

OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JANUARY 18-19, 2007

The regular meeting of the Ohio Board of Nursing (Board) was held on January 18-19, 2007 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio, 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, January 18, 2007, at 9:05 a.m., President Cynthia Krueger called the Board meeting to order.

On Friday, January 19, 2007, 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, Supervising Member, Disciplinary Matters
Patricia Burns, LPN
Elizabeth Buschmann, LPN
Kathleen Driscoll, JD, MS, RN
Lisa Klenke, MBA, RN, CNA-A
J. Jane McFee, LPN
Kathleen O'Dell, RN, M.ED, NCSN
Eric Yoon, MSN, ACNP, CCNS (absent)

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

- 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. At 3:30 p.m., Executive Session is scheduled.
- President Krueger congratulated Anne Barnett on her reappointment to the Board.
- President Krueger announced Eric Yoon, an advanced practice nurse from Springboro, was appointed to the Board. He planned to attend this meeting, but due to work was unable to attend.
- On Friday, at 8:00 a.m. a meeting of the Board Committee for the Board Retreat is scheduled and Open Forum is scheduled at 10:00 a.m. A noon meeting of the Board Committee for the Ohio Center for Nursing is scheduled.
- On Thursday and Friday President Krueger recognized students, welcomed the gallery, and requested Board members introduce themselves and indicate their practice areas and hometowns.

Minutes of November 15-17, 2006 Board Meeting

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE MINUTES OF THE NOVEMBER 15-17, 2006 BOARD MEETING BE APPROVED, AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. PATRICIA BURNS WAS ABSENT.

Executive Director Report

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

Welcome and Goodbyes

The Board is saying good-bye with great thanks to Norma Selders and Kathy Hill. B. Houchen recognized N. Selders, who worked at the Board for four years as a Manager and is retiring on January 31, 2007. K. Hill came to the Board as an Educational Consultant and is moving to Florida for a new job opportunity.

B. Houchen welcomed new staff members since the last Board meeting. Tara Berrien, one of our former AAGs, joined Compliance as an Adjudication Coordinator. Autumn Yenni also joined Compliance as an Administrative Assistant. Melody Gullion and Jamie Newsome are new Certification/Licensure Specialists in the licensure and renewal area. Lastly, Joyce Zurmehly and Jennifer Smallwood joined the Board January 8th as Education Consultants. Joyce comes with a PhD and faculty experience and Jennifer has a strong practice and regulatory background.

Medication Aide Pilot Program

As of December 29, 2006:

- There are seventeen (17) approved Medication Aide Training Programs;
- Twenty-six (26) students successfully passed the medication aide written and skills examination tests;
- Ten (10) medication aides have been issued Pilot Certificates and fourteen (14) more are in the process of becoming certified; and
- Twenty-five (25) facilities are participating in the Pilot (thirteen (13) nursing homes and twelve (12) residential care facilities).

All facilities were required to submit a report to the Board by December 31, 2006 about the facilities' use of certified medication aides and the financial impact on the facility. The Board must submit a report evaluating the Pilot Program by March 1, 2007 to the General Assembly. During the legislative lame duck session, the Ohio Nurses Association (ONA) pursued extending the term of the Medication Aide Pilot Program. The Board had agreed at the November 2006 meeting to support an extension.

Senator **Lynn Wachtmann (R-Napoleon)** served as the legislative point person for this issue and convened interested parties to discuss an extension of the Pilot Program. Nursing homes and residential care facilities raised concerns with the method used by the Board to select facilities for participation and stated they believed the required FBI check was causing undue delay. The legislators and others raised concerns with the low number of nursing homes and residential care facilities that applied to participate in the Pilot and the lack of data that would be available. Senator Wachtmann proposed language as an amendment to House Bill 87 (**Willamowski, R-Lima**) that would have extended the Pilot based on the number of medication aides certified. The Board would have requested data from the participating facilities within 91 days after the seventy-five aides were certified.

Although the amendment appeared to represent a compromise, the House did not vote on whether to concur in Senate amendments. There is speculation that there was opposition to the medication aide amendment and an unrelated amendment dealing with clinical counselors that was also contained in HB 87. The bill died at the end of the session so there will be no extension of the Pilot Program. The Board does not expect additional attempts to extend the Pilot at this time.

Nursing Shortage

The new Administration asked Jan Lanier, ONA, to convene a “Resource Group” called, “Healthy Ohio—Nursing Shortage” and to prepare a white paper on the nursing shortage. J. Lanier asked Board President Krueger to represent the Board and provide her expertise in nursing education. A paper was prepared and provided to the Governor, which was well received. Recommendations included expanding NEALP funding through the Workforce Investment Act (WIA) to target nurses seeking graduate degrees who plan to teach; funding NEALP with the sales of a “support nursing” license plate; and conducting a study on salary differences between nursing faculty and other faculty who teach other types of professionals.

Ohio Pain and Palliative Care Advisory Committee (OPPCAC)

In December 2006, Director Nick Baird, Ohio Department of Health (ODH), appointed Sue Milne to the Ohio Pain and Palliative Care Advisory Committee for the year 2007.

TERCAP

The National Council of State Boards of Nursing (NCSBN) is planning to make the TERCAP instrument available for data collection on February 1, 2007. TERCAP

(Taxonomy of Error, Root Cause Analysis and Practice-Responsibility) is an instrument used to collect standardized information about breakdowns in nursing practice that is revealed during the investigation of cases. NCSBN will collect and analyze nationally aggregated data that will be available to participating boards. Each participating board will have access to its own data that will be analyzed and reported by NCSBN for an individual state’s comparative analysis with the national aggregate. Board staff members are participating in webinars scheduled by NCSBN on the use of the web-based instrument. Lisa Emrich is chair of the NCSBN TERCAP Committee.

ONA Ohio Nurses Review

In the November/December 2006 *ONA Ohio Nurses Review* publication, ONA printed a “Counterpoint Recommendation” submitted from the Ohio Board of Nursing based on the July/August 2006 edition of the *ONA Ohio Nurses Review*.

In the July/August issue, ONA published an article entitled “Considerations for Local Unit Leaders in Working with Chemically Dependent Nurses.” The article “strongly advise[s] the nurse against giving any statement to the employer, to investigators from the board of nursing and/or pharmacy board, or to any other person.”

The Ohio Board of Nursing asked ONA to provide their readership with a counterpoint from the Board as follows: The Board investigates some 3,900 cases on an annual basis. In many cases, a disciplinary file is closed without action following an interview or statement from the licensee that, in corroboration with other evidence, exonerates the licensee. In addition, should the matter proceed to formal Board action, the fact that a licensee cooperated with the investigation may be considered as a mitigating element. Finally, the Board is considering statutory language, similar to that currently in the Medical Practice Act, that provides that failure to cooperate in an investigation conducted by the Board, including failure to comply with a subpoena or order issued by the Board or failure to answer truthfully a question presented by the Board, constitutes an independent ground for disciplinary action.

Judith Brachman requested that the Board’s counterpoint be published in *Momentum*. B. Houchen stated staff would submit it for *Momentum*.

Presentations and Meetings

President Krueger is speaking to the Greater Cincinnati Nurse Executive Meeting on January 25, 2007 to present a Board update. Additional meetings and presentations were listed in the Executive Director Report.

Legislative/Regulatory

LPNAO Legislative Initiative

Senate Bill 126, a county hospital bill sponsored by Senator Lynn Wachtmann, became a vehicle for the amendment sought by LPNAO. The amendment makes clear that LPNs may delegate nursing tasks as directed by a registered nurse, expands the scope of LPN practice to allow LPNs to teach nursing tasks not only to patients, but also to other individuals, and clarifies that LPNs may serve as preceptors for PN students. The measure passed the House, and the Senate concurred in House amendments. These revised provisions will become effective 90 days after the Governor signs Senate Bill 126. B. Houchen congratulated LPNAO on the passage of the amendment.

Conclusion of the 126th General Assembly

The 126th Ohio General Assembly concluded its business late in December following a busy lame duck session. The legislature addressed many issues in advance of the transition to a new Administration, and, as is typical at the conclusion of a General Assembly, many bills were left stranded in various stages of the legislative process. All of these measures, regardless of their progress in the 126th General Assembly, will have to be reintroduced as new legislation in the 127th General Assembly.

Both chambers of the 127th General Assembly remain under Republican control. In the House, the Republican majority is 53 to 46 (previously 60 to 39). The Senate Republicans lost one seat in 2006, and now hold a margin of 21 to 12. **Senator Bill Harris (R-Ashland)** will remain President of the Senate, and **Representative Jon Husted (R-Kettering)** will serve a second term as Speaker of the House. Democrats will be lead in the Senate by **Senator Teresa Fedor (D-Toledo)**, and in the House by **Representative Joyce Beatty (D-Columbus)**.

Legislative Status Report

The Board received the Legislative Status Report, which reflected the conclusion of work for the 126th General Assembly. The report was consolidated to provide more concise information. C. Snyder highlighted the report and answered questions regarding HB 75, HB 675, HB 708, SB 97 and SB 117.

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

Fiscal Quarterly Report

The Board received the Fiscal Report that reflected the revenue and expenditures for the first and second quarters of fiscal year 2007 (July 1, 2006 through September 30, 2006). R. Booker reviewed the report with the Board.

Budget Proposal SFY 2008-2009

The Board received the Budget Proposal for Fiscal Years 2008-2009, as submitted to the Office of Budget and Management (OBM). S. Thacker and R. Booker answered questions. J. Brachman commended the staff on the budget proposal.

OBM is currently compiling the information received from all state agencies to develop the Governor's budget proposal that will be presented to the General Assembly on March 15, 2007. The proposed budget reflects funding for the forthcoming fiscal years at the same levels authorized for the current fiscal year 2007. OBM established that all non-GRF (general revenue funded) agencies would be flat funded unless the agency requested additional funding through an appeals process. Based on the Board's analysis of 2007 funding levels and estimated increases in personnel and operational costs, staff believes the funding level should be acceptable and did not appeal the flat funding. Should unexpected costs occur, the Board would have the ability to request increased funds through the Controlling Board, as Board revenues far exceed the Board's budget allocation.

R. Booker provided an update on the implementation of the statewide system known as OAKS. The Payroll portion of OAKS became effective December 18, 2006. The financial portion will be implemented on July 1, 2007. R. Booker will be attending meetings, training and workshop sessions in preparation for the transition.

Ethics – Executive Order

The Board received a written memo regarding Governor Strickland's Executive Order establishing new ethics requirements and Executive Order 2007 – 01S.

The Board currently has an Ethics Policy and regularly schedules ethics training for Board members and staff. As a result of the Board's 2006 Retreat, the Board implemented the use of a Board Member Affiliation Reporting Form that Board members complete to provide information regarding professional and personal affiliations. The information is used to assist in compliance with the Ohio Ethics Law and as a resource regarding individual members' areas of professional expertise and experience.

H. Fischer highlighted the ethics information and stated that the staff will review the Board Ethics Policy for revision and compliance with the new Executive Order. She noted that the Executive Order presents a new "bright line test" of a \$20.00 limitation for meals or refreshments, and stated that token gifts such as a t-shirt, cap, mug, or lapel pin are acceptable. She further stated that the Executive Order provides there be a two-year moratorium, rather than one-year, for former Board members who may be working to influence board decisions after leaving a board or commission. Lastly, Board staff will review vendor contracts to include the required ethics provisions.

H. Fischer stated ethics training would be provided for Board members at the 2007 April Retreat and training for staff will occur at the All Staff meeting in February. In addition, staff will follow-up with any additional requirements and future direction. H. Fischer, General Counsel, will serve as the Board Ethics Officer.

Executive Session

On Thursday, January 18, 2007:

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

NEW BUSINESS

Proposed LSC Language for Board Legislative Proposals

B. Houchen announced that the Board received proposed language from the Legislative Services Commission (LSC) for the Board's legislative proposals. Board staff requested a meeting with LSC and Representative Flowers' office to discuss the proposed language.

Criminal Offenses – Additional Research

The Board received a written memo with attachments to provide supplemental materials on criminal offenses. H. Fischer and L. Ferguson-Ramos reviewed the memo and attachments.

This discussion, regarding additional absolute bars and possible ten-year felony preclusions, began at the April 2006 Retreat and was discussed subsequently at several Board meetings. The materials provided at this meeting represent additional research requested by the Board at the November 2006 meeting. The first attachment (Exhibit 1) provided staff recommendations. Also attached were the following:

- Exhibit 2: Summary of Options - Presented to the Board November 17, 2006
- Exhibit 3: Chart: Ohio Crimes Involving Exploitation of Vulnerable Individuals
- Exhibit 4: Chart: Compact States – Absolute Bars or Felony Preclusion
- Exhibit 5: Summary of Academic Research – Recidivism/Articles
- Exhibit 6: The Criminal Records Check Screening Tool used for employment

The Board thanked H. Fischer and L. Ferguson-Ramos for their research and the excellent materials they provided.

Board members asked questions regarding the materials. J. Boeckman stated she thought five years for felony preclusion was appropriate based on the studies about rehabilitation. J. Brachman stated she liked the recommendations and believes they would provide needed information for applicants. She also stated that although some individuals may plead down from a felony to a misdemeanor, the Board must follow the information received from the court and look at the facts to impose discipline. K. O'Dell asked about the difference between permanent and absolute bars, and H. Fischer responded that the two words are used interchangeably. D. Broadnax asked how "intervention in lieu" of felony conviction would apply to current licensees, and H. Fischer explained that these changes would be applicable only to applicants for licensure. Applicants with "intervention in lieu" may have a drug related issue outside of nursing practice, i.e., drug trafficking, use of street drugs, etc. that, even absent a felony conviction would form an independent basis for disciplinary action. H. Fischer clarified that the staff recommendations for absolute bars are limited to felonies, except that the sexual crimes involving children may include both felonies and misdemeanors.

D. Broadnax stated she agrees with the recommendations and would like staff to proceed. E. Buschmann stated she agrees. J. McFee stated she agrees with the five-year felony preclusion. T. Williams asked staff to continue to work on the issue using these recommendations and the Board could continue to discuss as the Board moves forward with proposed legislative language.

PIIP - Processes and Forms

L. Emrich provided the Board with an update on the implementation of new processes for the Practice Intervention and Improvement Program (Program). The first goal was to complete revisions to OAC Chapter 4723-18. This goal was completed and the revised PIIP rules become effective February 1, 2007.

The second goal is to develop additional documents and processes for implementation. Board staff provided draft materials to the Board. The plan is to create a "toolbox" that will be on the Board web site and contain the forms and instructions, and a slide presentation explaining the process that will be available for downloading.

The purpose of the new processes is to decrease the time from the Board's receipt of information about a nurse's practice deficiency to the initiation of remedial activity. The processes should streamline and standardize information collected about a nurse's practice and facilitate Program entry when the case is determined to be a Priority III or IV investigation. Further, the new processes would enable employers to work with the Board and the Program participant by providing the remedial education. The Board commended L. Emrich on the draft documents.

IT WAS MOVED BY ANNE BARNETT, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD CONTINUE DISCUSSION FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

K. Driscoll asked if the PIIP would be expanding and L. Emrich responded that the process for the Board Supervising Member to determine if an individual case was appropriate for PIIP would not change. T. Williams asked if medication aides would be included and L. Emrich stated they would not be included. A. Barnett asked how the Board would inform the public, and L. Emrich stated the Board could use eNews, *Momentum* and the web site.

Medication Aide Pilot Program Report

The Board received the "Ohio Medication Aide Pilot Program Report," as drafted. L. Halliburton highlighted the report and answered questions. J. Brachman suggested that a list of the names and affiliations for members of the Advisory Council be included as an attachment to the report. B. Houchen informed the Board that the report would also be sent to the Advisory Council for their feedback before submission to the General Assembly.

Following review and suggested changes;

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD SUBMIT THE MEDICATION AIDE PILOT PROGRAM EVALUATION REPORT, AS AMENDED, AND AUTHORIZE BOARD PRESIDENT KRUEGER AND ADVISORY COUNCIL CHAIRPERSON BRACHMAN TO APPROVE ANY ADDITIONAL REVISIONS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

APPROVALS

Dialysis Technician Training Program Re-Approvals

The Board received a memorandum and fifteen Dialysis Technician Training Program Re-Approval Applications submitted for the Board's consideration and approval. A review of the applications by Board staff revealed that the information submitted in each application was in accordance with Rule 4723-23-08, OAC, as attested by each Training Program. A chart summarizing the applications was included. Due to the large number of applications for consideration and re-approval at this time, Board staff did not make site visits as part of the application review process. Staff plans to make survey visits during the two-year approval period. Following review;

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, THAT THE BOARD RE-APPROVE THE FOLLOWING DIALYSIS TECHNICIAN TRAINING PROGRAMS FOR THE PERIOD OF JANUARY 31, 2007 THROUGH JANUARY 31, 2009: CENTERS FOR DIALYSIS CARE TECHNICIAN TRAINING PROGRAM, CLEVELAND; DAYTON REGIONAL DIALYSIS, DAYTON; DAVITA HEMODIALYSIS TECHNICIAN TRAINING PROGRAM, STRONGSVILLE; COMMUNITY DIALYSIS UNIT TECHNICIAN TRAINING PROGRAM, CANTON; DCI CINCINNATI DIALYSIS TRAINING PROGRAM, CINCINNATI; CLARK COUNTY DIALYSIS TECHNICIAN TRAINING PROGRAM, SPRINGFIELD; INNOVATIVE DIALYSIS SYSTEMS TECHNICIAN TRAINING PROGRAM, TOLEDO; DCA OF BOWLING GREEN, BOWLING GREEN; MVH/DCD DIALYSIS TECHNICIAN TRAINING PROGRAM, DAYTON; DIALYSIS TECHNOLOGY, COLUMBUS; GOOD SAMARITAN HOSPITAL, CINCINNATI; HILLMED DIALYSIS CENTER OF ST. LUKE'S TRAINING PROGRAM, CLEVELAND; GREATER COLUMBUS REGIONAL DIALYSIS, COLUMBUS, FRESNIUS MEDICAL CARE-OHIO, AKRON AND DIALYSIS PARTNERS OF NORTHWEST OHIO, TOLEDO. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Certified Medication Aide Pilot Program Pilot Facilities – Nursing Homes

The Board received a memorandum regarding two Medication Aide Pilot Program Applications for Nursing Home facilities 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 also provided. Following review;

Convallarium at Indian Run, Dublin

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD NOT APPROVE CONVALARIUM AT INDIAN RUN, DUBLIN, AS A PARTICIPATING FACILITY FOR THE MEDICATION AIDE PILOT PROGRAM. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX OPPOSED.

The Board discussed that there were deficiencies showing evidence that the residents had pressure sores and there were other care issues regarding the residents.

Crestmont North Nursing Facility, Lakewood

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT CRESTMONT NORTH NURSING FACILITY, LAKEWOOD, IS NOT ELIGIBLE TO PARTICPATE IN THE MEDICATION AIDE PILOT PROGRAM, AS THE DEPARTMENT OF HEALTH HAS FOUND IN THE TWO MOST RECENT SURVEYS OR INSPECTIONS OF THE HOME THAT THE NURSING HOME IS NOT FREE FROM DEFICIENCIES RELATED TO THE ADMINISTRATION OF MEDICATION. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Medication Aide Training Programs

The Board received two Medication Aide Training Program Applications submitted for the Board's consideration and approval. A document summarizing the applications was also provided. Following review;

Tolles Career and Technical Center, Plain City

The Board determined that the Tolles Career and Technical Center, Plain City, Medication Aide Training Program application was incomplete due to the lack of a Pilot Program facility for clinical experience.

Tri-State Medical Academy, Cincinnati

IT WAS MOVED BY LISA KLENKE, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD APPROVE TRI-STATE MEDICAL ACADEMY, CINCINNATI, AS A MEDICATION AIDE TRAINING PROGRAM. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Pilot Facilities – Residential Care Facilities

The Board received one Medication Aide Pilot Program Application for a Residential Care Facility submitted for the Board's consideration and approval. A document summarizing the application was included. Following review;

Devon Oaks, Westlake

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY J. JANE MCFEE, THAT DEVON OAKS, WESTLAKE, IS NOT ELIGIBLE TO PARTICIPATE IN THE MEDICATION AIDE PILOT PROGRAM, AS THE DEPARTMENT OF HEALTH HAS FOUND IN ONE OF THE TWO MOST RECENT SURVEYS OR INSPECTIONS OF THE FACILITY THAT IT IS NOT FREE FROM DEFICIENCIES RELATED TO THE ADMINISTRATION OF MEDICATION OR SKILLED NURSING CARE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Retroactive Approvals for Licensees/Certificate Holders

Registered Nurses

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING NOVEMBER 1, 2006 THROUGH DECEMER 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 PRESENT.

Licensed Practical Nurses

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING NOVEMBER 1, 2006 THROUGH DECEMBER 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 PRESENT.

Certificates of Authority

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES OF AUTHORITY INITIALLY ISSUED NOVEMBER 1, 2006 THROUGH DECEMBER 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 PRESENT.

Certificates to Prescribe

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES TO PRESCRIBE (CTP AND CTP-EXTERNSHIP) INITIALLY ISSUED NOVEMBER 1, 2006 THROUGH DECEMBER 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 PRESENT.

Dialysis Technicians

IT WAS MOVED BY ANNE BARNETT, SECONDED BY LISA KLENKE, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES INITIALLY ISSUED NOVEMBER 1, 2006 THROUGH DECEMBER 31, 2006 TO OHIO CERTIFIED DIALYSIS TECHNICIANS 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 PRESENT.

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 NOVEMBER 1, 2006 THROUGH DECEMBER 31, 2006 TO COMMUNITY HEALTH WORKERS 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 PRESENT.

Medication Aides Pilot Program Certificates

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD RETROACTIVELY RATIFY AS SUBMITTED ALL CERTIFICATES INITIALLY ISSUED NOVEMBER 1, 2006 THROUGH DECEMBER 31, 2006 TO PILOT PROGRAM MEDICATION AIDES AS DEFINED IN SECTION 4723.651, ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

ADJUDICATION AND COMPLIANCE

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, January 19, 2007, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): ANDERSON, JONI, L., P.N. 094904 (CASE #06-1286); LAVALLE, CHERYL, M., R.N. 168256 (CASE #06-3248); SIMMONS, APRIL, L., P.N. 105044 (CASE #06-2910); CHAPMAN, DIANA, K., R.N. 322665 (CASE #06-1731); DEVLIN, THOMAS, J., R.N. ENDORSE (CASE #06-2784); SCHERFF, MICHAEL, A., P.N. 120950 (CASE #06-1725); SHUFF, MICHAEL, D., R.N. 269890 (CASE #05-0451); FOLGER, SUSAN, E., R.N. 307857 (CASE #06-1357); HOLBROOK, YVONNE, N., R.N. 289589 (CASE #06-1889); STUPARIU, LOREEN, P.N. 115074 (CASE #06-2978); LANGLEY, REBECCA, L., P.N. 095848 (CASE #05-3331); SCHULTZ, HELEN, J., P.N. 099881 (CASE #06-2425) AND COOLE, SHIRLEY, A., P.N. 081244 (CASE #06-3334). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2007 Board meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

IT WAS MOVED BY ANNE BARNETT, SECONDED BY PATRICIA BURNS, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): RAHRIG, CHRIS, K., R.N. 204033 (CASE #06-0967); PARSONS, DONALD, L., R.N. 164746 (CASE #06-1205); NAGY, MONICA, M., D.T. 01267 (CASE #06-2990); BLANTON, SUSAN, I., R.N. 234031 (CASE #06-1517); BOCKHORST, KARI, L., P.N. 108441 (CASE #06-0339); SMITH, RACHAEL, M., P.N. 121330 (CASE #06-2488); ADKINS, AMY, M., R.N. 317985 (CASE #06-2506); PERKINS, DARCI, J., R.N. 310847 (CASE #06-2602); STEPHENS, THOMAS, A., R.N. 278526 (CASE #06-3239); DOBERSTYN, GINA, M, R.N. 211115 (CASE #05-3299); THOMAS, THERESA, M., P.N. 065732 (CASE #06-1001) AND SMITH, ANDREA, L., P.N. 095253 (CASE #06-2934). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX 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 January 2007 Board meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD ISSUE A NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): BATES, KATHY, P.N. 094488 (CASE #06-3269); CLAYWELL, ALICIA, J., R.N. 275793 (CASE #06-3384); MURPHY, TAMMY, L., P.N. 097094 (CASE #06-3254); POTTS, PATRICIA, A., R.N. 179192 (CASE #06-3382); TINCHER, SARA, A., P.N. 092210 (CASE #06-3257); GARRETT, TONI, G., P.N. 080925 (CASE #07-0145); LUTE, NANCY, J., P.N. 107059 (CASE #06-3256) AND BROWN, KATHEY, A., P.N. 103560 (CASE #06-3379). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX 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 January 2007 Board meeting.

SUMMARY SUSPENSION AND NOTICE FOR OPPORTUNITY

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY ANNE BARNETT, THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY BARBARA BRIGGS, PN 108135, (CASE #06-3457); PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO THE PUBLIC. THEREFORE, THE BOARD MOVED TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF

OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 ORC, RETROACTIVE TO THE DATE IT WAS ISSUED, JANUARY 5, 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. CYNTHIA KRUEGER AND DEBRA BROADNAX ABSTAINED.

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY MANDY SEEVERS, PN 101209, (CASE #06-3519); PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO THE PUBLIC. THEREFORE, THE BOARD MOVED TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC, RETROACTIVE TO THE DATE IT WAS ISSUED, JANUARY 11, 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. CYNTHIA KRUEGER AND DEBRA BROADNAX ABSTAINED.

SURRENDERS

PERMANENT VOLUNTARY SURRENDERS

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA BURNS, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY SURRENDER OF LICENSE FOR THE FOLLOWING CASE(S): JAMES, LORI, A., P.N. 070515 (CASE #06-3197); FORESTER, PAUL, M., R.N. 305380 (CASE #05-0656); JONES, JENNIFER, D., R.N. 287311 (CASE #06-0207); FISHER, PAMELA, B., P.N. 073382 (CASE #06-1050); ADKINS, LONDA, J., R.N. 207919 (CASE #06-3234); JOHNSON, ALLYNE, E., P.N. 086348 (CASE #06-1051) AND ABEL, CARLENE, M, R.N. 323835 (CASE #06-1504). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the January 2007 Board meeting.

WITHDRAWALS OF APPLICATIONS

VOLUNTARY NON-PERMANENT WITHDRAWAL OF NCLEX APPLICATIONS

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(S): VICTOR, DEBORAH, A., P.N. NCLEX (CASE #06-2649) AND WELLS, RAYMEKA, R., P.N. NCLEX (CASE #06-2850). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

CONSENT AGREEMENTS

On Friday, January 19, 2007, 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 JANET L. BOECKMAN, THAT THE BOARD APPROVE THE CONSENT AGREEMENTS FOR VIOLATIONS OF CHAPTER 4723. ORC ENTERED INTO BY AND BETWEEN THE BOARD AND THE FOLLOWING LICENSEES: HAMBEL, ANGELA, S., P.N. 087625 (CASE #04-1344); HALLEY, ANGELA, M., R.N. 263839 (CASE #03-0902); GRASSMAN, JACQUALIN, L., R.N. 190815 (CASE #06-0588); BIEBRICK, JERROD, M., P.N. ENDORSE (CASE #06-2933); MILLER, LINDA, L, P.N. 063454 (CASE #06-1465); ROBINSON, KAREN, E, R.N. 128642 (CASE #04-0083); GREENE, JACLYN, F., TC 1 02537 (CASE #06-2260); JOYNER, FRANCES, E., P.N. 092928 (CASE #04-1159); GAMBLE, EMMA, M., P.N. 025564 (CASE #06-1565); SCHWIND, BERNARD, J., R.N. 142718 (CASE #06-0081); HOOKS, BONNIE, G., P.N. 119849 (CASE #06-0760); BALCER, DAVID, A, P.N. NCLEX (CASE #06-1478); BOWEN, HEATHER, D., R.N. 250158 (CASE #06-1356); JOHNSON, JACQUELINE, E, P.N. 091640 (CASE #05-3308); JERVIS, SHIRLEY, A., P.N. 049867 (CASE #05-2937); FRAZIER, JENNIFER, M, R.N. 275436

(CASE #03-2199); SUSLOWITZ, NANCY, L., R.N. ENDORSE (CASE #05-3585); FLORENCE, IRENE, P.N. 078796 (CASE #06-1990); PAIGE, CORDIE, B., P.N. 102300 (CASE #05-0569); FREEMAN, LYNNETTE, M, R.N. 216753 (CASE #03-1232); SHARP, FAITH, Y., P.N. 112449 (CASE #05-3490); ARTHUR, MELISSA, M., R.N. 266150 (CASE #02-0474); SUTTLES, ROSE, M., R.N. ENDORSE (CASE #06-0902); STOHREL, DAVIDA, K., P.N. 067034 (CASE #06-2329); FERRANTI, DEBORAH, A., R.N. 253367 (CASE #06-3289); HILL, JAMIE, L., R.N. 310863 (CASE #05-1540); DORINGO, CLAUDIA, S., R.N. 251589 (CASE #06-3209); EDMONDS, KELLY, R., P.N. 114325 (CASE #06-2109); WENDLING, DAWN, M., R.N. 251397 (CASE #06-0300); SUTTLES, SHERRI, A., P.N. 107893 (CASE #06-0160); GLENN, MICAH, E., R.N. 280079 (CASE #06-3299); FISHER, ANGELA, M., R.N. 283702 (CASE #04-2714); FOLEY, PHILLIP, J., R.N. 181034 (CASE #06-2098); BAER, MARGARET, K., P.N. 097113 (CASE #05-0611); GRINBLAT, IRINA, A., R.N. NCLEX (CASE #06-2037); MASIGLAT, MARIA, GL, R.N. 314391 (CASE #06-2084); HAYES, DEANA, S., P.N. 114059 (CASE #06-2251); VAN WINKLE, BETHANY, L., P.N. 101169 (CASE #06-3302); PATTERSON, VICKY, E., P.N. 067942 (CASE #06-0560); DOONER, KATHLEEN, S., R.N. 143417 (CASE #06-0291); KUNTZ, KAREN, C., P.N. 107404 (CASE #04-3032); IRVING, COMMALENA, N., P.N. NCLEX (CASE #06-3070); SHASTEEN, BRENDA, C., P.N. 098492 (CASE #04-0311); BURKE, JUDITH, E., R.N. 137505 (CASE #06-3301); DUNCAN, DIANNA, L, R.N. 227616 (CASE #03-1713); BAUMGARTNER, LISA, R.N. 247204 (CASE #05-3220); GOLDBERG-RUGALEV, DEBORAH, L., R.N. 150666 (CASE #06-3361); FANNIN, LINDA, C., R.N. 142774 (CASE #06-3396); MONTAVON, ERIC, D., P.N. 116898 (CASE #06-2777); CARTER, CARLA, E., P.N. 116499 (CASE #06-1945); JUSTICE, JOHN, D., R.N. 276858 (CASE #06-2992); WILSON, LISA, V., R.N. 175316 (CASE #05-2895); HAYBURN, TAMMY, S., TC 2 00731 (CASE #06-2011); VILK, ANGELA, L., P.N. 091171 (CASE #06-2839); MCGOUGH, SHAUN, H., R.N. NCLEX (CASE #06-2804); STARNES, BEVERLY, R.N. 225353 (CASE #06-1395); DAVIS, FELICIA, P.N. 114451 (CASE #06-1387); YANT, LYNNETTE, M., R.N. 276835 (CASE #05-2949); GOOCH, LYDIA, J., P.N. 110232 (CASE #06-1713); WEBER, JENNIFER, S., P.N. NCLEX (CASE #06-3219); FLANNER, KELLEIGH, P.N. 059882 (CASE #05-0480); RHOADS, DENISE, R., R.N. NCLEX (CASE #06-2964); WALKER, TERESA, A., R.N. 185766 (CASE #06-2558); ADAMS, KATHY, A., P.N. ENDORSE (CASE #06-3496); BELL, ROCHELLE, M, R.N. 211923 (CASE #05-3517); LINDSEY, KELLY, S., P.N. 109520 (CASE #06-2398); SERGENT, GINA, M., P.N. 096400 (CASE #06-1306); SPRAGG, ABBEY, D., P.N. 113565 (CASE #06-3380); NAVEY, KRISTINA, M., P.N. 123355 (CASE #06-3162); WADDELL, KORINNA, N., P.N. NCLEX (CASE #06-2480); WILSON, KATHY, J., R.N. ENDORSE (CASE #06-3215); WYRICK, JENNIFER, L., P.N. 106462 (CASE #06-2365); BYRD, MICKIE, L., R.N. 301005 (CASE #07-0006); CROWL, TAMMY, A., R.N. 274855 (CASE #06-3378); REILLY, AMY, J., R.N. 248028 (CASE #06-3383); KNECHT, COLLEEN, J., P.N. NCLEX (CASE #06-2956); GIESIGE, JOYCE, A., R.N. 234418 (CASE #05-2130); WALKER, TERESA, A., P.N. 091755 (CASE #06-2274); BIGELOW, LISA, R., R.N. 243362 (CASE #06-3428); HICKS, TONONIA, J., R.N. NCLEX (CASE #06-2441); WHITACRE, CLARK, C., R.N. 297467 (CASE #06-1274); FRYER, KIMBERLY, A., R.N. 228090 (CASE #06-3144); GROBLEWSKI, DIANA, P.N. 089116 (CASE #06-1906); MELVIN, VALERIE, J., R.N. 260168 (CASE #04-2692); TANNREUTHER, ANDREA, P., R.N. 198922 (CASE #06-0704); MELLERT, KAREN, L., P.N. 065064 (CASE #06-2015); HARVILLE, JODI, L., R.N. 195000 (CASE #07-0016); STANLEY, CHERIECE, M., D.T. TECH (CASE #06-2099); ROBINSON, SHELBY, K., P.N. 096933 (CASE #04-0555); COLEMAN, KATHY, V., P.N. 047125 (CASE #06-0865); GREEN, ROBERT, S., P.N. 104655 (CASE #06-2103) AND KING, JACQUELINE, J., R.N. NCLEX (CASE #06-3503).
MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

ANNE BARNETT OPPOSED ON THE FOLLOWING CASES: HALLEY, ANGELA, M., R.N. 263839 (CASE #03-0902); ROBINSON, KAREN, E, R.N. 128642 (CASE #04-0083) AND BALCER, DAVID, A, P.N. NCLEX (CASE #06-1478).

JANET L. BOECKMAN OPPOSED ON THE FOLLOWING CASES: FREEMAN, LYNNETTE, M, R.N. 216753 (CASE #03-1232); BAUMGARTNER, LISA, R.N. 247204 (CASE #05-3220) AND FLANNER, KELLEIGH, P.N. 059882 (CASE #05-0480).

JUDITH BRACHMAN OPPOSED ON THE FOLLOWING CASES: HALLEY, ANGELA, M., R.N. 263839 (CASE #03-0902); BALCER, DAVID, A, P.N. NCLEX (CASE #06-1478); JOHNSON, JACQUELINE, E, P.N. 091640 (CASE #05-3308); FRAZIER, JENNIFER, M, R.N. 275436 (CASE #03-2199); FREEMAN, LYNNETTE, M, R.N. 216753 (CASE #03-1232); ARTHUR, MELISSA, M., R.N. 266150 (CASE #02-0474); SHASTEEN, BRENDA, C., P.N. 098492 (CASE #04-0311); DAVIS, FELICIA, P.N. 114451 (CASE #06-1387); WALKER, TERESA, A., R.N. 185766 (CASE #06-2558); GIESIGE, JOYCE, A., R.N. 234418 (CASE #05-2130); MELLERT, KAREN, L., P.N. 065064 (CASE #06-2015) AND STANLEY, CHERIECE, M., D.T. TECH (CASE #06-2099).

ELIZABETH BUSCHMANN OPPOSED ON THE FOLLOWING CASES: HALLEY, ANGELA, M., R.N. 263839 (CASE #03-0902); BALCER, DAVID, A, P.N. NCLEX (CASE #06-1478) AND FREEMAN, LYNNETTE, M, R.N. 216753 (CASE #03-1232).

KATHLEEN O'DELL OPPOSED ON THE FOLLOWING CASES: BALCER, DAVID, A, P.N. NCLEX (CASE #06-1478); BURKE, JUDITH, E., R.N. 137505 (CASE #06-3301) AND BAUMGARTNER, LISA, R.N. 247204 (CASE #05-3220). DEBRA BROADNAX ABSTAINED ON ALL CASES.

Complete copies of the Consent Agreement(s) shall be maintained in the exhibit book for the January 2007 Board meeting.

NO REQUEST FOR HEARING CASES

STROUSE, CONNIE, S., R.N. 111367 (CASE #04-2843)

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY KATHLEEN O'DELL, IN THE MATTER OF CONNIE STROUSE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. STROUSE IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. STROUSE 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 CONNIE STROUSE'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 FIVE (5) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. STROUSE SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF FIVE (5) YEARS AND PERMANENT PRACTICE RESTRICTIONS AND A PERMANENT NARCOTIC RESTRICTION.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. STROUSE 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. STROUSE SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. STROUSE 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. STROUSE 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. STROUSE' LICENSE.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. STROUSE 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. STROUSE SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. STROUSE 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. STROUSE 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. STROUSE'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. STROUSE 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. STROUSE 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. STROUSE

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

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

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

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

MS. STROUSE SHALL COMPLETE A NURSE REFRESHER COURSE OR AN EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

DURATION

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

FOLLOWING REINSTATEMENT, MS. STROUSE SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF FIVE (5) YEARS.

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

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

MONITORING

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

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

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THE PROBATIONARY PERIOD, MS. STROUSE 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. STROUSE 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. STROUSE 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. STROUSE THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. STROUSE 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. STROUSE SHALL NOTIFY THE BOARD.

MS. STROUSE 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. STROUSE 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. STROUSE IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. STROUSE

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

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

MS. STROUSE 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. STROUSE SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT NARCOTIC RESTRICTION

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

PERMANENT PRACTICE RESTRICTIONS

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

MS. STROUSE 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. STROUSE'S SUSPENSION SHALL BE LIFTED AND MS. STROUSE'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. STROUSE HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. STROUSE VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. STROUSE 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. STROUSE HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. STROUSE IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. STROUSE AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. STROUSE 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 CONNIE STROUSE TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 111367 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. JANET L. BOECKMAN ABSTAINED. J. JANE MCFEE OPPOSED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

COX, BETH, C., R.N. 302006 (CASE #06-1150)

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, IN THE MATTER OF BETH COX, THAT CONSIDERATION OF THE CHARGES STATED AGAINST MS. COX IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. COX 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 BETH COX'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 THREE (3) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. COX SHALL BE

SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND THE TEMPORARY PRACTICE RESTRICTIONS SET FORTH BELOW.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MS. COX SHALL, IN ADDITION TO THE REQUIREMENTS OF LICENSURE RENEWAL, SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING NURSING EDUCATION: TWELVE (12) HOURS IN MEDICATION ADMINISTRATION.

MONITORING

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. COX 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. COX SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. COX 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. COX 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. COX'S LICENSE.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. COX 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. COX SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. COX 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. COX 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. COX'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. COX 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. COX 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. COX 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. COX SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

REPORTING REQUIREMENTS OF MS. COX

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

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

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

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

DURATION

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

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

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

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

MONITORING

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

MS. COX 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. COX SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED

TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. COX'S HISTORY.

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. COX 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. COX SHALL NOTIFY THE BOARD.

MS. COX 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. COX 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. COX IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

MS. COX SHALL HAVE A REGISTERED NURSE SUPERVISOR ON SITE AT ALL TIMES.

REPORTING REQUIREMENTS OF MS. COX

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

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

MS. COX 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. COX SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY PRACTICE RESTRICTIONS

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

MS. COX 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. COX'S SUSPENSION SHALL BE LIFTED AND MS. COX'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. COX HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. COX VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. COX 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. COX HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. COX IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD

MONITORING, BASED UPON AN INTERVIEW WITH MS. COX AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. COX DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS BETH COX TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 302006 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. CYNTHIA KRUEGER ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

JONES, SUSAN, L., P.N. 102503 (CASE #06-0603)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, IN THE MATTER OF SUSAN JONES, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. JONES IN THE NOTICE OF AUTOMATIC 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 AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT SUSAN JONES' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS SUSAN JONES TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 102503 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

SLY, MARY, K., R.N. 266780 (CASE #06-0600)

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, IN THE MATTER OF MARY SLY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. SLY IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. SLY 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 MARY SLY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS MARY SLY TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 266780 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

LOWERY, KEJIA, M., P.N. 108048 (CASE #05-3042)

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY LISA KLENKE, IN THE MATTER OF KEJIA LOWERY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. LOWERY IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. LOWERY 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 KEJIA LOWERY'S 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 TWO (2) YEARS RETROACTIVE TO MAY 2006, WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. LOWERY SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF TWO (2) YEARS AND THE TEMPORARY PRACTICE RESTRICTIONS SET FORTH BELOW, A TEMPORARY NARCOTIC RESTRICTION, AND A PERMANENT RESTRICTION FROM CALLING IN PRESCRIPTIONS.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. LOWERY 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. LOWERY SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. LOWERY 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. LOWERY 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. LOWERY'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. LOWERY 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. LOWERY 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. LOWERY 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. LOWERY SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. LOWERY

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

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

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

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

DURATION

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

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

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

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

MONITORING

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

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

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

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. LOWERY 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. LOWERY SHALL NOTIFY THE BOARD.

MS. LOWERY 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. LOWERY 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. LOWERY IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. LOWERY

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

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

MS. LOWERY 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. LOWERY SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY NARCOTIC RESTRICTION

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

TEMPORARY PRACTICE RESTRICTIONS

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

MS. LOWERY 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 RESTRICTION FROM CALLING IN PRESCRIPTIONS

MS. LOWERY SHALL NOT CALL-IN PRESCRIPTIONS.

FAILURE TO COMPLY

THE STAY OF MS. LOWERY'S SUSPENSION SHALL BE LIFTED AND MS. LOWERY'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. LOWERY HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. LOWERY VIA CERTIFIED MAIL OF THE

SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. LOWERY 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. LOWERY HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. LOWERY IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. LOWERY AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. LOWERY 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 KEJIA LOWERY TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 108048 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

LEGG, NICOLE, S., P.N. 109049 (CASE #05-1371)

IT WAS MOVED BY LISA KLENKE, SECONDED BY PATRICIA BURNS, IN THE MATTER OF NICOLE LEGG, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. LEGG IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. LEGG'S 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 NICOLE LEGG'S 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 TWO (2) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. LEGG 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 A PERMANENT NARCOTIC RESTRICTION SET FORTH BELOW.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. LEGG 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. LEGG SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. LEGG 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. LEGG 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. LEGG'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. LEGG 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. LEGG 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. LEGG 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. LEGG SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. LEGG

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

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

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

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

DURATION

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

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

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

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

MONITORING

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

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

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

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. LEGG 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. LEGG SHALL NOTIFY THE BOARD.

MS. LEGG 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. LEGG 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. LEGG IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. LEGG

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

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

MS. LEGG 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. LEGG SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT NARCOTIC RESTRICTION

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

PERMANENT PRACTICE RESTRICTIONS

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

MS. LEGG 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. LEGG'S SUSPENSION SHALL BE LIFTED AND MS. LEGG'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. LEGG HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. LEGG VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. LEGG 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. LEGG HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. LEGG IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. LEGG AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. LEGG 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 NICOLE LEGG TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 109049 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

BUSWELL, VICKI, L., R.N. 245772 (CASE #05-2402)

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY J. JANE MCFEE, IN THE MATTER OF VICKI BUSWELL, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. BUSWELL IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. BUSWELL 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 VICKI BUSWELL'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 FIVE (5) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. BUSWELL SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF FIVE (5) YEARS AND PERMANENT PRACTICE RESTRICTIONS, AND A PERMANENT NARCOTIC RESTRICTION SET FORTH BELOW.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

MS. BUSWELL SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL. PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. BUSWELL 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. BUSWELL SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. BUSWELL 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. BUSWELL 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. BUSWELL'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. BUSWELL 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. BUSWELL 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. BUSWELL 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. BUSWELL SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. BUSWELL

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

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

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

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

DURATION

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MS. BUSWELL SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MS. BUSWELL HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MS.

BUSWELL IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MS. BUSWELL AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MS. BUSWELL SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF FIVE (5) YEARS.

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

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

MONITORING

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

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

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

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. BUSWELL 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. BUSWELL SHALL NOTIFY THE BOARD.

MS. BUSWELL 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. BUSWELL 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. BUSWELL IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. BUSWELL

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

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

MS. BUSWELL 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. BUSWELL SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

PERMANENT NARCOTIC RESTRICTION

MS. BUSWELL SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. BUSWELL'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. BUSWELL'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. BUSWELL SHALL NOT COUNT

NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. BUSWELL SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

PERMANENT PRACTICE RESTRICTIONS

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

MS. BUSWELL 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. BUSWELL'S SUSPENSION SHALL BE LIFTED AND MS. BUSWELL'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. BUSWELL HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. BUSWELL VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. BUSWELL 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. BUSWELL HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. BUSWELL IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. BUSWELL AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. BUSWELL 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 VICKI BUSWELL TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 245772 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

GILL , PAMELA, L., R.N. 216930 (CASE #05-3185)

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

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. GILL 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. GILL SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. GILL 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. GILL 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. GILL'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. GILL 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. GILL 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. GILL 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. GILL SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. GILL

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

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

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

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

DURATION

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

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

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

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

MONITORING

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

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

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

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. GILL 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. GILL SHALL NOTIFY THE BOARD.

MS. GILL 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. GILL 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. GILL IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. GILL

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

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

MS. GILL 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. GILL SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY NARCOTIC RESTRICTION

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

TEMPORARY PRACTICE RESTRICTIONS

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

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

THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. GILL 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 PAMELA GILL TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 216930 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

SMITH, MARLA , L., P.N. 090999 (CASE #02-1137)

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, IN THE MATTER OF MARLA SMITH, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. SMITH IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. SMITH HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT MARLA SMITH'S 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 ONE (1) YEAR WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. SMITH 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 A TEMPORARY NARCOTIC RESTRICTION.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

MONITORING

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. SMITH 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. SMITH SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. SMITH 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. SMITH 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. SMITH'S LICENSE.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. SMITH 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. SMITH SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. SMITH SHALL EXECUTE RELEASES TO PERMIT THE PSYCHIATRIST TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE PSYCHIATRIST SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. SMITH 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. SMITH'S LICENSE.

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

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

AFTER INITIATING DRUG SCREENING, MS. SMITH 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. SMITH 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. SMITH 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. SMITH SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

REPORTING REQUIREMENTS OF MS. SMITH

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

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

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

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

DURATION

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

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

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

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

MONITORING

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

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

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

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

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. SMITH 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. SMITH SHALL NOTIFY THE BOARD.

MS. SMITH 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. SMITH 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. SMITH IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS OF MS. SMITH

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

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

MS. SMITH 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. SMITH SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

TEMPORARY NARCOTIC RESTRICTION

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

PERMANENT PRACTICE RESTRICTIONS

MS. SMITH SHALL NOT PRACTICE NURSING AS A LICENSED PRACTICAL (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. SMITH TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. SMITH 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. SMITH'S SUSPENSION SHALL BE LIFTED AND MS. SMITH'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. SMITH HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. SMITH VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. SMITH 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. SMITH HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. SMITH IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. SMITH AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. SMITH 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 MARLA SMITH TO SURRENDER HER LICENSED PRACTICAL LICENSE #P.N. 090999 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. JANET L. BOECKMAN ABSTAINED.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

DEFAULT ORDERS

ALEXANDER, CHARLES, RN 264435 (CASE #06-1389)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, IN THE MATTER OF CHARLES ALEXANDER, AND IN ACCORDANCE WITH SECTION 4723.28(G) ORC, THAT THE FAILURE OF ANY INDIVIDUAL TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION WHEN

DIRECTED CONSTITUTES AN ADMISSION OF THE ALLEGATIONS, UNLESS THE FAILURE IS DUE TO CIRCUMSTANCES BEYOND THE INDIVIDUAL'S CONTROL AND A DEFAULT AND FINAL ORDER MAY BE ENTERED WITHOUT THE TAKING OF TESTIMONY OR PRESENTATION OF EVIDENCE, THE BOARD FINDS THAT MR. ALEXANDER HAS FAILED TO SUBMIT TO AN EXAMINATION WHEN DIRECTED, AND THAT THE FAILURE WAS NOT DUE TO CIRCUMSTANCES BEYOND HIS CONTROL AND IN ACCORDANCE WITH SECTION 4723.28(B)(16) AND SECTION 4723.28(G) ORC, THE BOARD FURTHER FINDS THAT MR. ALEXANDER HAS ADMITTED THE TRUTH OF THE ALLEGATIONS SET FORTH IN THE OCTOBER 10, 2006, LETTER TO MR. ALEXANDER AND THE BOARD ORDERS THAT MR. ALEXANDER'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW:

IT WAS FURTHER MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING TO MR. ALEXANDER.

CONDITIONS FOR REINSTATEMENT

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

MR. ALEXANDER SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD AND PRIOR TO REINSTATEMENT.

MR. ALEXANDER SHALL ENTER INTO A CONSENT AGREEMENT WITH THE BOARD FOR PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS DETERMINED BY THE BOARD FOR A MINIMUM PERIOD OF TIME DETERMINED BY THE BOARD. IF THE BOARD AND MR. ALEXANDER ARE UNABLE TO AGREE TO TERMS, CONDITIONS, AND LIMITATIONS IN A CONSENT AGREEMENT, THE TERMS, CONDITIONS, AND LIMITATIONS SHALL BE DETERMINED AFTER A HEARING IS HELD.

MR. ALEXANDER SHALL, AT HIS OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION AT THE CENTER FOR MARITAL AND SEXUAL HEALTH OR ANOTHER PSYCHIATRIST APPROVED IN ADVANCE BY THE BOARD AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF SUCH EVALUATION. PRIOR TO THE EVALUATION, MR. ALEXANDER SHALL PROVIDE THE EVALUATOR WITH A COPY OF THE BOARD ORDER AND ALL PUBLIC DOCUMENTS CONCERNING MR. ALEXANDER, AND SHALL EXECUTE RELEASES TO PERMIT THE PSYCHIATRIST TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE EVALUATOR SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES, RECOMMENDATIONS FOR TREATMENT AND MONITORING, AND ANY RESTRICTIONS THAT SHOULD BE PLACED ON MR. ALEXANDER'S PRACTICE. THE EVALUATOR SHALL SUBMIT A STATEMENT TO THE BOARD THAT MR. ALEXANDER IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

REPORTING REQUIREMENTS OF MR. ALEXANDER

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

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

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

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

MR. ALEXANDER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

NURSE REFRESHER COURSE

IF REQUESTED BY THE BOARD OR ITS DESIGNEE, MR. ALEXANDER SHALL COMPLETE A NURSING REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

MR. ALEXANDER SHALL SURRENDER TO THE BOARD HIS OHIO REGISTERED NURSE LICENSE RN 264435, 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

RAUPACH, BRIAN, L, P.N. 098218 (CASE #03-1725)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY LISA KLENKE, IN THE MATTER OF BRIAN RAUPACH, AND IN ACCORDANCE WITH SECTION 4723.28(G) ORC, THAT THE FAILURE OF ANY INDIVIDUAL TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION WHEN DIRECTED CONSTITUTES AN ADMISSION OF THE ALLEGATIONS, UNLESS THE FAILURE IS DUE TO CIRCUMSTANCES BEYOND THE INDIVIDUAL'S CONTROL AND A DEFAULT AND FINAL ORDER MAY BE ENTERED WITHOUT THE TAKING OF TESTIMONY OR PRESENTATION OF EVIDENCE, THE BOARD FINDS THAT MR. RAUPACH HAS FAILED TO SUBMIT TO AN EXAMINATION WHEN DIRECTED, AND THAT THE FAILURE WAS NOT DUE TO CIRCUMSTANCES BEYOND HIS CONTROL AND IN ACCORDANCE WITH SECTION 4723.28(B)(16) AND SECTION 4723.28(G) ORC, THE BOARD FURTHER FINDS THAT MR. RAUPACH HAS ADMITTED THE TRUTH OF THE ALLEGATIONS SET FORTH IN THE OCTOBER

10, 2006, LETTER TO MR. RAUPACH AND THE BOARD ORDERS THAT MR. RAUPACH'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW:

IT WAS FURTHER MOVED BY TERESA WILLAIMS, SECONDED BY LISA KLENKE, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING TO MR. RAUPACH.

CONDITIONS FOR REINSTATEMENT

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

MR. RAUPACH SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD AND PRIOR TO REINSTATEMENT.

MR. RAUPACH SHALL ENTER INTO A CONSENT AGREEMENT WITH THE BOARD FOR PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS DETERMINED BY THE BOARD FOR A MINIMUM PERIOD OF TIME DETERMINED BY THE BOARD. IF THE BOARD AND MR. RAUPACH ARE UNABLE TO AGREE TO TERMS, CONDITIONS, AND LIMITATIONS IN A CONSENT AGREEMENT, THE TERMS, CONDITIONS, AND LIMITATIONS SHALL BE DETERMINED AFTER A HEARING IS HELD.

MR. RAUPACH SHALL, AT HIS OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION BY A PSYCHIATRIST APPROVED IN ADVANCE BY THE BOARD AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF SUCH EVALUATION. PRIOR TO THE EVALUATION, MR. RAUPACH SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THE BOARD ORDER AND ALL PUBLIC DOCUMENTS CONCERNING MR. RAUPACH, AND SHALL EXECUTE RELEASES TO PERMIT THE PSYCHIATRIST TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE EVALUATOR SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES, RECOMMENDATIONS FOR TREATMENT AND MONITORING, AND ANY RESTRICTIONS THAT SHOULD BE PLACED ON MR. RAUPACH'S PRACTICE. THE PSYCHIATRIST SHALL SUBMIT A STATEMENT TO THE BOARD THAT MR. RAUPACH IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

REPORTING REQUIREMENTS OF MR. RAUPACH

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

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

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

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

MR. RAUPACH SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

NURSE REFRESHER COURSE

IF REQUESTED BY THE BOARD OR ITS DESIGNEE, MR. RAUPACH SHALL COMPLETE A NURSING REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

MR. RAUPACH SHALL SURRENDER TO THE BOARD HIS OHIO LICENSED PRACTICAL NURSE LICENSE PN 098218, 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 19TH DAY OF JANUARY 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the January 2007 Board meeting.

MOTION TO WITHDRAW NOTICE OF OPPORTUNITY

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON SEPTEMBER 13, 2004 FOR THE FOLLOWING: LAVALLE, CHERYL RN 168256. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

VOLUNTARY RETIREMENT

IT WAS MOVED BY ANNE BARNETT, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY RETIREMENT FROM THE PRACTICE OF NURSING FOR THE FOLLOWING: HOGAN, JOYCE PN 0452284. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

NOTICE OF IMMEDIATE & AUTOMATIC SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY PATRICIA BURNS, THAT THE BOARD IMMEDIATELY AND AUTOMATICALLY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 FOR THE FOLLOWING: ALLENBAUGH, LAURA RN 274497. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

MOTION TO WITHDRAW SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE BOARD WITHDRAW THE SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON SEPTEMBER 12, 2006 AND SUBSEQUENTLY PUBLISHED BEGINNING ON DECEMBER 12, 2006 FOR LYNN GAETANO, RN 268263 AND TO DISMISS THE CHARGES BASED UPON THE BOARD HAVING RECEIVED INFORMATION THAT THE RESPONDENT IS DECEASED. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

MOTION TO RESCIND CONSENT AGREEMENT

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD RESCIND THE ORIGINAL CONSENT AGREEMENT THAT WAS RATIFIED BY THE BOARD ON NOVEMBER 17, 2006 FOR THE FOLLOWING: HARVILLE, JODI RN 195000. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

MONITORING

LIFTS OF SUSPENSION/PROBATION

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, WITH THE RECOMMENDATION BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS, BE RELEASED FROM THEIR CONSENT AGREEMENTS: BLAINE, RYAN, P.N. 119283 (CASE #05-2615); RAGLAND, SHELLEY, L., P.N. 071291 (CASE #04-1874); MASSEY, MISTY, L., P.N. 117730 (CASE #04-1566); SICILIAN, ANGELA, D., R.N. 249778 (CASE #02-0925); GRANT, MICHELLE, L., R.N. 297230 (CASE #05-0529); RAMEY, ERKKA, S., P.N. 121430 (CASE #05-1406); SMITH, KEVIN, N., R.N. 264676 (CASE #05-3195); DAKA, BRENDA, M., P.N. 108487 (CASE #05-0971); TAYLOR, CORINN, M., R.N. 274186 (CASE #04-1134); BELL, ALICE, L., R.N. 130699 (CASE #02-0142); TUCKER, MORIAH, DB, R.N. 191305 (CASE #04-2263); KING, JEFFREY, W., R.N. 261621 (CASE #03-1680); HOBBS, WILLIAM, C., TC 1 02195 (CASE #04-2286); KOS, KIM, M., R.N. 237832 (CASE #05-0685); DAVIES, DIRK, H., P.N. 080010 (CASE #05-1874); SANKOVITCH, RHONDA, L., P.N. 109696 (CASE #05-0653); CARNEY, NANCY, J., R.N. 125557 (CASE #05-2954); KERR, CHRISTINA, M., R.N. 240259 (CASE #06-0703); WILLIAMS, MELISSA, S., P.N. 121107 (CASE #05-2094) AND DAVID, KIMBERLY, C, P.N. 102040 (CASE #04-0160). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ELIZABETH BUSCHMANN ABSTAINED ON CHRISTINA KERR RN 240259. DEBRA BROADNAX ABSTAINED ON ALL CASES.

LIFTS OF SUSPENSION/PROBATION-EARLY RELEASE

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, 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 DEBRA BROADNAX SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: GEORGE, DONNA, M., R.N. 260754 (CASE #04-1314); EVANS, JEFFREY, S., R.N. 250563 (CASE #98-0002); ERHARD, DEANA, M., R.N. 316931 (CASE #05-1692) AND SPORING, LISA, M., R.N. 242069 (CASE #02-0572). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY JUDITH BRACHMAN, 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: HALLMAN, RENEE, R.N. 166806 (CASE #04-0077); HENKEL, JODI, L., R.N. 231960 (CASE #05-1761) AND WOODS, APRIL, M., R.N. 317641 (CASE #05-0572). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

LIFT OF NARCOTIC RESTRICTIONS

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING BE RELEASED FROM THEIR NARCOTIC RESTRICTIONS WITHIN THEIR RESPECTIVE CONSENT AGREEMENTS. THESE RELEASES HAVE BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: DUVALL, CHERYL, A., R.N. 270526 (CASE #99-0587) AND PAVKOV, CYNTHIA, L., P.N. 079968 (CASE #03-1756). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. J. JANE MCFEE ABSTAINED ON DUVALL, CHERLY RN 270526. DEBRA BROADNAX ABSTAINED ON ALL CASES.

LIFT OF NARCOTIC RESTRICTION-EARLY RELEASE

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING BE RELEASED EARLY FROM HER NARCOTIC RESTRICTION WITHIN HER RESPECTIVE CONSENT AGREEMENT. THIS RELEASE HAS BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: ARGYLE, CYNTHIA, R.N. 167216 (CASE #05-1481). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

LIFT OF PRACTICE RESTRICTION

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE FOLLOWING HAVING MET THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT WITH THE BOARD BE RELEASED FROM HER PRACTICE RESRICTION WITHIN HER RESPECTIVE CONSENT AGREEMENT. THIS RELEASE HAS BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: MORGAN, CHELSIE, R.N. 207582, PN 045352 (CASE #04-2975). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. DEBRA BROADNAX ABSTAINED.

Other

Immediate Suspensions

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD DELEGATE AUTHORITY TO THE BOARD SUPERVISING MEMBER DEBRA BROADNAX AND OR THE BOARD PRESIDENT, TO ISSUE IMMEDIATE SUSPENSIONS PURSUANT TO R.C. 3719.121 THROUGHOUT 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

REPORTS TO THE BOARD

Board Committee Reports

Ohio Center for Nursing

President Krueger announced that the Ohio Center for Nursing Board Committee meeting would be held at noon on Friday, January 19, 2006 following adjournment of the Board meeting and a report would be provided at the March Board meeting.

Board Committee - Practice

The Board Committee on Practice met on Thursday, January 18, 2007. L. Klenke reported that during the meeting three Interpretative Guidelines were reviewed in preparation for presenting to the Board. The group discussed an Interpretative Guideline on moderate sedation. This committee will meet again at noon on Thursday, March 15, 2007. L. Klenke commended L. Emrich, Amy Rettig, and S. Milne for their work on the new Guidelines.

Interpretive Guidelines – Approvals

L. Emrich distributed the Interpretative Guidelines with the revisions recommended by the Practice Committee. L. Klenke and L. Emrich reviewed each revision.

Registered Nurse Performance of Conservative Sharp Wound Debridement

IT WAS MOVED BY ANNE BARNETT, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD APPROVE THE INTERPRETATIVE GUIDELINE ON THE REGISTERED NURSE PERFORMANCE OF CONSERVATIVE SHARP WOUND DEBRIDEMENT, AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Role of the Registered Nurse in Administering, Managing, and Monitoring Patients Receiving Analgesia via Epidural Catheter (Excluding Obstetrical Patients)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, THAT THE BOARD APPROVE THE INTERPRETATIVE GUIDELINE ON THE ROLE OF THE REGISTERED NURSE IN ADMINISTERING, MANAGING, AND MONITORING PATIENTS RECEIVING ANALGESIA VIA EPIDURAL CATHETER (EXCLUDING OBSTETRICAL PATIENTS), AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Analgesia via Epidural Catheter

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD APPROVE THE INTERPRETATIVE GUIDELINE ON THE ROLE OF THE REGISTERED NURSE IN MONITORING OBSTETRICAL PATIENTS RECEIVING ANALGESIA VIA EPIDURAL CATHETER, AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Appointment of Program Manager

On Friday, January 19, 2007 B. Houchen announced that Lesleigh Halliburton was appointed to replace N. Selders as Program Manager. The Board congratulated L. Halliburton on the promotion.

Board Committee on Retreat Planning

The Board Committee on Retreat planning was held on Friday, January 19, 2007 at 8:00 a.m. The Committee discussed that the Retreat would be held at the same location as last year and staff would provide direction at the March meeting. The committee reviewed a tentative agenda. L. Klenke asked that there be a discussion about patient safety and TERCAP. This Committee will meet again at 8:00 a.m. on Friday, March 16, 2007. K. Driscoll would like to either have continuing education

on laws and rules and a discussion about developing various approaches about talking about the laws and rules, so that the same presentation is not repeated each year.

Advisory Groups 2007

The Board received the Advisory Group Rosters and meeting dates for 2007 and the Board Policy on Advisory Groups and Board Committees. The Board Policy included revisions regarding the membership of the Advisory Group on Nursing Education and a statement about attendance. The Board Committee for Advisory Group Appointments recommended both revisions.

J. Jane McFee expressed concern about the lack of LPN involvement in the Advisory Group on Nursing Education. Following discussion, the Board agreed by consensus to add two LPNs, one of who could be the long-term care nursing representative, for the membership of the Advisory Group on Nursing Education.

Letters were sent to those individuals appointed to an Advisory Group and letters of appreciation were sent to Advisory Group members who completed their terms.

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD APPROVE BOARD POLICY 4723-B-13, ADVISORY GROUPS AND BOARD COMMITTEES, AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Open Forum – 10:00 a.m. Friday, January 19, 2007

No one addressed the Board during Open Forum.

Other Reports

Emergency Planning (Pandemic)

The Board received a written memorandum regarding Emergency Planning (Pandemic). L. Emrich and H. Fischer highlighted the memo and stated the Ohio Department of Health (ODH) convened a meeting of physicians and other clinicians on Friday, November 10, 2006, to discuss altered standards of care that may be implemented if an emergency would be declared. Kathleen Morris of the Ohio Nurses Association attended and provided the Board with the meeting documents. The Board thanked K. Morris for providing the information.

Although the majority of the topics pertained to detailed clinical issues, there were regulatory concerns identified by Board staff. Board staff forwarded suggestions to ODH on December 13, 2006, as presented in the memorandum received by the Board.

The Board also received a copy of an article that appeared in *The Columbus Dispatch* on December 13, 2006. The article highlighted the factors the federal government examines in determining if a state is “flu-prepared” and reviewed the status of Ohio’s preparedness.

Medication Aide Pilot Program Implementation Plan

The Board received the Pilot Program Implementation Plan Timeline for January through June 2007. L. Halliburton answered questions and highlighted the report. It is anticipated that medication aides will begin to work in February. There was a general discussion on the use of medication aides in facilities.

Physicians Supply and Demand Consultation Group

President Krueger announced she represented the Board at another meeting of the Physicians Supply and Demand Consultation Group convened by the Ohio Board of Regents. This group is gathering data and planning to make recommendations to the Governor for the next budget. The group did not discuss nurse practitioners or nursing practice issues. The next meeting of the group is February 5, 2007.

GENERAL INFORMATION (FYI)

President Krueger reviewed the items received by the Board: Correspondence Regarding Translation of the NCLEX Examination; Thank You Letter to LPNAO For the Resolution; Letter From OHA Regarding Presentation On Quality Initiatives; Letters Related to NNOC; Letter Regarding Licensure Application Questions; and NCSBN Bylaws Committee Minutes Regarding Proposed Bylaw Revisions.

Anne Barnett distributed information, "Stages of Chemical Dependency," from an in-service she attended.

BOARD GOVERNANCE

Identify Board Mentors and Plan Orientation For New Board Member

K. Driscoll volunteered to mentor new Board member Eric Yoon and staff will schedule an orientation. Contact information is included in the 2007 Board member roster.

Determine Board Member Attendance for NCSBN Mid-Year Meeting

The Board received the tentative agenda for the NCSBN Mid-Year Meeting, scheduled for April 3-4, 2007 in New Orleans. Last year three Board members attended the Mid-Year meeting. The other NCSBN meeting generally attended by Board members is the Annual Meeting and Delegate Assembly. For 2007, it is scheduled for August 7-10 in Chicago.

Meeting dates for 2008 were also provided for Board members. NCSBN will celebrate its 30th Anniversary in 2008 and has requested information about past Board members or staff who may be interested in attending, and historical documents, articles, or memorabilia to help NCSBN focus on the "past, present and future."

Following discussion, J. Brachman reminded the Board to be cognizant about the number of members attending and budgetary constraints. B. Houchen confirmed that, based on the budget, the Board could send three Board members and staff members. J. Boeckman, D. Broadnax and President Krueger stated they would like to attend the Mid-Year Meeting. T. Williams stated that if D. Broadnax is unable to attend that she could attend. President Krueger, L. Klenke and K. O'Dell stated that they would like to attend the Annual meeting in August. J. McFee stated that if an LPN should attend the Annual Meeting, she is willing to attend. NCSBN will cover the costs of two attendees for the Annual Meeting and Delegate Assembly.

J. Brachman requested that information from the Medication Aide presentation scheduled for the Mid-Year Meeting be discussed at the Board meeting following the Mid-Year Meeting.

Designation Of Hotel Change For The Year

The Board received a memorandum listing the hotels for 2007. Additional directions will be provided for the Courtyard Marriott Downtown. The goal has been to identify a hotel that accepts the state government rate and is located in the downtown area.

Board Governance Survey

The Board received the Board Governance Survey for 2007. Each year Board members complete the survey in preparation for the Board Retreat. The questions are essentially the same as last year with some editing and reordering. President Krueger requested that Board members complete the survey and return it to her during the January Board meeting. Staff will compile the results for discussion at the Board Retreat.

Financial Disclosure Statements (FDS)

President Krueger informed the Board members that they should have received the Financial Disclosure Statement (FDS) forms in the mail. She also stated that copies of Board members' travel expense for the 2006 calendar year were provided to assist them in completing their FDS forms. President Krueger informed the Board that the

FDS forms were to be completed and mailed to the Board office or turned in at the March Board meeting. Board staff will file the FDS forms.

Protocols for Alternative Program

The Board received the following draft protocols for review and approval:

- Alternative Program Participants Ticketed for Traffic/Parking Law Violations
- First Missed Drug Test
- Authorization of Removal of Overtime Restriction
- Authorization for Program Early Release from Agreement
- Authorization for Participant to Change Employment/Position

L. Emrich stated these protocols would further streamline the work of the Alternative Program and case review. D. Broadnax, the Board Supervising Member for Disciplinary Matters, recommended the protocols. Following review and discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD APPROVE THE PROTOCOLS FOR THE ALTERNATIVE PROGRAM FOR CHEMICAL DEPENDENCY, AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

NCSBN letters

The Board reviewed two letters drafted for the purpose of providing comments to the National Council of State Boards of Nursing (NCSBN) regarding their proposed "Guiding Principles For Regulation" and "Strategic Initiatives."

For the strategic initiatives, J. Brachman requested the Board recommend that NCSBN provide an increased focus and programming for consumer board members. L. Klenke commented that she views the development of a true national database through NURSYS to be a critical need. J. Boeckman stated that she agreed with the comments regarding Compact State Licensure.

For the Guiding Principles for Regulation, L. Klenke stated that the draft principles provided by NCSBN provided a good start and agreed with the Board comments. E. Buschmann stated that she liked the recommendation to change the wording to "consumer needs."

Following review of the two letters, the Board agreed by consensus to forward the letters to NCSBN. The Board complimented the staff about the content of the letters and stated they were well written.

Evaluation Of Meeting/Recommendations For Next Meeting

President Krueger asked if Board members would prefer to have the Consent Agreements divided so there would be approximately twenty cases for each motion. There was a discussion about the maker of the motion and the one who seconds a motion voting in opposition of the motion. The AAG will review Robert's Rules and clarify this question for the next meeting.

J. Brachman asked that the Board discuss the Consent Agreements for which there were differing points of view. President Krueger stated a discussion could be held at the March meeting.

E. Buschmann expressed her concerns regarding the length of deliberations on Thursdays. K. Driscoll agreed and suggested changing the agenda to begin deliberations at 3:00 p.m. D. Broadnax pointed out that if other items are not complete by Friday afternoon that there is a sense of rushing to complete those items as well. T. Williams suggested holding deliberations at 3:30 p.m. on Thursdays and start the Friday meeting at 8:30 a.m. beginning with an Executive Session. President Krueger suggested starting deliberations earlier based upon the number of cases for review.

Following discussion, it was suggested there be a decrease in the materials in the packet that Board members receive on Wednesday evenings. President Krueger suggested the packet items could be scheduled for discussion on Fridays, allowing Board members additional time to review materials on Thursday evenings. J. Brachman suggested a cut off date for agenda materials and for the Consent Agreements. B. Houchen stated that staff would continue to work to provide materials earlier to the Board. J. Brachman asked about sending e-mails with attachments in addition to mailing the disks.

President Krueger asked the Board if they would agree to hold both the Board Reception (Thursday, March 15) and Board Retreat Committee meeting (Friday, March 16) at 8:00 a.m. and begin the Board meeting at 8:30 a.m. on both days for the March meeting. Following discussion, the Board agreed to the time changes for the March meeting.

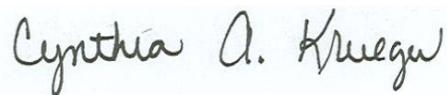
E. Buschmann asked if she could attend the June 2007 Center for Nursing Workforce Annual Conference in San Francisco. The Board agreed with E. Buschmann's request to attend the conference.

The Board members thanked staff for their work.

ADJOURNMENT

The meeting was adjourned at 11:35 a.m. on January 19, 2007.

Cynthia Krueger, RN, MSN
President



Attest:

Betsy Houchen, RN, MS, JD
Secretary

