



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD NOVEMBER 19-21, 2008

The regular meeting of the Ohio Board of Nursing (Board) was held on November 19-21, 2008 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Wednesday November 19, at 1:33 p.m., President Lisa Klenke convened a public hearing on the proposed amendments to certain Ohio Administrative Rules. On Thursday, November 20, at 8:31 a.m., President Lisa Klenke called the Board meeting to order. On Friday, November 21, at 8:32 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

BOARD MEMBERS

Lisa Klenke, MBA, RN, CNA-A, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, BSN, RNC, CWS
Janet L. Boeckman, RN, DNP, CPNP
Elizabeth Buschmann, LPN
Debra Broadnax, MSN, RN, CNS, Supervising Member, Disciplinary Matters
Patricia Burns, LPN
Kathleen Driscoll, JD, MS, RN
Delphenia Gilbert, BA, RN, M.Ed, LSN
Kathleen O'Dell, RN, M.Ed, NCSN
Patricia Protopapa, LPN
Eric Yoon, MSN, ACNP, CCNS (absent on November 21, 2008 until 12:30 p.m.)

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

- On Wednesday, a public hearing on Administrative Rules was held beginning at 1:33 p.m. and concluding at 1:47 p.m. Board deliberations followed the public hearing.
- On Thursday, the Board Reception was held at 8:00 a.m. A noon meeting of the Board Committee on Advisory Group Appointments was held. Executive Session was held at 2:00 p.m.
- On Friday, Open Forum was held at 10:00 a.m.

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

Minutes of September 18-19, 2008 Board Meeting

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll to approve the minutes of the September 18-19, 2008 Board meeting as amended. Motion adopted by a unanimous vote of the Board members.

Executive Director Report

Betsy Houchen introduced new staff members, Rebecca Green, Alisan Riemenschneider, and Tamera Stripsky. Becky Green is working in compliance. Alisan Riemenschneider is working at the front desk and Tami Stripsky in licensure.

B. Houchen thanked Brenda Murphy and Ebony Turner for their coordination of a very successful Combined Charitable Campaign. She also recognized Tara Bowman, Monique Holokai-Kane, Karen Wheeler, and Rick Young for their assistance with the campaign. B. Houchen thanked Board staff who generously donated \$14,744, exceeding our goal for the 2008 Campaign.

An article about boundaries, authored by B. Houchen, Holly Fischer, and Lisa Ferguson-Ramos, was published in *Nursing Administration Quarterly*. B. Houchen thanked H. Fischer and L. Ferguson-Ramos for providing the bulk of the work for the article. The NCSBN *CouncilConnector* included an article on Janet Boeckman, recognizing her as a member of the Nursing Education Study Committee.

B. Houchen commended IT staff for working on a mechanism that allows the Board to run comparative searches between the licensure database and data from the state's sexual offender eSORN (Electronic Sexual Offender Registration and Notification) system. The Attorney General's Office assisted in staff's request for the search and is interested in expanding this to other state Boards and Commissions.

B. Houchen highlighted the remainder of the report and answered questions.

Legislative Status Report

Tom Dilling provided a handout for the November 2008 Legislative Report. He discussed House Bill 253, expansion of prescribing Schedule II drugs by advanced practice nurses. The Board stated they continued to support the bill and agreed that a letter of support, as reviewed, be sent to the sponsor of the bill.

The Board discussed the Certified Registered Nurse Anesthetist (CRNA) scope of practice. T. Dilling noted that CRNAs practice under supervision, unlike other types of APNs, and do not have prescriptive authority per se. He reported that historically, it appears that some CRNAs thought they were authorized to write

orders for RNs and LPNs to administer medications in the surgical setting. At the September Board meeting, Board members reviewed an August 7, 2008 letter from Board staff to the Ohio State Association of Nurse Anesthetists (OSANA) advising that current law does not authorize this practice. E. Yoon reiterated that CRNAs do not have a Certificate to Prescribe. T. Dilling has been working with OSANA and other interested parties regarding the issue, including discussing whether legislative action that would allow CRNAs to prescribe medications for immediate administration in the surgical setting is feasible. T. Dilling noted that the Pharmacy Board was not opposed to this concept in preliminary discussions, however, some trade associations have voiced concerns. E. Yoon stated he is not opposed to such a change, but is unsure about some of the arguments being discussed in support of the change. D. Broadnax stated that she supports the Board continuing to be an interested party related to possible legislative changes. K. Driscoll stated she also supports the continued efforts of the Board staff to participate with the CRNAs in clarifying and delineating their scope of practice.

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell that discussion be extended for fifteen minutes. Motion adopted by unanimous vote of the Board members.

The Board agreed by general consensus that T. Dilling should continue to work on the issue while keeping L. Klenke updated with any developments. B. Houchen commended Tom Dilling for his work with interested parties. E. Yoon asked if the Board would invite the OSANA to the January meeting and the Board agreed to wait until more is known regarding the status of proposed legislative language.

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell that discussion be extended for fifteen minutes. Motion adopted by unanimous vote of the Board members.

T. Dilling updated the Board on HB 580, the complementary and alternative health bill, for which hearings are being held. The Board agreed by general consensus that T. Dilling relate the Board's opposition to the bill, as needed, to the legislators. The Board also discussed HB 267, HB 130, and HB 193.

Fiscal Report

Kathy King and L. Emrich presented the fiscal report. E. Buschmann asked about 27% of the payroll budget being spent through the first quarter. B. Houchen stated there is an issue with the fiscal year 2009 budget. During the first quarter, staff noted payroll was within \$3,000 of the allocated amount. Staff then questioned if we were fully funded for 62 full-time employees. B. Houchen related that in 2006, the Board requested, and was granted, an increase in positions and funding for the medication aide program, however, the current budget funds 58 positions and the Board currently has 59 employees. OBM will not add the funds to the budget. The shortfall is approximately \$113,000 for the fiscal year ending June 30, 2009. The staff is cutting costs wherever possible, including removing the posting for the APN consultant position, eliminating

overtime, stringently monitoring equipment and supply purchase requests, and looking at shipping costs of Board materials. The Board is not considering layoffs at this time. The staff is working together to continue to stay within budget to the end of the fiscal year on June 30, 2009. In the extended budget request for 2010-2011, the Board is fully funded for 62 full-time employees.

Honorary Resolution for Lisa G. Emrich, RN, MSN

President Klenke and Vice-President McFee presented Lisa Emrich with an honorary resolution in recognition of her Exceptional Contribution Award from NCSBN. Lisa Emrich stated that the resolution from the Board was a significant honor, that she was very proud to be a member of Board staff, and very grateful for the opportunity to represent Ohio at the national level.

NEW BUSINESS

2008 Rule Review

Holly Fischer reviewed the following revisions that were made based on the discussion at the September 2008 Board meeting:

Rules 4723-4-07(A)(4)(d) and 4723-4-08(A)(3)(e): Revise to make the language consistent with the proposed change to Rule 4723-4-06(D), and to delete reference to “delegable” nursing tasks, as this language was removed effective February 1, 2008 from Chapter 4723-13, OAC.

Rule 4723-20-05 (C): Revise to add the phrase “for independent providers” after “established,” regarding the Ohio Department of Job and Family Services requirements for the delivery of home care.

H. Fischer also reviewed and discussed the comments received for the public hearing regarding the proposed revisions of the administrative rules. The Board agreed to make additional revisions, based on the comments received, and re-file several rules.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board adopt the proposed revisions and re-file Ohio Administrative Code rules 4723-4-06, 4723-6-02, 4723-7-05, 4723-7-09, and 4723-14-01. Motion adopted by unanimous vote of the Board members.

OBN Annual Report

Action: It was moved by Elizabeth Buschmann, seconded by Debra Broadnax, that the Board approve the annual report as amended. Motion adopted by unanimous vote of the Board members.

APPROVALS

New Nursing Education Program Conditional Approval

ETI Technical College Practical Nursing Program

Action: It was moved by Kathleen Driscoll, seconded by Patricia Burns, that the Board grant conditional approval to ETI Technical College Practical Nursing

Program, in accordance with rule 4723-5-08, OAC. It was further moved that the program submit conditional approval reports to the Board on or before April 15, and July 15, 2009. Motion adopted by unanimous vote of the Board members.

Nursing Education-Determination of Program Approval Status

Good Samaritan College of Nursing and Health Science

Action: It was moved by Debra Broadnax, seconded by J. Jane McFee, that the Board grant full approval to Good Samaritan College of Nursing and Health Science, for a period of five years effective November 20, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Youngstown State University Bachelor of Science in Nursing

Action: It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that the Board grant full approval to Youngstown State University Bachelor of Science in Nursing Program, for a period of five years effective November 20, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Jefferson Community College School of Practical Nursing

Action: It was moved by Anne Barnett, seconded by Elizabeth Buschmann, that the Board grant full approval to Jefferson Community College School of Practical Nursing, for a period of five years effective November 20, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Butler Tech Program of Practical Nursing Education

Action: It was moved by Patricia Protopapa, seconded by Patricia Burns, that the Board grant full approval to Butler Tech Program of Practical Nursing Education, for a period of five years effective November 20, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by unanimous vote of the Board members.

Owens Community College Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Debra Broadnax, that the Board grant full approval to Owens Community College Practical Nursing Program, for a period of five years effective November 20, 2008, in accordance with Rule 4723-5-04, OAC. Motion adopted by majority vote of the Board members with Elizabeth Buschmann abstaining.

Galen College of Nursing, PN Program

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board approve the voluntary surrender of conditional approval and withdrawal of consideration for full approval submitted by Galen College of Nursing Practical Nursing Program. Motion adopted by unanimous vote of the Board members.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board September 1, 2008 through October 31, 2008 to the following: registered nurses, licensed practical nurses, certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists, all certificates to prescribe (CTP and CTP-externship), community health workers, Ohio certified dialysis technicians and medication aide pilot program certificates, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

National Certifying Organizations for APNs

Action: It was moved by Kathleen O'Dell, seconded by J. Jane McFee, that the Board approve, for 2009, the following national certifying organizations for certified nurse practitioners, certified nurse-midwives, certified registered nurse anesthetists, and clinical nurse specialists seeking a Certificate of Authority to practice in Ohio in accordance with Section 4723.46(A), ORC: American Academy of Nursing Practitioners Certification Program; American Association of Critical-Care Nurses Certification Corporation; National Board on Certification and Recertification of Nurse Anesthetists; American Midwifery Certification Board; American Nurses Credentialing Center; National Board for Certification of Hospice and Palliative Nurses; National Certification Corporation for the Obstetric, Gynecologic and Neonatal Nursing Specialties; Oncology Nursing Certification Corporation; and Pediatric Nursing Certification Board, Incorporated. Motion adopted by unanimous vote of the Board members.

National Certifying Organizations for Dialysis Technicians

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board approve, for 2009, the following national certifying organizations as dialysis technician testing organizations in accordance with Rule 4723-23-10(A), OAC: The Board of Nephrology Examiners, Inc. Nursing and Technology; and The National Nephrology Certification Organization. Motion adopted by unanimous vote of the Board members.

EXECUTIVE SESSION

On Thursday November 20, 2008:

Action: It was moved by J. Jane McFee that the Board adjourn into executive session to discuss pending or imminent court action with legal counsel and to discuss the appointment, employment or compensation of a public employee. Motion adopted by a unanimous roll call vote of the Board members.

ADJUDICATION AND COMPLIANCE

Board Actions

On Friday, November 21, 2008, President Klenke requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or

"no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, November 21, 2008, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Palmer, Jessica, A. P.N. 117374 (CASE #08-2492); Retz, Amy, Y. R.N. 169083 (CASE #08-0869); Tomaro, Mirella, N. P.N. 112188 (CASE #08-1676); Halbert, Karen, L. P.N. 108115 (CASE #08-2931); Lightle, Kenneth, T. P.N. 101601 (CASE #08-3436); Ryan, Heather, L. P.N. 101576 (CASE #08-1475); Rochester, Tamara, M. P.N. 117898 (CASE #06-0639); Boothe, Judy, D. P.N. 103105 (CASE #08-2386); Hines, Cassandra, A. P.N. 087163 (CASE #07-3864); Ryan, Jane, M. R.N. 223184 (CASE #08-2525); Ross, Kathy, A. P.N. 127601 (CASE #08-2708); Ford, Katrina, B. R.N. 278065 (CASE #08-3232); Bivens, Stephanie, J. R.N. 328853 (CASE #08-2741); Tovanche, Nadia, A. P.N. 128519 (CASE #08-1870); Stewart, Melissia, J. R.N. 332076 (CASE #08-3003); McCoy, Tanja, L. P.N. 079519 (CASE #08-2636); Finnegan, Cindi, J. R.N. 265591 (CASE #08-3544); and Tidmore, Atrienne, S. P.N. 116056 (CASE #07-1733).

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

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

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Kilcorse, Penny, M. R.N. 258766 (CASE #08-0619); Baucom, Kelly, M. R.N. 285906 (CASE #08-3386); Lindon, Tamre, C. R.N. 228184 (CASE #07-3460); Wright (Lewis), Liguori, P.N. 086671 (CASE #08-2980); Mitchell, Mary, E. R.N. 231376 (CASE #08-1447); Pearsall, Christina, L. R.N. 280991 (CASE #07-2553); Jones, Trimika, L. P.N. 122688 (CASE #08-2627); Erd, Leilani, M. R.N. 231425, P.N. 079533 (CASE #07-2865); Ross, Marc, J. R.N. 313007 (CASE #08-0328); Morris, Cynthia, A. R.N. 130726 (CASE #07-2583); Calloway, Amy, K. P.N. 103540 (CASE #08-0708); Bahns, Todd, A. R.N. 283692 (CASE #08-2546); Black, Bettianna, K. P.N. 080350 (CASE #07-3062); Sylvester, Anthony, P. P.N. 119267 (CASE #08-0345); Johns, Tina, E. R.N. 299788 (CASE #08-

2091); Davis, Virginia, L. R.N. 140689 (CASE #08-3365); Bentley, Amanda, R. R.N. 328207, P.N. 109582 (CASE #07-0289); Beesler, Penelope, A. P.N. 089327 (CASE #07-3595); Collier, Summur, N. P.N. 125183 (CASE #08-2417); and Cope, Misti, A. P.N. 128229 (CASE #08-2821).

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

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Ruiz, Nichole, L. P.N. 110286 (CASE #08-3342); Gundling, Teresa, R.N. 253981, P.N. 076780 (CASE #08-3112); Lively, Andrea, D. R.N. 265083, COA 07394, RX 07394 (CASE #08-3258); Morgan, George, A. P.N. 127962 (CASE #08-3437); McGrady, Dawn, R. R.N. 291264 (CASE #08-3347); Schirtzinger, Emily, J. P.N. 129659 (CASE #08-3113); Wallace, Jennifer, A. P.N. 088559 (CASE #08-3115); Garland, Corinne, M. R.N. 201657 (CASE #08-3277); Wade, Michelle, E. R.N. 201076 (CASE #08-3736); Hambel, Angela, S. P.N. 087625 (CASE #08-3475); Abrams Jr, Benjamin, P.N. 110843 (CASE #08-3111); Poland, Raejean, P.N. 106604 (CASE #08-3341); and Maschek, Theresa, M. R.N. 254843 (CASE #08-2827).

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

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

TEMPORARY SUSPENSION

Action: It was moved by Kathleen O'Dell, seconded by Janet Boeckman, that the Board Temporarily Suspend the license and issue a Notice of Opportunity for Hearing for Rinehart, Karen, A. R.N. 312735 (CASE #08-3263) for violations of Chapter 4723. ORC.

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

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

SURRENDERS

Permanent Voluntary Surrender

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that the Board accept the Permanent Voluntary Surrender of License for the following:

Harvey, Rebecca, J. R.N. 101766 (CASE #03-2155); Gray, Muriel, J. P.N. 057575 (CASE #06-2124); Toth, Kenneth, R.N. 201488 (CASE #08-3054); Crane, Amber, J. R.N. 327326 (CASE #08-3010); Cesta, Lisa, M. R.N. 217636 (CASE #08-1523); Evans, Natalie, P.N. 075430 (CASE #08-0883); Carson, Stephen, A. R.N. 164007 (CASE #07-3491); Lanhart, Tanya, J. P.N. 121704 (CASE #08-0091); and Mullaghy, Mary, L. P.N. 129290 (CASE #08-1727).

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

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the November 2008 Board meeting.

Voluntary Permanent Withdrawal of Endorsement Application

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board accept the Voluntary Permanent Withdrawal of Application for Licensure by Endorsement for Self, Mary, E. R.N. endorse (CASE #08-3537).

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

Complete copies of the Voluntary Permanent Withdrawal of Endorsement Application shall be maintained in the exhibit book for the November 2008 Board meeting.

CONSENT AGREEMENTS

On Friday, November 21, 2008, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

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

Slick, Cynthia, M. R.N. 269556 (CASE #08-1114); Adams, Stephen, L. P.N. 113194 (CASE #07-1979); Trapp, Bethany, L. P.N. 101169 (CASE #07-3272); Colwell, Joyce, A. P.N. 068045 (CASE #06-2719); Turco, Jamie, L. P.N.

120263 (CASE #06-1195); Civils, Jon, I. P.N. 117465 (CASE #08-1494); Forehope, Meghan, F. R.N. 316134 (CASE #07-3494); Hite, Mark, C. R.N. 294793 (CASE #08-3058); Vallery, Kelley, F. R.N. 286406 (CASE #07-3670); Burd, Jessica, P.N. NCLEX (CASE #08-1767); Pritchett, Delilah, A. P.N. NCLEX (CASE #08-2698); Schwarck, Stephanie, M. R.N. NCLEX (CASE #08-1381); Forte, Rebecca, A. R.N. 329816 (CASE #07-2138); Ferrell, Angela, K. R.N. 278529, COA 09390, RX-EX1 09390 (CASE #08-3251); Heger, Michele, L. R.N. NCLEX (CASE #08-2754); Ausmus, Rebecca, L. R.N. 324235, P.N. 108431 (CASE #07-3085); Vires, Bilnita, J. P.N. 075009 (CASE #07-2982); Hummeldorf, Beth, A. R.N. 226205 (CASE #07-1668); Edwards, Terri, M. R.N. 231302 (CASE #07-3727); Rowland, Jennifer, S. P.N. 112957 (CASE #08-1444); Leggett, Andrea, N. R.N. 287131 (CASE #06-1124); Liddell, Chinna, M. P.N. 106597 (CASE #08-0518); Springer, Heidi, J. R.N. 197059, COA 02311 (CASE #07-1319); Thomas, Allison, R. R.N. 286138, COA 08414, RX-EX1 08414 (CASE #08-3183); Stacy, Dawn, E. CMA applicant (CASE #08-2680); Mapes, Sheila, A. R.N. 189934, NP 05613, RX 05613 (CASE #08-1653); Owen, Tracey, A. P.N. 116335 (CASE #07-1870); Frederick, Wendi, G. R.N. 285677 (CASE #07-3609); Jackson, Kathy, R.N. 190176 (CASE #07-1297); Holland, Cheryl, G. R.N. 150206, COA 00855 (CASE #08-2813); Miller, Marsha, A. R.N. 123396 (CASE #08-3081); Holman, Lee, A. R.N. 309675, P.N. 112047 (CASE #08-1116); Park, Peggy, A. R.N. 192723 (CASE #08-3340); Hart, Jennifer, H. R.N. 282642 (CASE #07-2738); Carlson, David, P. P.N. NCLEX (CASE #08-1994); Day, Morgan, A. P.N. NCLEX (CASE #08-2331); Pennington, Elizabeth, E. P.N. 059092 (CASE #04-2932); Ross, Myrna, M. P.N. NCLEX (CASE #08-2064); Compher, Melissa, A. P.N. NCLEX (CASE #08-1183); Sampson, Adrianna, M. R.N. NCLEX (CASE #08-2857); Wenske, Willie, D. P.N. 125473 (CASE #07-3824); Miller, Tracy, L. P.N. endorse (CASE #08-1807); O'Connell, Laura, V. P.N. endorse (CASE #08-2452); Lamb, Doris, J. R.N. 170114 (CASE #07-2048); Horsley, Tammy, J. D.T. applicant (CASE #08-2856); Lloyd, Heather, A. R.N. 181014 (CASE #08-2655); Davis, Dorothy, R. P.N. 035587 (CASE #06-0834); Thacker, Amanda, L. P.N. NCLEX (CASE #08-2699); Conner, Lori, B. R.N. 188516 (CASE #08-3472); Robin, Roberta, M. R.N. endorse (CASE #07-0291); Hawkins, Cynthia, S. R.N. 297932 (CASE #08-2676); McLemore, Hermanda, J. P.N. 097746 (CASE #06-0642); Sanzen (Lee), Jessica, L. R.N. 315813 (CASE #07-3803); Allenbaugh, Laura, L. R.N. 274497 (CASE #06-2266); Jones, Angela, Jo. P.N. 109615 (CASE #07-0004); Plaza, Susan, M. R.N. 222675 (CASE #08-2423); Petrovich, Jerrod, M. R.N. 300155 (CASE #07-3763); Underwood, Tara, L. R.N. 266848 (CASE #08-0584); Allen, Beth, A. R.N. 207720 (CASE #08-3350); Coladonato, Kathleen, E. R.N. 188222 (CASE #08-2826); Ferguson, Teresa, E. R.N. 256060 (CASE #08-3336); Gerald, Tina, M. P.N. 102758 (CASE #08-3116); Allen, Chastity, L. P.N. 120098 (CASE #08-2986); Rice, Karen, A. R.N. 141159 (CASE #07-3817); Pirtle, Christine, M. R.N. 181010 (CASE #08-2465); Buzard, Tasha, K. R.N. 305606 (CASE #05-3446); Brackenrich-Long, Melissa, A. P.N. 101340 (CASE #08-0559); Whitt, Janet, L. P.N. 113015 (CASE #08-1586); Adams, Stacey, L. P.N. 093989 (CASE #08-3439); Brunelle, Timothy, C. R.N. NCLEX (CASE #07-3965); Mangham, Lyn, N. P.N. 095397 (CASE #08-3474); Keller, Linda, M. P.N. 028684, R.N. 182913 (CASE #08-1841); Sutfin, Carol, J. P.N. 093500

(CASE #08-2513); Squier, Mariann, P.N. NCLEX (CASE #08-2363); Madaris, Yolanda, K. P.N. NCLEX (CASE #08-2062); Nourian, Seid, P.N. NCLEX (CASE #08-1431); Rambo, Calla, R R.N. 290442 (CASE #08-2830); Ballinger, Russell, J. R.N. NCLEX (CASE #08-3305); Fafata, Doris, I. R.N. 266620 (CASE #07-2334); Dent, Angela, D P.N. 113754 (CASE #07-3082); Meeker, Earlene, K. P.N. 032338 (CASE #06-2891); Brunner, Stephanie, M. R.N. NCLEX (CASE #08-1212); Ivey, Karen, M. R.N. 261173 (CASE #07-2695); Tharp, Jennifer, R. P.N. 104797 (CASE #08-2151); Svoboda, Karen, R.N. 190729 (CASE #08-0737); Mast, Iris, A. R.N. NCLEX (CASE #07-3926); Darrington, Lisa, M. P.N. NCLEX (CASE #08-2221); Hankinson, April, R. P.N. 111741 (CASE #08-0455); Krupa, Anna, D. R.N. 294967 (CASE #08-3700); Schroeder, Gina, M. R.N. NCLEX (CASE #08-1698); Eversole, Sandra, P.N. endorse (CASE #08-1690); Bailey, Rosemarie, R.N. 271713 (CASE #06-0975); Clark, Tammy, L. P.N. 071911 (CASE #08-0284); Hall, Anne, R. P.N. 080906 (CASE #06-2156); Smith, Tahna, L. R.N. 233783 (CASE #07-2419); Fetherolf, Danielle, N. P.N. NCLEX (CASE #08-2123); Abrams, Brenda, K. P.N. 047008 (CASE #06-1632); Hamilton, Shawna, M. R.N. NCLEX (CASE #07-2619); Mills, Olivia, R.N. 261218, P.N. 090172 (CASE #04-0120); Williams, Jennifer, R. R.N. 296542 (CASE #07-1474); Ferrer, Jaime, R. P.N. 114758 (CASE #06-0445); Keaveney, Kelly, F. P.N. 125818 (CASE #08-0878); Beyl, Linda, M. P.N. 101162 (CASE #08-2945); Anderson, Kimberly, S. R.N. 168707 (CASE #08-3268); Hessler, Christine, R.N. 289644 (CASE #08-0245); Anderson, Diane, M. P.N. 095223 (CASE #08-3061); and Shepard-Horst, Lee, R.N. 250218 (CASE #08-0994).

Debra Broadnax abstained from voting on all cases. Elizabeth Buschmann abstained on Williams, Jennifer, R. R.N. 296542 (CASE #07-1474) only. Kathleen O'Dell voted no on Hankinson, April, R. P.N. 111741 (CASE #08-0455) only. Eric Yoon voted no on the following cases only: Trapp, Bethany, L. P.N. 101169 (CASE #07-3272); Turco, Jamie, L. P.N. 120263 (CASE #06-1195); Hite, Mark, C R.N. 294793 (CASE #08-3058); Forte, Rebecca, A. R.N. 329816 (CASE #07-2138); Ferrell, Angela, K. R.N. 278529 (CASE #08-3251); Thomas, Allison, R. R.N. 286138 (CASE #08-3183); Park, Peggy, A. R.N. 192723 (CASE #08-3340); Lamb, Doris, J. R.N. 170114 (CASE #07-2048); Horsley, Tammy, J. D.T. applicant (CASE #08-2856); Petrovich, Jerrod, M. R.N. 300155 (CASE #07-3763); Madaris, Yolanda, K. P.N. NCLEX (CASE #08-2062); Ivey, Karen, M. R.N. 261173 (CASE #07-2695); Krupa, Anna, D R.N. 294967 (CASE #08-3700); Schroeder, Gina, M. R.N. NCLEX (CASE #08-1698); Eversole, Sandra, P.N. endorse (CASE #08-1690); and Anderson, Diane, M. P.N. 095223 (CASE #08-3061). J. Jane McFee voted no on the following cases only: Edwards, Terri, M. R.N. 231302 (CASE #07-3727); Frederick, Wendi, G. R.N. 285677 (CASE #07-3609); Carlson, David, P. P.N. NCLEX (CASE #08-1994); Fafata, Doris, I. R.N. 266620 (CASE #07-2334); Dent, Angela, D. P.N. 113754 (CASE #07-3082); Brunner, Stephanie, M. R.N. NCLEX (CASE #08-1212); Schroeder, Gina, M. R.N. NCLEX (CASE #08-1698); and Hessler, Christine, R.N. 289644 (CASE #08-0245). Elizabeth Buschmann voted no on the following cases only: Lamb, Doris, J. R.N. 170114 (CASE #07-2048); Brunelle, Timothy, C. R.N. NCLEX (CASE #07-3965); Hankinson, April, R P.N. 111741 (CASE #08-0455); Eversole, Sandra, P.N.

endorse (CASE #08-1690); Hall, Anne, R. P.N. 080906 (CASE #06-2156); and Abrams Jr, Benjamin, P.N. 110843 (CASE #08-3111).

Motion adopted by majority vote of the Board members.

Action: It was moved by Kathleen O'Dell, seconded by Anne Barnett, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board and the following cases:

Berry, Lori, A. R.N. 268904 (CASE #08-0496); and Herman, Katie, J. P.N. 112649 (CASE #06-3354).

Debra Broadnax and J. Jane McFee abstained from voting on all cases. Patricia Burns, Delphenia Gilbert, and Eric Yoon voted no on Herman, Katie, J. P.N. 112649 (CASE #06-3354) only.

Motion adopted by majority vote of the Board members.

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

WITHDRAWAL OF NOTICE

Action: It was moved by Elizabeth Buschmann, seconded by Patricia Burns, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on March 19, 2007 for Evans, Donna, E. P.N. 096793 (CASE #07-0656), having received information that Ms. Evans is deceased. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

Action: It was moved by Kathleen O'Dell, seconded by J. Jane McFee, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on May 21, 2007 for Simpson, Gary, M. R.N. 189020 (CASE #06-3054). The Board has been unable to locate Mr. Simpson. Mr. Simpson's license lapsed in 1985 and he has not pursued renewal. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on November 25, 2005 for Flowers, Dorothy, J. P.N. 033834 (CASE #05-3025). The Board did not obtain service on the November 25, 2005 Notice of Opportunity for Hearing. Ms. Flowers' license lapsed in 1981 and she has not pursued renewal.

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on July 23, 2007 for Young, Kris, L. P.N. 112303 (CASE #06-

3050). The Board did not obtain service on the July 23, 2007 Notice of Opportunity for Hearing. Ms. Young's license is lapsed. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

HEARING EXAMINER REPORT AND RECOMMENDATION

Miller, Robin, J. P.N. 121429 (CASE #06-1712)

Action: It was moved by Debra Broadnax, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that Robin Miller'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. MILLER** shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

The rationale for the modification is based upon **MS. MILLER's** length of licensure and lack of information provided to and contact with the Board.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. MILLER** 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. MILLER's** history. **MS. MILLER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. MILLER** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. MILLER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MILLER** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. MILLER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes

- diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MILLER's** license, and a statement as to whether **MS. MILLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. MILLER** 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. MILLER's** license.
 7. **For a minimum, continuous period of twelve (12) months immediately prior to seeking reinstatement, MS. MILLER** 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. MILLER'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. MILLER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MILLER's** history.
 8. Within thirty (30) days prior to **MS. MILLER** initiating drug screening, **MS. MILLER** 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. MILLER**.
 9. After initiating drug screening, **MS. MILLER** 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. MILLER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of twelve (12) months immediately prior to seeking reinstatement, MS. MILLER** 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. MILLER** shall provide satisfactory documentation of such attendance to

the Board prior to reinstatement.

11. Prior to seeking reinstatement by the Board, **MS. MILLER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. MILLER** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MILLER's** license, and a statement as to whether **MS. MILLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. MILLER** 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. MILLER's** license.

Reporting Requirements of MS. MILLER

13. **MS. MILLER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. MILLER** 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.
15. **MS. MILLER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. MILLER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. MILLER** 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.
18. **MS. MILLER** shall verify that the reports and documentation required by this Order are received in the Board office.

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

20. **MS. MILLER** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. MILLER** shall notify the Board.
11. **MS. MILLER** 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. MILLER** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. MILLER** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. MILLER

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

prevailing standards of safe nursing practice.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

Director of Nursing, Nurse Manager, Vice President of Nursing.

FAILURE TO COMPLY

The stay of MS. MILLER's suspension shall be lifted and MS. MILLER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MILLER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MILLER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MILLER** 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. MILLER** has complied with all aspects of this Order; and (2) the Board determines that **MS. MILLER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MILLER** and review of the reports as required herein. Any period during which **MS. MILLER** 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 **ROBIN J. MILLER** to surrender her licensed practical nurse license #P.N. 121429 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Motion adopted by unanimous vote of the Board members.

NO REQUEST FOR HEARING CASES

Hoops, Marilyn, Z. P.N. 117861 (CASE #08-0586)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll that upon consideration of the charges stated against **MARILYN HOOPS** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HOOPS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. HOOPS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HOOPS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

- shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HOOPS's** history.
8. Within thirty (30) days prior to **MS. HOOPS** initiating drug screening, **MS. HOOPS** 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. HOOPS**.
 9. After initiating drug screening, **MS. HOOPS** 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. HOOPS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. HOOPS** 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. HOOPS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 11. Prior to seeking reinstatement by the Board, **MS. HOOPS** shall, at her own expense, obtain a neuropsychological evaluation from a Board approved psychologist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. HOOPS** shall provide the psychologist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOOPS's** license, and a statement as to whether **MS. HOOPS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 12. **MS. HOOPS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychologist 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. HOOPS's license.

Educational Needs Assessment and Learning Plan

13. Prior to seeking reinstatement by the Board, **MS. HOOPS** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. HOOPS** shall have the educator provide the Board with a written report of an assessment of **MS. HOOPS**, which identifies **MS. HOOPS's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. HOOPS** shall provide the nursing educator with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. HOOPS** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. HOOPS's** employer(s), former employers, and Board staff. Following the assessment, **MS. HOOPS** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. HOOPS** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. HOOPS** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. HOOPS** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. HOOPS** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. HOOPS** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. HOOPS's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. HOOPS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. HOOPS** shall be responsible for all costs associated with meeting this requirement.
14. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. HOOPS's** license.
15. In the event that the educator's recommendations require **MS. HOOPS** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. HOOPS** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. HOOPS's** license shall remain suspended. Upon

successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. HOOPS's** license shall be terminated. **MS. HOOPS** agrees that she shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. HOOPS

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

DURATION

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

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

two (2) years.

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

Monitoring

3. **MS. HOOPS** 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. HOOPS's** history. **MS. HOOPS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HOOPS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. HOOPS** 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. HOOPS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HOOPS's** history.
6. **MS. HOOPS** 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. HOOPS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. HOOPS** shall notify the Board.
11. **MS. HOOPS** 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. HOOPS** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. HOOPS** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. HOOPS

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

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. HOOPS's suspension shall be lifted and MS. HOOPS's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. HOOPS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. HOOPS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. HOOPS** 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. HOOPS** has complied with all aspects of this Order; and (2) the Board determines that **MS. HOOPS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. HOOPS** and review of the reports as required herein. Any period during which **MS. HOOPS** 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 **MARILYN HOOPS** to surrender her licensed practical nurse license #P.N. 117861 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Roe, Jenny, R. P.N. 106939 (CASE #08-0384)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **JENNY R. ROE** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. ROE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ROE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. ROE** 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. ROE's** history. **MS. ROE** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. ROE** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. ROE** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. ROE** shall provide the chemical dependency professional with a copy of

- this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ROE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ROE's** license, and a statement as to whether **MS. ROE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. ROE** 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. ROE's** license.
 7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. ROE** 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. ROE'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. ROE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROE's** history.
 8. Within thirty (30) days prior to **MS. ROE** initiating drug screening, **MS. ROE** 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. ROE**.
 9. After initiating drug screening, **MS. ROE** 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. ROE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. ROE** 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. ROE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. ROE

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

DURATION

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

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

two (2) years.

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

Monitoring

3. **MS. ROE** 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. ROE's** history. **MS. ROE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. ROE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. ROE** 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. ROE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROE's** history.
6. **MS. ROE** 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. ROE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. ROE** shall notify the Board.
11. **MS. ROE** 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. ROE** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. ROE** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. ROE

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

17. **MS. ROE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. ROE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. If **MS. ROE** has not worked in a nursing position for more than two (2) years, prior to working as a nurse, **MS. ROE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. ROE's suspension shall be lifted and MS. ROE's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. ROE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ROE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ROE** 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. ROE** has complied with all aspects of this Order; and (2) the Board determines that **MS. ROE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ROE** and review of the reports as required herein. Any period during which **MS. ROE** 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 **JENNY R. ROE** to surrender her licensed practical nurse license #P.N. 106939 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Thomas, Cynthia, G P.N. 105534 (CASE #08-0588)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **CYNTHIA G. THOMAS** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. THOMAS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that the allegation in Item 2. pertaining to failure to call FirstLab on January 3, 2008 is dismissed, and that, for the remaining violations, **MS. THOMAS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. THOMAS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. THOMAS** 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.**

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

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

THOMAS.

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

Reporting Requirements of MS. THOMAS

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

DURATION

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

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

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

Monitoring

3. **MS. THOMAS** 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. THOMAS's** history. **MS. THOMAS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. THOMAS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. THOMAS** 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. THOMAS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. THOMAS's** history.
6. **MS. THOMAS** 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. THOMAS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. THOMAS** shall notify the Board.
11. **MS. THOMAS** 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. THOMAS** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. THOMAS** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. THOMAS

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. THOMAS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. THOMAS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. THOMAS** 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. THOMAS** has complied with all aspects of this Order; and (2) the Board determines that **MS. THOMAS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. THOMAS** and review of the reports as required herein. Any period during which **MS. THOMAS** 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 **CYNTHIA G. THOMAS** to surrender her licensed practical nurse license #P.N. 105534 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Motion adopted by majority vote of the Board memberw tih Debra Braodnax abstaining.

Monday, Kimberly, A. R.N. 271527 (CASE #08-0366)

Action: It was moved by Patricia Burns, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **KIMBERLY A. MONDAY** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MONDAY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MONDAY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KIMBERLY A. MONDAY** to surrender her registered nurse license #R.N. 271527 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

abstaining.

Harrison, James, E P.N. 126672 (CASE #08-0452)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that upon consideration of the charges stated against **JAMES E. HARRISON** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. HARRISON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. HARRISON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **JAMES E. HARRISON** to surrender his licensed practical nurse license #P.N. 126672 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Darr, Elana, K. P.N. 030592 (CASE #06-2096)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **ELANA K. DARR** in the September 22, 2006 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DARR** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. DARR's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DARR** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. DARR** 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. DARR's** history. **MS. DARR** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. DARR** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. DARR** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist who is certified by the American Board of Medical Specialties (ABMS) in Addiction Psychiatry and who is approved in advance by the Board and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. DARR** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. DARR** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DARR's** license, and a statement as to whether **MS. DARR** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. DARR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DARR's** license.
7. **For a minimum, continuous period of twelve (12) months immediately prior to seeking reinstatement, MS. DARR** 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. DARR'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. DARR** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DARR's** history.
8. Within thirty (30) days prior to **MS. DARR** initiating drug screening, **MS.**

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

Reporting Requirements of MS. DARR

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

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

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

DURATION

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

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

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

Monitoring

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

documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. DARR** shall notify the Board.
11. **MS. DARR** 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. DARR** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. DARR** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. DARR

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

prevailing standards of safe nursing practice.

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

Nurse Manager, Vice President of Nursing.

FAILURE TO COMPLY

The stay of MS. DARR's suspension shall be lifted and MS. DARR's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. DARR** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DARR** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DARR** 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. DARR** has complied with all aspects of this Order; and (2) the Board determines that **MS. DARR** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DARR** and review of the reports as required herein. Any period during which **MS. DARR** 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 **ELANA K. DARR** to surrender her licensed practical nurse license #P.N. 030592 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Motion adopted by unanimous vote of the Board members.

Bray, Christina, T P.N. 122373 (CASE #08-0835)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **CHRISTINA BRAY** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BRAY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BRAY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) year, and the Temporary Practice Restrictions set forth below.

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

1. **MS. BRAY** shall obey all federal, state, and local laws, and all laws and

rules governing the practice of nursing in Ohio.

2. **MS. BRAY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **By February 1, 2009, MS. BRAY** shall submit to a BCI criminal records check.
4. **By March 1, 2009, MS. BRAY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Documentation; five (5) hours of Wound Care; and ten (10) hours of Transcription / Physician's Orders.

Employment Conditions

5. **By December 21, 2009, MS. BRAY** shall notify the Board, in writing, of the name and address of any current employer(s). Prior to accepting employment as a nurse, each time with every employer, **MS. BRAY** shall notify the Board.
6. **By December 21, 2009, MS. BRAY**, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. BRAY** 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. BRAY** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BRAY** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BRAY

7. **MS. BRAY** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
8. **MS. BRAY** 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.
9. **MS. BRAY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

10. **MS. BRAY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
11. **MS. BRAY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
12. **MS. BRAY** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. BRAY** 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.

Workplace Monitor

When working as a nurse, **MS. BRAY** shall only work in settings in which a registered nurse supervisor is present on-site at all times. **MS. BRAY** shall have a work site registered nurse (“Workplace Monitor”) who supervises **MS. BRAY**, agrees to monitor **MS. BRAY’s** work performance and progress, and agrees to be in contact with the Board or its designee. **MS. BRAY** shall provide the Workplace Monitor with a copy of this Order and Notice of Opportunity for Hearing and have the Workplace Monitor contact the Board or its designee prior to **MS. BRAY** working as a nurse. **MS. BRAY** shall have the Workplace Monitor maintain contact with the Board or its designee and provide written progress reports at intervals requested by the Board or its designee. In the event that the Workplace Monitor becomes unable or unwilling to serve in this capacity, **MS. BRAY** must notify the Board, in writing, within three (3) business days, and make arrangements acceptable to the Board or its designee for another Workplace Monitor to monitor **MS. BRAY’s** performance and progress as soon as practicable. Workplace monitoring shall be completed after a minimum period of one (1) year when **MS. BRAY** successfully demonstrates that she has consistently practiced in accordance with the standards of safe nursing care.

Temporary Practice Restrictions

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

MS. BRAY shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Bates, Kathy, P.N. 094488 (CASE #08-1251)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **KATHY BATES** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BATES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BATES's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BATES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. BATES

11. **MS. BATES** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. BATES** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. BATES** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. BATES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. BATES** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17

South High Street, Suite 400, Columbus, OH 43215-7410.

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

DURATION

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

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

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

Monitoring

3. **MS. BATES** 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. BATES's** history. **MS. BATES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BATES** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. BATES** 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. BATES** shall be negative, except for substances prescribed, administered, or

dispensed to her by another so authorized by law who has full knowledge of **MS. BATES's** history.

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. BATES** shall notify the Board.
11. **MS. BATES** 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. BATES** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BATES** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BATES

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

MS. BATES shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals

who directly engage **MS. BATES** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

FAILURE TO COMPLY

The stay of MS. BATES's suspension shall be lifted and MS. BATES's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BATES** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BATES** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BATES** 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. BATES** has complied with all aspects of this Order; and (2) the Board determines that **MS. BATES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BATES** and review of the reports as required herein. Any period during which **MS. BATES** 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 **KATHY BATES** to surrender her licensed practical nurse license #P.N. 094488 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

This ORDER shall SUPERSEDE Board Order 1503, which was entered upon the Journal of the Board for the 18th day of January, 2008.

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

Rudolph, Carrye, A. R.N. 187867 (CASE #08-0477)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **CARRYE A. RUDOLPH** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RUDOLPH** has committed acts in violation of

the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. RUDOLPH'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **CARRYE A. RUDOLPH** to surrender her registered nurse license #R.N. 187867 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Shafer, Tamara, S R.N. 292575 (CASE #08-0837)

Action: It was moved by Elizabeth Buschmann, seconded by J. Jane McFee, that upon consideration of the charges stated against **TAMARA SUE SHAFER** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SHAFER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. SHAFER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **TAMARA SUE SHAFER** to surrender her registered nurse license #R.N. 292575 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Luckino, Krista , L. R.N. 273841 (CASE #08-1355)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **KRISTA LYNN LUCKINO** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LUCKINO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. LUCKINO's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than

twelve (12) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LUCKINO** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. LUCKINO** 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. LUCKINO's** history. **MS. LUCKINO** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. LUCKINO** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. LUCKINO** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist who is certified by the American Board of Medical Specialties in Addiction Psychiatry and who is approved in advance by the Board and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. LUCKINO** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. LUCKINO** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LUCKINO's** license, and a statement as to whether **MS. LUCKINO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. LUCKINO** 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. LUCKINO's** license.
7. **For a minimum, continuous period of twelve (12) months immediately prior to seeking reinstatement, MS. LUCKINO** 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. LUCKINO'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. LUCKINO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LUCKINO's** history.
8. Within thirty (30) days prior to **MS. LUCKINO** initiating drug screening, **MS. LUCKINO** 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. LUCKINO**.
 9. After initiating drug screening, **MS. LUCKINO** 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. LUCKINO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of twelve (12) months immediately prior to seeking reinstatement, MS. LUCKINO** 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. LUCKINO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. LUCKINO

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

Board or to employers or potential employers.

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

DURATION

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

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

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

Monitoring

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

5. During the probationary period, **MS. LUCKINO** 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. LUCKINO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LUCKINO's** history.
6. **MS. LUCKINO** 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. LUCKINO** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. LUCKINO** shall notify the Board.
11. **MS. LUCKINO** 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. LUCKINO** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send

documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. LUCKINO** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. LUCKINO

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

Temporary Narcotic Restriction

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

cabinets, drawers, or containers. **MS. LUCKINO** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. LUCKINO's suspension shall be lifted and MS. LUCKINO's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LUCKINO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LUCKINO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LUCKINO** 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. LUCKINO** has complied with all aspects of this Order; and (2) the Board determines that **MS. LUCKINO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LUCKINO** and review of the reports as required herein. Any period during which **MS. LUCKINO** 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 **KRISTA LYNN LUCKINO** to surrender her registered nurse license #R.N. 273841 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Kohut, Ronnie, A. P.N. 111025 (CASE #07-1349)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **RONNIE A. KOHUT** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KOHUT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. KOHUT'S** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KOHUT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. KOHUT

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

DURATION

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

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

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

Monitoring

3. **MS. KOHUT** 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. KOHUT's** history. **MS. KOHUT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KOHUT** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. KOHUT** 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. KOHUT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KOHUT's** history.
6. **MS. KOHUT** 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. KOHUT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. KOHUT** shall notify the Board.
11. **MS. KOHUT** 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. KOHUT** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. KOHUT** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. KOHUT

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. KOHUT's suspension shall be lifted and MS. KOHUT's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. KOHUT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KOHUT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KOHUT** 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. KOHUT** has complied with all aspects of this Order; and (2) the Board determines that **MS. KOHUT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KOHUT** and review of the reports as required herein. Any period during which **MS. KOHUT** 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 **RONNIE A. KOHUT** to surrender her licensed practical nurse license #P.N. 111025 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Stover, Jayme, R. P.N. 108766 (CASE #07-2615)

Action: It was moved by Patricia Burns, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **JAYME R. STOVER** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STOVER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. STOVER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, retroactive to May 2008, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. STOVER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. STOVER** 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. STOVER's** history. **MS. STOVER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. STOVER** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. STOVER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. STOVER** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. STOVER** shall execute releases to permit the

- chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STOVER's** license, and a statement as to whether **MS. STOVER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. STOVER** 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. STOVER's** license.
 7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. STOVER** 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. STOVER'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. STOVER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STOVER's** history.
 8. Within thirty (30) days prior to **MS. STOVER** initiating drug screening, **MS. STOVER** 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. STOVER**.
 9. After initiating drug screening, **MS. STOVER** 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. STOVER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. STOVER** 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. STOVER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

11. Prior to seeking reinstatement by the Board, **MS. STOVER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. STOVER** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STOVER's** license, and a statement as to whether **MS. STOVER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. STOVER** 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. STOVER's** license.

Reporting Requirements of MS. STOVER

13. **MS. STOVER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. STOVER** 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.
15. **MS. STOVER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. STOVER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. STOVER** 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.

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

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. STOVER** shall notify the Board.
11. **MS. STOVER** 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. STOVER** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. STOVER** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. STOVER

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

documentation directly to the Board.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. STOVER's suspension shall be lifted and MS. STOVER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. STOVER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. STOVER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. STOVER** 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. STOVER** has complied with all aspects of this Order; and (2) the Board determines that **MS. STOVER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STOVER** and review of the reports as required herein. Any period during which **MS. STOVER** 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 **JAYME R. STOVER** to surrender her licensed practical nurse license #P.N. 108766 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Kreager, Teresa, P.N. 116446 (CASE #06-3078)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that upon consideration of the charges stated against **TERESA KREAGER** in the May 16, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KREAGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. KREAGER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KREAGER** shall be subject to a stayed suspension under

the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. KREAGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KREAGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. KREAGER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: twelve (12) hours of Diabetic Education.

Monitoring

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

8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. KREAGER** 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. KREAGER'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. KREAGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KREAGER's** history.
9. Within thirty (30) days prior to **MS. KREAGER** initiating drug screening, **MS. KREAGER** 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. KREAGER**.
10. After initiating drug screening, **MS. KREAGER** 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. KREAGER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. KREAGER** 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. KREAGER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. Prior to seeking reinstatement by the Board, **MS. KREAGER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. KREAGER** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes

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

13. **MS. KREAGER** 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. KREAGER's** license.

Educational Needs Assessment and Learning Plan

14. Prior to seeking reinstatement by the Board, **MS. KREAGER** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. KREAGER** shall have the educator provide the Board with a written report of an assessment of **MS. KREAGER**, which identifies **MS. KREAGER's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. KREAGER** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. KREAGER** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. KREAGER's** employer(s), former employers, and Board staff. Following the assessment, **MS. KREAGER** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. KREAGER** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. KREAGER** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. KREAGER** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. KREAGER** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. KREAGER** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. KREAGER's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. KREAGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. KREAGER** shall be responsible for all costs associated with meeting this requirement.

15. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. KREAGER's** license.
16. In the event that the educator's recommendations require **MS. KREAGER** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. KREAGER** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. KREAGER's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. KREAGER's** license shall be terminated. **MS. KREAGER** agrees that she shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Reporting Requirements of MS. KREAGER

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

DURATION

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

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

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

Monitoring

3. **MS. KREAGER** 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. KREAGER's** history. **MS. KREAGER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KREAGER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. KREAGER** 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. KREAGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KREAGER's** history.
6. **MS. KREAGER** 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. KREAGER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. KREAGER** shall notify the Board.
11. **MS. KREAGER** 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. KREAGER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. KREAGER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. KREAGER

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

Board or to employers or potential employers.

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of **MS. KREAGER's** suspension shall be lifted and **MS. KREAGER's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. KREAGER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KREAGER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KREAGER** 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. KREAGER** has complied with all aspects of this Order; and (2) the Board determines that **MS. KREAGER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KREAGER** and review of the reports as required herein. Any period during which **MS. KREAGER** 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 **TERESA KREAGER** to surrender her licensed practical nurse license #P.N. 116446 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Frena, Tracy, B. P.N. 084401 (CASE #07-3269)

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **TRACY B. FRENA** in the November 19, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FRENA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. FRENA's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. FRENA** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. FRENA

11. **MS. FRENA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. FRENA** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. FRENA** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. FRENA** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. FRENA** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17

South High Street, Suite 400, Columbus, OH 43215-7410.

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

DURATION

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

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

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

Monitoring

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

of **MS. FRENA's** history.

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. FRENA** shall notify the Board.
11. **MS. FRENA** 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. FRENA** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. FRENA** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. FRENA

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

compensation, or other consideration or as a volunteer.

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

FAILURE TO COMPLY

The stay of **MS. FRENA's** suspension shall be lifted and **MS. FRENA's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. FRENA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. FRENA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. FRENA** 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. FRENA** has complied with all aspects of this Order; and (2) the Board determines that **MS. FRENA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. FRENA** and review of the reports as required herein. Any period during which **MS. FRENA** 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 **TRACY B. FRENA** to surrender her licensed practical nurse license #P.N. 084401 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Powell (Smith), Tina, L. P.N. 105898 (CASE #08-0370)

Action: It was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **TINA L. POWELL (SMITH)** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. POWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. POWELL'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TINA L. POWELL (SMITH)** to surrender her licensed practical nurse license #P.N. 105898 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Anne Barnett, Patricia Burns, Delphenia Gilbert, and Eric Yoon opposed the motion. Eric Yoon requested that his opposition be expressly noted. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

Pospichel, Bobbi, J. P.N. 113621 (CASE #08-0375)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **BOBBI JO POSPICHEL** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. POSPICHEL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that the allegation contained in Item 2 pertaining to failure to call FirstLab on September 9, 2007 is dismissed and that, for the remaining violations, **MS. POSPICHEL'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **BOBBI JO POSPICHEL** to surrender her licensed practical nurse license #P.N. 113621 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Lester, Cathy, S. R.N. 318420 (CASE #07-3916)

Action: It was moved by Kathleen O Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **CATHY SUZANNE LESTER** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LESTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. LESTER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with

the conditions for reinstatement set forth below, and that following reinstatement, **MS. LESTER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. LESTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LESTER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. LESTER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Ethics.
4. Prior to seeking reinstatement by the Board, **MS. LESTER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. LESTER** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LESTER's** license, and a statement as to whether **MS. LESTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. LESTER** 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. LESTER's** license.

Reporting Requirements of MS. LESTER

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

8. **MS. LESTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. LESTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. LESTER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. LESTER** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. LESTER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
13. **MS. LESTER** shall submit to a BCI criminal records check.

DURATION

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

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

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

Employment Conditions

3. Prior to accepting employment as a nurse, each time with every employer, **MS. LESTER** shall notify the Board.
4. **MS. LESTER** 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. LESTER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for

Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. LESTER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. LESTER

5. **MS. LESTER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. LESTER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
7. **MS. LESTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. LESTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. LESTER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. LESTER** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. LESTER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. If **MS. LESTER** has not worked in a nursing position for more than two (2) years, prior to working as a nurse, **MS. LESTER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

MS. LESTER shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or

agents of the State; or (5) for an individual or group of individuals who directly engage **MS. LESTER** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

MS. LESTER shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

The stay of MS. LESTER's suspension shall be lifted and MS. LESTER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LESTER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LESTER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LESTER** 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. LESTER** has complied with all aspects of this Order; and (2) the Board determines that **MS. LESTER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LESTER** and review of the reports as required herein. Any period during which **MS. LESTER** 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 **CATHY SUZANNE LESTER** to surrender her registered nurse license #R.N. 318420 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Foster, Angela, A. R.N. 306424, P.N. 087098 (CASE #08-0034)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **ANGELA FOSTER** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FOSTER** has

committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. FOSTER's** licenses to practice nursing as a registered nurse and a licensed practical nurse are hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. FOSTER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. FOSTER

11. **MS. FOSTER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. FOSTER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and

prevailing standards of safe nursing practice.

13. **MS. FOSTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. FOSTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. FOSTER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. FOSTER** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. FOSTER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. FOSTER** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

4. **MS. FOSTER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. FOSTER** 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. FOSTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. FOSTER's** history.
6. **MS. FOSTER** 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. FOSTER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. FOSTER** shall notify the Board.
11. **MS. FOSTER** 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. FOSTER** shall provide her

employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. FOSTER** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. FOSTER

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

Permanent Narcotic Restriction

Unless otherwise approved in advance by the Board, MS. FOSTER shall not administer, have access to, or possess (except as prescribed for **MS. FOSTER's** use by another so authorized by law who has full knowledge of **MS. FOSTER's** history) any narcotics, other controlled substances, or mood altering

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

The Board further Orders **ANGELA FOSTER** to surrender her registered nurse license #R.N. 306424 and her licensed practical nurse license #P.N. 087098 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Hofmann, Sherri, L. R.N. 268354 (CASE #08-0738)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **SHERRI LYNN HOFMANN** in the May 16, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HOFMANN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. HOFMANN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HOFMANN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. HOFMANN** 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. HOFMANN's** history. **MS. HOFMANN** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. HOFMANN** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. HOFMANN** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HOFMANN** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. HOFMANN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary

- for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOFMANN's** license, and a statement as to whether **MS. HOFMANN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. HOFMANN** 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. HOFMANN's** license.
 7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. HOFMANN** 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. HOFMANN'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. HOFMANN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HOFMANN's** history.
 8. Within thirty (30) days prior to **MS. HOFMANN** initiating drug screening, **MS. HOFMANN** 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. HOFMANN**.
 9. After initiating drug screening, **MS. HOFMANN** 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. HOFMANN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. HOFMANN** 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. HOFMANN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. HOFMANN** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. HOFMANN** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOFMANN's** license, and a statement as to whether **MS. HOFMANN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 12. **MS. HOFMANN** 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. HOFMANN's** license.
 13. Prior to seeking reinstatement by the Board, **MS. HOFMANN** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. HOFMANN's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. HOFMANN's** comprehensive physical examination and with a comprehensive assessment regarding **MS. HOFMANN's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. HOFMANN** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. HOFMANN** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOFMANN's** license to practice, and stating whether **MS. HOFMANN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 14. **MS. HOFMANN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the physician described above until released. Further, the Board may utilize the physician's recommendations and conclusions from the evaluation as

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

15. Prior to seeking reinstatement by the Board, **MS. HOFMANN** shall, at her own expense, obtain a comprehensive evaluation by a physician who is certified by the American Board of Medical Specialties (ABMS) in Pain Management and who is approved in advance by the Board. **MS. HOFMANN** shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HOFMANN** shall provide the evaluating physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. HOFMANN** shall execute releases to permit the evaluating physician to obtain any information deemed appropriate and necessary for the evaluation. The physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOFMANN's** license, and a statement as to whether **MS. HOFMANN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

Reporting Requirements of MS. HOFMANN

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

18. **MS. HOFMANN** 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.

19. **MS. HOFMANN** 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.

20. **MS. HOFMANN** 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.

21. **MS. HOFMANN** 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.

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

DURATION

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

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

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

Monitoring

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

law who has full knowledge of **MS. HOFMANN's** history.

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. HOFMANN** shall notify the Board.
11. **MS. HOFMANN** 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. HOFMANN** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. HOFMANN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. HOFMANN

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

documentation directly to the Board.

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

compensation, or other consideration or as a volunteer.

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

FAILURE TO COMPLY

The stay of **MS. HOFMANN's** suspension shall be lifted and **MS. HOFMANN's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. HOFMANN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. HOFMANN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. HOFMANN** 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. HOFMANN** has complied with all aspects of this Order; and (2) the Board determines that **MS. HOFMANN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. HOFMANN** and review of the reports as required herein. Any period during which **MS. HOFMANN** 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 **SHERRI LYNN HOFMANN** to surrender her registered nurse license #R.N. 268354 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Arther , Gwen, E. R.N. 310344 (CASE #07-3065)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **GWEN ELLEN ARTHUR** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ARTHUR** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. ARTHUR's** license to practice nursing as a registered nurse is hereby

suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ARTHUR** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. ARTHUR** 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. ARTHUR's** history. **MS. ARTHUR** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. ARTHUR** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. ARTHUR** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. ARTHUR** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. ARTHUR** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ARTHUR's** license, and a statement as to whether **MS. ARTHUR** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. ARTHUR** 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. ARTHUR's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. ARTHUR** 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. ARTHER'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. ARTHER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ARTHER's** history.
8. Within thirty (30) days prior to **MS. ARTHER** initiating drug screening, **MS. ARTHER** 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. ARTHER**.
 9. After initiating drug screening, **MS. ARTHER** 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. ARTHER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. ARTHER** 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. ARTHER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. ARTHER

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

Board or to employers or potential employers.

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

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. ARTHUR** shall notify the Board.
11. **MS. ARTHUR** 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. ARTHUR** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and

Opportunity for Hearing, including the date they were received. Further, **MS. ARTHUR** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. ARTHUR

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. ARTHER's suspension shall be lifted and MS. ARTHER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. ARTHER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ARTHER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ARTHER** 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. ARTHER** has complied with all aspects of this Order; and (2) the Board determines that **MS. ARTHER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ARTHER** and review of the reports as required herein. Any period during which **MS. ARTHER** 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 **GWEN ELLEN ARTHER** to surrender her registered nurse license #R.N. 310344 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Hittle, Theresa, S. P.N. 064610 (CASE #07-3042)

Action: It was moved by Patricia Burns, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **THERESA S. HITTLE** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HITTLE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. HITTLE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **THERESA S. HITTLE** to surrender her licensed practical nurse license #P.N. 064610 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

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

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **LORI BETH MARIEA** in the May 16, 2008 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARIEA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MARIEA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MARIEA** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. MARIEA** 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. MARIEA's** history. **MS. MARIEA** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. MARIEA** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. MARIEA** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MARIEA** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. MARIEA** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MARIEA's** license, and a statement as to whether **MS. MARIEA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. MARIEA** 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. MARIEA's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. MARIEA** 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. MARIEA'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. MARIEA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARIEA's** history.
8. Within thirty (30) days prior to **MS. MARIEA** initiating drug screening, **MS. MARIEA** 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. MARIEA**.
9. After initiating drug screening, **MS. MARIEA** 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. MARIEA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. MARIEA** 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. MARIEA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MARIEA

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

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

DURATION

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

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

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

Monitoring

3. **MS. MARIEA** 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. MARIEA's** history. **MS. MARIEA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MARIEA** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MARIEA** 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. MARIEA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MARIEA's** history.
6. **MS. MARIEA** 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. MARIEA** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. MARIEA** shall notify the Board.
11. **MS. MARIEA** 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. MARIEA** shall provide her employer(s) with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. MARIEA** is under a continuing duty to provide a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. MARIEA

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

The stay of MS. MARIEA's suspension shall be lifted and MS. MARIEA's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MARIEA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MARIEA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MARIEA** 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. MARIEA** has complied with all aspects of this Order; and (2) the Board determines that **MS. MARIEA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MARIEA** and review of the reports as required herein. Any period during which **MS. MARIEA** 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 **LORI BETH MARIEA** to surrender her registered nurse license #R.N. 319423 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Kuhlman , Carla, M. R.N. 210390 (CASE #08-0079)

Action: It was moved by Patricia Protopapa, seconded J. Jane McFee, that upon consideration of the charges stated against **CARLA M. KUHLMAN** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KUHLMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. KUHLMAN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KUHLMAN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. KUHLMAN** shall obey all federal, state, and local laws, and all laws

and rules governing the practice of nursing in Ohio.

2. **MS. KUHLMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

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

- to her by another so authorized by law who has full knowledge of **MS. KUHLMAN's** history.
8. Within thirty (30) days prior to **MS. KUHLMAN** initiating drug screening, **MS. KUHLMAN** 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. KUHLMAN**.
 9. After initiating drug screening, **MS. KUHLMAN** 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. KUHLMAN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. KUHLMAN** 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. KUHLMAN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. KUHLMAN

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

17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. KUHLMAN** shall notify the Board.
11. **MS. KUHLMAN** 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. KUHLMAN** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. KUHLMAN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. KUHLMAN

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

FAILURE TO COMPLY

The stay of **MS. KUHLMAN's** suspension shall be lifted and **MS. KUHLMAN's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. KUHLMAN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KUHLMAN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KUHLMAN** 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. KUHLMAN** has complied with all aspects of this Order; and (2) the Board determines that **MS. KUHLMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KUHLMAN** and review of the reports as required herein. Any period during which **MS. KUHLMAN** 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 **CARLA M. KUHLMAN** to surrender her registered nurse license #R.N. 210390 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Adkins, Herbert, D. R.N. endorse (CASE #05-2077)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **HERBERT ADKINS** in the September 19, 2005 Notice of Opportunity for Hearing and evidence supporting

the charges, the Board finds that **MR. ADKINS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. ADKINS'S** application for a license to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Motion adopted by unanimous vote of the Board members.

Wells, Kimberly, A. R.N. 207571 (CASE #06-1951)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **KIMBERLY A. WELLS** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WELLS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. WELLS's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the terms, conditions, and limitations set forth below for a minimum period of three (3) years, and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

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

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

Monitoring

4. **MS. WELLS** 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. WELLS's** history. **MS. WELLS** shall self-administer the prescribed drugs only in the

manner prescribed.

5. **MS. WELLS** shall abstain completely from the use of alcohol.
6. **Prior to practicing as a nurse, MS. WELLS** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WELLS** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WELLS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WELLS's** license, and a statement as to whether **MS. WELLS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. WELLS** 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. WELLS's** license.
8. **For a minimum, continuous period of three (3) months prior to practicing as a nurse and continuing throughout the probationary period, MS. WELLS** 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. WELLS'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. WELLS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WELLS's** history.
9. Within thirty (30) days prior to **MS. WELLS** initiating drug screening, **MS. WELLS** 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.**

WELLS.

10. After initiating drug screening, **MS. WELLS** 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. WELLS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of three (3) months prior to practicing as a nurse and continuing throughout the probationary period, MS. WELLS** 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. WELLS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Employment Conditions

12. Prior to accepting employment as a nurse, each time with every employer, **MS. WELLS** shall notify the Board.
13. **MS. WELLS** 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. WELLS** shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received. Further, **MS. WELLS** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. WELLS

14. **MS. WELLS** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. **MS. WELLS** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MS. WELLS** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MS. WELLS** shall submit the reports and documentation required by this

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

18. **MS. WELLS** 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.

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

DURATION

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

The Board further Orders **KIMBERLY A. WELLS** to surrender her registered nurse license #R.N. 207571 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

McKee , William, C. P.N. 113311 (CASE #07-2990)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **WILLIAM C. MCKEE, L.P.N.**, in the March 17, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. MCKEE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. MCKEE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. MCKEE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

following continuing nursing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules; five (5) hours of Medication Administration; five (5) hours of Documentation; and five (5) hours of Ethics.

Monitoring

4. **MR. MCKEE** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MCKEE's** history. **MR. MCKEE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. MCKEE** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MR. MCKEE** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. MCKEE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. MCKEE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. MCKEE's** license, and a statement as to whether **MR. MCKEE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. MCKEE** 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 **MR. MCKEE's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. MCKEE** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. MCKEE's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. MCKEE** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge

of **MR. MCKEE's** history.

9. Within thirty (30) days prior to **MR. MCKEE** initiating drug screening, **MR. MCKEE** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. MCKEE**.
10. After initiating drug screening, **MR. MCKEE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. MCKEE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. MCKEE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. MCKEE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. MCKEE

12. **MR. MCKEE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MR. MCKEE** 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.
14. **MR. MCKEE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MR. MCKEE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. MCKEE** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MR. MCKEE

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MR. MCKEE shall not function in a position or employment where the job duties

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

FAILURE TO COMPLY

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

DURATION

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. MCKEE** has complied with all aspects of this Order; and (2) the Board determines that **MR. MCKEE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. MCKEE** and review of the reports as required herein. Any period during which **MR. MCKEE** 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 **WILLIAM C. MCKEE** to surrender his licensed practical nurse license #P.N. 113311 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Carpenter, James, D. R.N. 318818 (CASE #08-0913)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **JAMES D. CARPENTER** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. CARPENTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. CARPENTER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JAMES D. CARPENTER** to surrender his registered nurse license #R.N. 318818 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

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

Stiltner, Christine, A. P.N. 099019 (CASE #07-2681)

Action: It was moved by Kathleen Driscoll, seconded by Anne Barnett, that upon consideration of the charges stated against **CHRISTINE A. STILTNER** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STILTNER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. STILTNER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHRISTINE A. STILTNER** to surrender her licensed practical nurse license #P.N. 099019 and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 21st day of November, 2008.

Motion adopted by unanimous vote of the Board members.

MONITORING

LIFTS OF SUSPENSION/PROBATION

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

Smith, Jennifer, M. R.N. 327574 (CASE #06-1142); Hall, Jr., Joseph, C. R.N. 308934 (CASE #05-2493); Ruoff, Nicole, A. P.N. 109440 (CASE #06-0040); Clark, Lisa, M. P.N. 094481 (CASE #05-2636); Baker, Lynette, M R.N. 305426 (CASE #04-0033); Blech, David, A. R.N. 337143 (CASE #07-2404); Kerestman, Katherine, M. R.N. 272983 (CASE #06-1654); Dunn, Angelina, P.N. 108712 (CASE #04-2818); Osborne, Christopher, A. P.N. 113852 (CASE #07-1310); Gaston, Carrie, M. R.N. 329817 (CASE #06-2120); Jackson, Douglas, A. R.N. 329819 (CASE #06-2029); Street, Stanley, B. D.T. 00002 (CASE #07-0353); Wyrick, Jennifer, L. P.N. 106462 (CASE #06-2365); Swancer, Michelle, M. P.N. 127958 (CASE #07-1545); Wells, Deserae, J. R.N.

337142 (CASE #07-1702); and Loukach, Larissa, L. R.N. 294256 (CASE #04-2346).

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

LIFTS OF SUSPENSION/PROBATIONS – EARLY RELEASE

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

Adams, Sadie, D. P.N. 124885 (CASE #06-2606); Neumann, Deborah, L. R.N. 148551 (CASE #05-2941); and Owens, Karrie, A. R.N. 300238 (CASE #05-3201).

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

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

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

Magnolia, Christine, E. P.N. 124127 (CASE #06-1734); Bowen, Gretchen, L. R.N. 287000 (CASE #05-3144); Sheppard, Natalie, A. P.N. 124893 (CASE #06-1427); and Bellis, Dawn, M. P.N. 073601 (CASE #05-0946).

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

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

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

Hanson, Matthew, P. R.N. 268089, N.A. 07559 (CASE #06-1727); Keeton, Wanda, M. R.N. 145110 (CASE #05-0620); and Hughes, Garrett, P. R.N. 274365 (CASE #06-1794).

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

LIFT OF NARCOTIC RESTRICTION

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their narcotic restrictions within their respective consent agreement:

Bauman, Ambrozine, C. R.N. 261090 (CASE #07-2093); Ferranti, Deborah, A. R.N. 253367 (CASE #06-3289); Truett, Tracy Jo, P.N. 103171 (CASE #07-0975); Hardulak, Irena, R.N. 326343 (CASE #07-3109); Yant, Lynette, M. R.N. 276835 (CASE #07-1816); and McNeal, Suzanne, R. R.N. 240662 (CASE #06-2605).

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

REINSTATEMENT REQUEST

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that Walker, Teresa, A. P.N. 091755 (CASE #06-2274);, having met the requirements for license reinstatement contained within the January 19, 2007, Consent Agreement with the Board, be reinstated subject to the terms and conditions of probation contained within the Consent Agreement. This reinstatement has been recommended by Debra Broadnax, Supervising Member for Disciplinary Matters. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

REPORTS TO THE BOARD

Board Committee Reports – Advisory Group Appointments

Continuing Education

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the following be appointed to the Board Advisory Group on Continuing Education, for terms beginning January 1, 2009 and ending December 31, 2010: Susan Copeland; Lennie Davis; Pam Dickerson; Paula Garvey; and Sandra Swanson. Motion adopted by unanimous vote of the Board members.

Dialysis Technicians

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that

the following be appointed to the Board Advisory Group on Dialysis, for terms beginning January 1, 2009 and ending December 31, 2010: Debra Broadnax; James Dineen; and Mark Parks. Motion adopted by majority vote of the Board members with Debra Broadnax abstaining.

Nursing Education

Action: It was moved by J. Jane McFee, seconded by Kathleen Driscoll, that the following be appointed to the Board Advisory Group on Nursing Education, for terms beginning January 1, 2009 and ending December 31, 2010: Cheryl Boyd, Sharon Carmichael; Jacqueline Guhde; Susan Ipacs; and Kelly Phillips. Motion adopted by unanimous vote of the Board members.

Open Forum – 10:00 a.m. Friday, November 21, 2008

Tracy Ruegg addressed the Board regarding support for the passage of House Bill 253, providing comments about the use of terminology in Board meetings, and providing information regarding her experience with OARS.

Margaret Clark Graham, representing the Ohio Association of Advanced Practice Nurses, addressed the Board encouraging the Board to revise the requirements for advanced practice nurses, who hold prescriptive authority in another state and have practiced one year in the other state, in the immediately preceding three year period, to eliminate the “500 hour direct supervision” requirement in 4723-9-04, OAC. Dr. Clark Graham also requested that the Board extend the amount of time in Rule 4723-9-03, OAC, for an individual to complete a pharmacology course prior to applying for a Certificate to Prescribe, from three to five years.

Advisory Group Reports

Nursing Education

Kathy Driscoll reported that the Advisory Group on Nursing Education convened on October 9, 2008. She stated that the Advisory Group recommended that a graduate should have a limitation of two years from the time of graduation to take the NCLEX for the first time which would allow an applicant the opportunity to take the NCLEX a total of eight times. It was reported that OOPNE supports a one-year limitation. B. Houchen stated that this was discussed at a recent NCSBN meeting on Uniform Core Licensure Requirements and the Board agreed to wait for a recommendation from NCSBN before moving forward with recommended changes to the requirements for Ohio.

Late Submission of Nursing Education Annual Reports

K. Driscoll reviewed a memorandum about the increasing occurrence of untimely annual report submissions by pre-licensure nursing education programs. She reported that the Advisory Group on Nursing Education voiced concerns about the issue and recommended the Board take action, as needed. After discussion, the Board agreed by general consensus that two weeks prior to the due date, the Board should notify Program Administrators

who did not submit an annual report that failure to submit the report by the required date may result in a change of the program's approval status; the Board would be provided information about programs that were late in submitting the report or did not submit a report; and the Board could consider whether to change the program's approval status or enter a consent agreement, in lieu of altering the status, imposing a reprimand and fine for the program.

Continuing Education Meeting

Anne Barnett reported that the Advisory Group on Continuing Education met on October 17, 2008. The Advisory Group is reviewing other states' requirements for LPN IV therapy. The Group also discussed recommended language changes for "Category A" continuing education. L. Robinson reported on a continuing education event entitled "One Medicine Conference: Contemporary Issues in Public Health" that focused on infectious diseases of concern to veterinary and public health. The Committee discussed the relevancy of the conference in terms of nursing practice and continuing education.

CPG Meeting

Eric Yoon stated that the Committee on Prescriptive Governance met on October 27, 2008. The Advisory Group discussed that the current requirements for APNs entering Ohio with prescriptive authority in another state may be preventing some APNs from pursuing a CTP in Ohio. E. Yoon also reported that the Committee is considering an exclusionary formulary and one that is more user-friendly.

Other Reports

Nursing Education Study Committee

Janet Boeckman stated that the formal meetings for the legislative Nursing Education Study Committee have concluded. At the final meeting, the Committee discussed, among other things, endorsement of APN prescriptive authority and NEALP. A final report is to be issued to the Governor by December 31, 2008. L. Klenke thanked J. Boeckman for her work on behalf of the Board.

NEALP Report

Holly Fischer reviewed the NEALP report and the changes that have occurred over the last several years. She reported that the Ohio Board of Regents (OBR) has discussed discontinuing the 25% funding allocation for PN education and using those funds for nursing instructor loans. The Board recommended that a flexible approach be taken to allow OBR to transfer funds based on the number of applicants for nursing instructor loans, but not completely eliminate the possibility of funding for the PN applicants. Although the instructor loans continue to be low, the number doubled from the last funding period. OBR implemented a grant program and notified applicants about the grant funds being available. The Board

agreed that they received the information needed and would not request an OBR representative attend a Board meeting.

Strategic Plan – Status Report

B. Houchen noted there has been significant progress in meeting the strategic initiatives and the performance measures of the 2007-2009 Strategic Plan, but she anticipates that some of the initiatives may be carried forward to the next strategic plan. Several Board members stated applicants contacted them regarding licensure. B. Houchen stated that the state phone system for the Board office is inadequate to meet the volume of calls received. Also, the Board is receiving a high volume of applications throughout the entire year, rather than certain months, due to an increase in the number of approved schools with multiple annual graduation dates and more graduates. In addition, for most of the year, the Licensure Unit has not been fully staffed. A new employee has been recently hired for the Unit. Another issue is that callers do not realize, despite information on the application and the Board web site, that all components of the application must be received prior to licensure, so the turnaround time is generally longer than they expect. Several of the strategic initiatives, such as having a system in place so that applicants are able to check the status of their application on-line, should reduce the number of calls and provide a means for applicants to receive the information about the status of the application more quickly. This initiative will be piloted at the beginning of 2009.

Education Program Annual Reports – Summary

L. Emrich commended Joyce Zurmehly, Emeline Kelly, Michelle Hubbard and Ebony Turner for their work on the Education Program Annual Report. She stated the report was also forwarded to Senator Morano due to her work as Chair of the Nursing Education Study Committee. L. Emrich highlighted several areas and answered questions of the Board.

GENERAL INFORMATION (FYI)

L. Klenke reviewed the General Information items and asked if Board members had questions. K. Driscoll commended staff for the article written for the *Nursing Administration Quarterly*, recommending it be used in the classroom. Janet Boeckman suggested that a copy of the articles regarding medication aides be sent to former Board member Judith Brachman.

BOARD GOVERNANCE

Nomination of Board Officers – Thursday, November 20, 2008

President

Action: Patricia Protopapa nominated Janet Boeckman for President.

Action: Kathleen Driscoll nominated Lisa Klenke for President.

Vice-President

Action: Janet Boeckman nominated J. Jane McFee for Vice-President.

Board Supervising Member for Disciplinary Matters

Action: Debra Broadnax nominated Anne Barnett for Board Supervising Member for Disciplinary Matters.

Action: Eric Yoon nominated himself for Board Supervising Member for Disciplinary Matters.

Action: It was moved by Elizabeth Buschmann, seconded by J. Jane McFee, that nominations be closed.

Election of Board Officers – Friday, November 21, 2008

The Board elected Lisa Klenke as President, J. Jane McFee as Vice-President, and Anne Barnett as Board Supervising Member for Disciplinary Matters.

Appointment of Education Liaison

Action: It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that the Board appoint Janet Boeckman as the Nursing Education Program Liaison to Board staff for the period of January 1, 2009 through December 31, 2009. Motion adopted by majority vote of the Board members with Janet Boeckman abstaining.

Appoint Advisory Group Chairs

Nursing Education Advisory Group

Action: It was moved by Anne Barnett, seconded by Janet Boeckman, that the Board appoint Kathleen Driscoll as Chair of the Advisory Group on Nursing Education for the period of January 1, 2009 through December 31, 2009. Motion adopted by majority vote of the Board members with Kathleen Driscoll abstaining.

Dialysis Advisory Group

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board appoint Patricia Protopapa as Chair of the Advisory Group on Dialysis for the period of January 1, 2009 through December 31, 2009. Motion adopted by majority vote of the Board members with Debra Broadnax opposing the motion and Patricia Protopapa abstaining.

Continuing Education Advisory Group

Action: It was moved by Elizabeth Buschmann, seconded by Janet Boeckman, that the Board appoint Delphenia Gilbert as Chair of the Advisory Group on Continuing Education for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Designation of Hospitality Chair

Kathy Driscoll volunteered to serve as Hospitality Chair.

Authorization for the Use of Hearing Examiners

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board authorize the use of hearing examiners for the hearings for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Authorization for the Board Supervising Member or President to Issue Notices of Immediate Suspensions

Action: It was moved by Janet Boeckman, seconded by Kathleen Driscoll that the Board authorize the Board Supervising Member for Disciplinary Matters, or the Board President, to issue notices of immediate suspensions for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Authorization for the Use of Signature Stamps and Electronic Signatures

Action: It was moved by Debra Broadnax, seconded by Janet Boeckman, that the Board authorize the use of signature stamps or electronic signatures of the President, Board Supervising Member for Disciplinary Matters, and Executive Director, by designated staff for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Authorization for Editorial Changes to Motions of the Board

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board authorize the Executive Director to make editorial changes to motions for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Authorization for Designated Staff to Sign AP and PIIP Agreements

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board authorize designated staff of the Alternative Program and the PIIP program to sign the program contracts on behalf of the Board for the period of January 1, 2009 through December 31, 2009. Motion adopted by unanimous vote of the Board members.

Authorization for Executive Director to Establish Standards of Employee Conduct

Action: It was moved by Elizabeth Buschmann, seconded by J. Jane McFee, that the Board authorize the Executive Director to establish standards of conduct for employees of the Board, including reviewing, revising, and/or re-approving existing standards of conduct. Motion adopted by unanimous vote of the Board members.

Re-Appointment of Executive Director

Action: It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the Board re-appoint Betsy Houchen as Executive Director of the Ohio Board of Nursing. Motion adopted by unanimous vote of the Board members.

Designation of Practice Committee for IV Therapy/LPNs

Janet Boeckman and Anne Barnett volunteered to join the current committee of P. Burns, K. Driscoll, E. Buschmann, D. Broadnax, and J. Jane McFee. The committee will meet at noon on January 15, 2009.

EVALUATION OF MEETING AND ADJOURNMENT

E. Buschmann thanked all the Board members, Betsy Houchen and the Board staff and expressed how valuable everyone is to carry out the mission of the Board for the residents of Ohio. She asked that the Board continue to support the Ohio Center for Nursing.

K. O'Dell agreed with E. Buschmann's sentiments and stated that she hopes to be re-appointed to the Board. K. O'Dell stated that she would like to see a second Consumer Member on the Board, and staggered terms for the consumer members.

D. Broadnax thanked the staff, and stated she valued her time with the Board and she was proud to be a part of the Board.

The meeting adjourned on November 21, 2008 at 12:53 p.m.

Lisa Klenke, MBA, RN, CNA
President

Insert Signature

Attest:

Betsy Houchen, RN, MS, JD
Secretary

Insert Signature