medication Aide Advisory Council, will prepare a report evaluating the Pilot Program by March 1, 2007, and the Pilot will end on June 30, 2007. Accordingly, on and after July 1, 2007, certified medication aides can administer medications pursuant to nurse delegation in all nursing and residential care facilities.

As reported at the last Board meeting, the Ohio Nurses Association (ONA) reported a legislative initiative to extend the time period for the Medication Aide Pilot Program. In addition, staff received from LPNAO a copy of a letter requesting Senator Wachtmann to support a statutory change to extend the data collection period through December 31, 2007. A letter from Mary Jean Flossie supporting the LPNAO position was also received. The Board also wrote a letter to Speaker Husted regarding the implementation of the Pilot Program. Copies of all letters were provided to Board members.

The Board has been contacted by members of the General Assembly for information about the status of the Pilot Program. Following discussion, the Board agreed by general consensus that they would agree with extending the Pilot Program for one year.

GENERAL INFORMATION (FYI)

President Krueger reviewed the items listed and received by the Board: Letters relating to NNOC; Minutes of April 2006 meeting of the Committee of Prescriptive Governance; Analysis of Nurse Licensure Compact Legislation by Florida; Letters regarding the ODJFS Consumer Directed Care initiative; and a Directory of State and Federal Government Officials.

C. Krueger stated in the next issue of *Momentum*, her column would address NNOC. K. Driscoll thanked staff for providing the Florida analysis of Nurse Licensure Compact Legislation stating it was helpful in understanding the issues.

J. Brachman asked if ODJFS was moving forward with consumer directed care. B. Houchen responded saying there were two issues: (1) ODJFS amending the current ODJFS-administered Medicaid-waiver program rules to allow for nursing delegation within the current program; and (2) establishing a consumer directed care program which could create a new classification of health care worker in Ohio who would be working without nursing delegation, but under the direction of the consumer as part of the Medicaid-waiver program. ODJFS informed Board staff that it is their intent to have both programs in place.

President Krueger stated that she was asked to represent the Board on a committee of the Board of Regents that is reviewing physician supply and demand. She attended one meeting and will keep the Board informed of the progress of the committee. K. Driscoll noted that she is aware that some groups are seeking to contain the practice of advanced practice nurses and that may be brought up as a topic of discussion.

BOARD GOVERNANCE

Nominate Board officers

On Thursday, November 16, 2006, following a review of the Board guidelines by C. Krueger that nominations are made on Thursday and elections are held on Friday, the nominations for the office of President, Vice President, and Supervising Member for Disciplinary Matters were opened. Following nominations, a written ballot was prepared and distributed on Friday, November 17, 2006. The following nominations were made and accepted;

It was moved by Kathleen Driscoll, seconded by Janet L. Boeckman, that Cynthia Krueger be nominated for President. Ms. Krueger accepted the nomination.

It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that Teresa Williams be nominated for Vice President. Ms. Williams accepted the nomination.

It was moved by Teresa Williams, seconded by Judith Brachman, that Debra Broadnax be nominated for Supervising Member for Disciplinary Matters. Ms. Broadnax accepted the nomination.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT NOMINATIONS FOR THE OFFICE OF PRESIDENT, VICE PRESIDENT AND SUPERVISING MEMBER FOR DISCIPLINARY MATTERS BE CLOSED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

On Friday, November 17, 2006, President Krueger asked staff member S. Thacker to tally the written ballots. Following the vote and tally, President Krueger announced for the period beginning November 17, 2006 through the following November 2007 meeting, C. Krueger was re-elected as President; T. Williams was re-elected as Vice President; D. Broadnax was elected to serve as the Supervising Member for Disciplinary Matters.

Appoint Board member chairs of the education, dialysis and continuing education advisory groups

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY KATHLEEN O'DELL, THAT KATHLEEN DRISCOLL BE APPOINTED AS CHAIR OF THE ADVISORY GROUP ON NURSING EDUCATION FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY KATHLEEN O'DELL, THAT DEBRA BROADNAX, BE APPOINTED AS CHAIR OF THE ADVISORY GROUP ON DIALYSIS FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY KATHLEEN O'DELL, THAT LISA KLENKE, BE APPOINTED AS CHAIR OF THE ADVISORY GROUP ON CONTINUING EDUCATION FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Education Program Liaison

IT WAS MOVED BY ANNE BARNETT, SECONDED BY KATHLEEN DRISCOLL, THAT JANET L. BOECKMAN, BE APPOINTED AS THE EDUCATION PROGRAM LIAISON TO BOARD STAFF. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Designation of Hospitality Chairperson

Kathleen O'Dell agreed to continue serving as the Hospitality Chairperson.

Authorize the use of hearing examiners

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY DEBRA BROADNAX, THAT THE BOARD AUTHORIZE THE USE OF HEARING EXAMINERS FOR THE HEARINGS FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Authorize the use of signature stamps

IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT THE BOARD AUTHORIZE THE USE OF SIGNATURE STAMPS BY THE PRESIDENT, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS, EXECUTIVE DIRECTOR, AND THE MONITORING MANAGER FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Authorize the Executive Director to make Editorial Changes

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO MAKE EDITORIAL CHANGES TO MOTIONS FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Authorize the Manager of the Alternative Program and the Practice Intervention and Improvement Program to sign program contracts

IT WAS MOVED BY LISA KLENKE, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD AUTHORIZE THE MANAGER OF THE ALTERNATIVE PROGRAM AND THE PIIP PROGRAM TO SIGN PROGRAM CONTRACTS ON BEHALF OF THE BOARD FOR THE PERIOD BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advisory Groups Appointments

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING BE APPOINTED TO THE BOARD ADVISORY GROUP ON NURSING EDUCATION, TERMS BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2008: KIM BARBER; CHERLY BOYD; KELLY PHILLIPS; JACQUELINE GUHDE; MARIA NOWICKI; ANN STEWART AND MARY KAUL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING BE APPOINTED TO THE BOARD ADVISORY GROUP ON CONTINUING EDUCATION, TERMS BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2008: PAM DICKERSON; LENNIE DAVIS; JANICE DAVID AND PATRICK WRENCHER. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE FOLLOWING BE APPOINTED TO THE BOARD ADVISORY GROUP ON DIALYSIS, TERMS BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2008: CHARLES WILSON; JENNIFER MESSER; MARK PARKS; ANGELA STERNLICHT AND THERESA MATTHEWS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Board member mentor(s) for new Board appointee(s)

President Krueger asked for volunteers to serve as a mentor to new Board appointees. T. Williams, J. Jane McFee, and J. Brachman agreed to serve as mentors depending upon the geographical area of the new appointee.

Evaluation Of Meeting/Recommendations For Next Meeting

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY DEBRA BROADNAX, IN RECOGNITION OF THE EXCELLENT PERFORMANCE THIS PAST YEAR OF THE EXECUTIVE DIRECTOR, BETSY HOUCHEM, THAT THE BOARD MAKE HER ELIGIBLE FOR A STEP INCREASE AND INVESTIGATE PROVIDING A PERMANENT PARKING PASS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

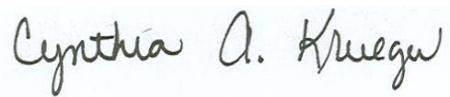
Several Board members commented that the meeting went well and that the Board meetings cover large agendas. President Krueger asked the Board if no meetings are scheduled for 8:00 a.m. on Fridays, could the meeting begin at 8:30 a.m. instead of 9:00 a.m. The public notice would specify the time as well as the information on the Board's web page. The Board agreed by general consensus to begin the meeting at 8:30 a.m. on Fridays as suggested. J. Brachman asked about the agenda items being placed on the web page so Board members could print the materials. President Krueger thanked the staff for their work on last minute rule items and for all of their work over the past two months.

K. O'Dell reported on the Hospitality fund that currently has a balance of \$329.76. She thanked everyone who attended the Board dinner on Thursday.

President Krueger acknowledged B. Lovelace and A. Barnett for serving on the Board and wished them well. A. Barnett is eligible for reappointment. B. Houchen stated that the last communication from the Governor's office indicated that they would be appointing a new member in early January before changes in administration.

ADJOURNMENT

The meeting was adjourned at 4:00 p.m. on November 17, 2006.



Cynthia Krueger, RN, MSN
President

Attest:



Betsy Houchen, RN, MS, JD
Secretary