



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### **REGULAR MEETING OF THE BOARD JANUARY 19-20, 2012**

The regular meeting of the Ohio Board of Nursing (Board) was held on January 19-20, 2012 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, January 19, 2012 at 8:32 a.m., President Bertha Lovelace called the Board meeting to order. On Friday, January 20, 2012 at 8:31 a.m., President Lovelace called the Board meeting to order. Vice-President Melissa Meyer read the Board mission on Thursday and Friday. President Lovelace recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

#### **BOARD MEMBERS**

Bertha Lovelace, RN, President

Melissa Meyer, LPN, Vice-President

Janet Arwood, LPN

Rhonda Barkheimer, RN

Judith Church, RN, Board Supervising Member for Disciplinary Matters

Delphenia Gilbert, RN

Patricia Hayek, LPN

Maryam Lyon, RN

Johnnie Maier, Consumer Member (Absent Thursday and Friday)

J. Jane McFee, LPN

Susan Morano, RN

Tracy Ruegg, RN

Roberta Stokes, RN

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

#### **ADMINISTRATIVE MATTERS**

##### **Board Meeting Overview**

On Thursday, the Board Reception was held at 8:00 a.m.; Deborah Slentz and her attorney, Terri-Lynne Smiles, Esq. addressed the Board at 12:45 p.m.; Charmaine Reese and her attorney, James McGovern, Esq. addressed the Board at 1:20 p.m.; Executive Session was at 12:55 p.m.; and Board deliberations were held in the afternoon. On Friday, Open Forum was at 10:00 a.m.

### **Approval of Minutes of the November 2011 Meeting**

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board approve the minutes from the November 2011 Board meeting, as submitted. Motion adopted by majority vote of the Board members with Patricia Hayek and J. Jane McFee abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomes two new staff, John Cover, a Monitoring Agent in the Compliance Unit, and Brandy Smith, a Certified Licensure Specialist 2, who is working at the front desk. Alison Riemenschneider is transferring from the front desk to the advanced practice certification area.
- The Governor's Ohio Cabinet Opiate Action Team (GOCAT) was recently created for the purpose of ending opiate abuse through the reform of prescribing practices for appropriate pain management, by punishing those involved in illegal activity, and by treating those who are addicted. Tom Dilling represents the Board and is participating in the Enforcement Workgroup along with representatives from the Attorney General's Office, BWC Special Investigations Department, Public Safety, Medical and Pharmacy Boards, and the Highway Patrol. The Enforcement Workgroup will address various areas of concern such as illicit narcotic trafficking, prosecution, and closing remaining pill mills. T. Dilling is also working with the Emergency Department Guidelines Committee (EDGC) of the Professional Education Workgroup. The Committee is reviewing other states' emergency department guidelines, patient education, and information exchange, and they are developing emergency department opioid prescribing guidelines for Ohio.
- The Ohio Health Information Partnership (OHIP) is leading the implementation of health information technology throughout Ohio and supporting the adoption and use of electronic health records by health care providers. OHIP has established an E-Prescribing Task Force that is charged with advancing the use of e-prescribing of controlled substances to enhance patient safety and to promote the effective, efficient, and secure prescribing of controlled substances. T. Dilling is participating in the Task Force along with representatives from the Medical and Pharmacy Boards and physician and pharmacy associations.
- NCSBN announced that the College of Nurses of Ontario and nine other Canadian registered nurse regulatory bodies selected the NCLEX-RN Examination as the examination that will be used to meet their licensure requirement. Currently the NCLEX-RN Examination is offered in ten countries around the world for the purpose of domestic licensure in the United States, but this marks the first time the examination will be used for the purpose of licensure in another country.

- Nursing education programs have thanked the Board for “listening” to the comments they submitted regarding revisions to the education administrative rules, Chapter 4723-5, OAC. In addition, the Board received positive comments for the materials staff prepared and distributed to program administrators including a summary of the rule revisions, its response to frequently asked questions, and the revised Preceptor Qualifications Form.
- During the monthly NCSBN Discipline Call with other state boards of nursing, T. Dilling presented information on ex-offender issues as they relate to state licensing boards, the Ohio professional licensing boards’ proposal (May 2011) on these issues, and the Uniform Collateral Consequences of Conviction Act (Act), promulgated by the Uniform Law Commission in 2009. The Act is a model law that can be adopted by states to address collateral consequences that occur when an individual is convicted of a crime. As the Ohio Ex-Offender Reentry Coalition (Coalition), Department of Rehabilitation and Corrections (DRC), and the Governor consider the implications of collateral consequences in Ohio, the Coalition is reviewing the Act and how it works with the professional licensing boards’ proposal, and with recent DRC initiatives included in Ohio’s 2011 Sentencing Revisions legislation. The Solicitor General, Alexandra Schimmer, served on the national committee that crafted the Act, and also participated in the Discipline Call.

T. Dilling continues to represent the professional boards and commissions on the Coalition. He has been asked to write an article for the NCSBN *Journal of Nursing Regulation* regarding the Act and the work of the Coalition.

- The Ohio Association of Family Physicians, the Ohio Department of Health, and the Government Resource Center, submitted a Letter of Intent for the Health Care Innovation Challenge Grant to support the work on patient centered medical homes education for the medical and nursing schools, affiliated with HB 198. Also, efforts are being made to transfer the organizational responsibilities for the Education Advisory Group from the Ohio Academy of Family Physicians to the Ohio Department of Health. Judith Church continues to represent the Board on the PCMH Education Advisory Committee and has volunteered to be part of the Scholarship Committee to work with the Ohio Board of Regents and the Choose Ohio First program to help steer graduate education scholarships to qualified students in five Ohio nursing schools.
- State licensing boards are required to report to the Healthcare Integrity and Protection Data Bank (HIPDB) and the National Practitioner Data Bank (NPDB) adverse actions taken against health care practitioners, including nurses, within thirty days of when the action was taken. Board staff submit records after each Board meeting to NCSBN for Nursys, and NCSBN, acting as the Board’s agent, submits the information to HIPDB. In

2010, the Compliance Unit completed an internal audit to assure all actions had been reported in prior years and staff also worked with NCSBN to assure timely HIPDB reporting and compliance. For 2011, the Board maintained an outstanding compliance rate: 1,193 records were submitted within the timeframe and only 3 records required follow-up.

- The Council for Ohio Health Care Advocacy (COHCA) was recently launched. “COHCA unites members of various health care disciplines, including physicians, nurses, physician assistants, and pharmacists and is designed to promote legislative changes that will enable professionals to practice to the full scope of their education, training and ability...”

### **Data Report for Advanced Practice Nurses**

During the 2011 RN renewal cycle, as part of the mandatory renewal questions, the Board collected specialty and employment location data for advanced practice nurses. The responses from those who renewed during that period were tabulated and summarized. B. Houchen reviewed the data and noted the report, as well as the raw data, would be available for all interested parties.

### **Legislative Report**

T. Dilling presented the legislative report:

- SB 83 (APN Schedule II Prescribing) was introduced on February 16, 2011, and was amended in the House Health Committee on December 14, 2011. The first amendment recognizes health centers that meet the definition of a federally qualified health center but do not receive federal grants; the second amendment clarifies that self-administration of schedule I controlled substances is grounds for discipline of a nurse; and the third amendment adds hospital-owned entities to those exempted from certain restrictions on prescriptive authority. An interested party meeting is scheduled to discuss these and any other amendments in anticipation of a vote in House Health Committee in the near future.

A remaining issue that the Board has discussed with interested parties deals with when qualified APNs will have expanded authority in prescribing Schedule II drugs. It is proposed that CTP holders (who hold CTPs either prior to effective date of act or are issued CTPs after effective date, but before OBN adopts the rules) can prescribe as of the effective date of the legislation (90 days from the Governor’s signature). Those CTP holders must submit 6 contact hours to OBN by August 31, 2013, in order to renew. It is anticipated that there may be a vote on the bill early in 2012. Once the law is passed, the Committee on Prescriptive Governance (CPG) will need to revise the formulary affecting Schedule II prescribing.

- Rep. Schuring introduced HB 303 (Nurse Practice Act Revisions) on July 26, 2011 and on December 14, 2011, gave testimony before the House Health and Retirement Committee. He stated in part, “the bill was drafted with the input and advice of various interested parties and stakeholders. It addresses pertinent regulatory issues and requirements for licensees and

certificate holders and provides greater clarity about the requirements to those regulated by the Board. In addition, the legislation attempts to ensure that licensees and certificate holders meet statutory and regulatory conditions to be licensed or certified to practice in Ohio and are appropriately credentialed to practice, while maintaining an efficient and effective system to license or certify applicants as quickly as possible to enter or remain in the workforce.”

- Reps. Adams and Yuko introduced HB 259 (Alternative Health Services) on June 14, 2011 to permit the unlicensed practice of complementary or alternative health care services that “may or may not be provided in addition to or in place of prevailing or conventional treatment options.” The Board has historically opposed permitting health care by unlicensed practitioners, alternative or otherwise.

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board oppose HB 259, the Alternative Health Services bill. Motion adopted by unanimous vote of the Board members.

- Other bills reviewed were HB 284 and SB 276 (Physician Assistants) and HB 399 (Verbal Medical Orders).

### **Fiscal Report**

Kathy King presented the fiscal report for the second quarter of FY 2012 and noted that 54% of the funds are available for the remainder of the fiscal year. The Board complimented her on the information she provided.

### **APPROVALS**

#### **Nursing Education Programs – Determination of Approval Status**

##### American Institute of Alternative Medicine Registered Nursing Education Program

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to American Institute of Alternative Medicine Registered Nursing Education Program in Columbus, for a period of two years effective January 19, 2012. It was further moved that the Program submit progress reports to the Board on or before June 22, 2012, December 21, 2012, June 21, 2013, and December 20, 2013. Motion adopted by unanimous vote of the Board members.

##### American Institute of Alternative Medicine Practical Nursing Education Program

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board continue Full approval of the American Institute of Alternative Medicine Practical Nursing Education Program in Columbus, until May 2013, in accordance with its May 20, 2011 Consent Agreement. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program

**Action:** It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Fortis College Associate Degree in Nursing Program in Cuyahoga Falls, for a period of five years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program

**Action:** It was moved by Tracy Ruegg, seconded by Rhonda Barkheimer, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Fortis College Practical Nursing Program in Cuyahoga Falls, for a period of five years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

Ohio American Health Care, Inc., Practical Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that after consideration of the survey visit report and the program's response, the Board propose to deny Full approval and withdraw Conditional approval of Ohio American Health Care, Inc., Practical Nursing Program in Columbus, in accordance with Rule 4723-5-04, OAC, and Section 4723.06(A)(6), ORC, based on the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, and the Board issue a Notice of Opportunity for Hearing in accordance with Chapter 119, ORC. Motion adopted by unanimous vote of the Board members.

Ohio American HealthCare, Inc. (Registered Nursing Program)

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that after consideration of the survey visit report and the program's response, the Board propose to deny Full approval and withdraw Conditional approval of Ohio American Health Care, Inc. (Registered Nursing Program) in Columbus, in accordance with Rule 4723-5-04, OAC, and Section 4723.06(A)(6), ORC, based on the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, and the Board issue a Notice of Opportunity for Hearing in accordance with Chapter 119, ORC. Motion adopted by unanimous vote of the Board members.

Toledo School of Practical Nursing

**Action:** It was moved by J. Jane McFee, seconded by Susan Morano, that the Board continue provisional approval of Toledo School of Practical Nursing in Toledo, in accordance with Section 4723.06(A)(7), ORC, and Rule 4723-5-04, OAC, until March 15, 2012, at which time the Board shall determine whether to grant full approval status, propose to withdraw approval status, or continue provisional approval status. The rationale for this action is that based on information obtained during the last survey visit, an additional requirement may not have been met or maintained. Motion adopted by unanimous vote of the Board members.

### **Nursing Education Program Requests**

#### Hamrick School of Practical Nursing

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of Hamrick School of Practical Nursing Program in Medina, to April 30, 2012. I further move that the program submit progress reports to the Board on or before October 30, 2012 and March 29, 2013. Motion adopted by unanimous vote of the Board members.

#### ITT Technical Institute, Dayton Breckinridge School of Nursing, Associate of Applied Science in Nursing Program

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of ITT Technical Institute, Dayton Breckenridge School of Nursing, Associate of Applied Science in Nursing Program in Dayton, to March 12, 2012. It was further moved that the program submit progress reports to the Board on or before October 24, 2012 and April 24, 2013. Motion adopted by unanimous vote of the Board members.

#### Ohio Medical Career Center One Plus One Nursing Education Program

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Arwood, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of Ohio Medical Career Center One Plus One Nursing Education Program in Dayton, to March 19, 2012. It was further moved that the program submit progress reports to the Board on or before July 31, 2012 and December 31, 2012. Motion adopted by unanimous vote of the Board members.

#### University of Cincinnati Blue Ash College

**Action:** It was moved by Roberta Stokes, seconded by Judith Church, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by the University of Cincinnati Blue Ash College in Cincinnati. Motion adopted by unanimous vote of the Board members.

#### Wright State University-Miami Valley College of Nursing & Health, BSN Program

**Action:** It was moved by Judith Church, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Wright State University-Miami Valley College of Nursing & Health, BSN Program in Dayton. Motion adopted by unanimous vote of the Board members.

### **Training Program Approvals or Re-Approvals**

#### Dialysis Clinic, Inc.

**Action:** It was moved by Patricia Hayek, seconded by Tracy Ruegg, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, Dialysis Clinic Inc.

in Steubenville, for a period of two years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

FMCNA-East Division Education Department-Ironton

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that the Board approve, in accordance with Rule 4723-23-07, OAC, FMCNA-East Division Education Dept-Ironton in Ironton, for a period of two years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

Mid-American Dialysis Technician Program

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, Mid-American Dialysis Technician Program in Columbus, for a period of two years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

D & S Medication Aide Training Program

**Action:** It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board reapprove, in accordance with Rule 4727-27-07, OAC, D & S Medication Aide Training Program in Findlay, for a period of two years effective January 19, 2012. Motion adopted by majority vote of the Board members with Patricia Hayek abstaining.

Lorain County JVS Adult Career Center

**Action:** It was moved by Rhonda Barkheimer, seconded by Tracy Ruegg, that that the Board approve, in accordance with Rule 4727-27-07, OAC, Lorain County JVS Adult Career Center in Oberlin, for a period of two years effective January 19, 2012. Motion adopted by unanimous vote of the Board members.

**Retroactive Approval for Licensees and Certificate Holders**

**Action:** It was moved by J. Jane McFee, seconded by Roberta Stokes, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board November 1, 2011 through December 31, 2011, to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

**EXECUTIVE SESSION**

On Thursday, January 19, 2012:

**Action:** It was moved by Melissa Meyer that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Motion adopted by roll call vote.

The Board entered Executive Session at 12:55 p.m. and reported out of

Executive Session at 1:10 p.m.

## **ADJUDICATION AND COMPLIANCE**

On Thursday January 19, 2012, Deborah Slentz and her attorney, Terri-Lynee Smiles, Esq. addressed the Board regarding Ms. Slentz's Report and Recommendation before the Board. Courtney Hagele, AAG responded. Charmaine Reese and her attorney, James McGovern, Esq., addressed the Board regarding Ms. Reese's Report and Recommendation pending before the Board. Courtney Hagele, AAG responded.

On Friday, January 20, 2012, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

### **Board Actions**

#### **NOTICES OF OPPORTUNITY FOR HEARING**

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

Eubanks, Erika S., R.N. 308455 (CASE #11-3241); Corbin, Anna M., P.N. 100108 (CASE #11-2875); Tomaiko, Mary M., P.N. 135486 (CASE #10-3033); Heim, Victoria A., R.N. 146928 (CASE #11-4739); Johnson, Lisa A., R.N. 346250 (CASE #11-3440); Olding, Danielle R., R.N. 308707, NP 12409 (CASE #11-3185); Bullen, Dennis, R.N. 204525, NA 02041 (CASE #11-1042); Martinez, Scott A., R.N. 331077 (CASE #11-1533); Dodson, Karen S., P.N. 085430 (CASE #10-4309); Houser, Keturah B., R.N. NCLEX (CASE #11-4413); Turay, Sina H., P.N. 105931 (CASE #11-4097); Kilby, Mary K., R.N. 173972 (CASE #11-0950); Walter, Melanie A., R.N. 351620 (CASE #11-2232); Olmeda, Wanda E., R.N. 221629, P.N. 075903 (CASE #11-2870); Endress, Shannon M., P.N. 109072 (CASE #11-3051); Mineer, Robin L., P.N. NCLEX (CASE #11-0219); Hopper, Brenda E., P.N. 067966 (CASE #10-3970); Tracy, Ann-Marie D., R.N. endorse (CASE #11-3506); Hinds, Christy A., P.N. 085069 (CASE #11-0175); Bowman, Charles R., P.N. 070793 (CASE #11-2681); Wharton, Sara E., P.N. 132158 (CASE #11-3894); Gundrum, Lukas A., P.N. 133529 (CASE #10-4345); Corrick, Keeley J., R.N. 199660 (CASE #10-2290); and Bak, Patricia J., R.N. NCLEX (CASE #11-3308).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

### **IMMEDIATE SUSPENSIONS AND NOTICE OF OPPORTUNITY FOR HEARING**

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

Van Hauter, Kristen M., R.N. 257093 (CASE #11-0279); Holbrook, Sherry K., R.N. 313079 (CASE #11-3511); Jackson, Shawna L., P.N. 133396 (CASE #11-4990); Gold, Kandi R., R.N. 207202 (CASE #11-2143); Christy, Cynthia K., R.N. 145266 (CASE #11-0509); Six, Reina J., R.N. 222287 (CASE #11-1063); Schiebrel, Jana R., R.N. 267380 (CASE #11-3311); and Davis, Shawnae V., R.N. 311613 (CASE #12-0041).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

### **AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY**

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

Brewer, Maureen, R.N. 215965 (CASE #11-4677); Stephens, Ashley R., TC 1 03661 (CASE #11-4848); Smith, Jonas L., P.N. 111793 (CASE #11-4408); Stevens, Karen C., P.N. 107404 (CASE #11-3447); Ellyson, Kelly J., R.N. 309388 (CASE #11-3086); Santiago-Dubsky, Amy K., P.N. 113560 (CASE #11-4409); Stiles, Kimberly, P.N. 144849 (CASE #11-4423); Berry, Brandi M., R.N. 340468, P.N. 121050 (CASE #11-5043); Gresham, Colleen A., R.N. 288479 (CASE #11-4557); Raupach, Brian L., P.N. 098218 (CASE #11-5127); and Smith, Richard W., R.N. 290242 (CASE #11-5172).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

### **POST IMMEDIATE SUSPENSIONS AND NOTICE OF OPPORTUNITY FOR HEARING**

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the

Board immediately suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Heeter, Sherry A., R.N. 261699 (CASE #11-1378); Zebrowski, Michael, R.N. 357917 (CASE #11-1150); Harris, Alicia R., P.N. 116481 (CASE #11-4273); Johnson, Teal D., P.N. 118786 (CASE #11-1465); and Kreider, Brandy L., P.N. 127959 (CASE #10-5681).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

## **SURRENDERS**

### **Permanent Voluntary Surrender**

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Bells, Denise H., R.N. 266973 (CASE #11-4560); Chapman, Cheryl A., R.N. 234079 (CASE #08-2685); and Nickle, Amy J., P.N. 079624 (CASE #09-1121).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

**Action:** It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board accept the Permanent Voluntary Surrender of License for the following case:

DeBerry, Lisa M., P.N. 100414 (CASE #09-5846).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Permanent Voluntary Surrenders and shall be maintained in the exhibit book for the January 2012 Board Meeting.

## **WITHDRAWALS**

### **Voluntary Non-Permanent Withdrawal of Endorsement Application**

**Action:** It was moved by Janet Arwood, seconded by Rhonda Barkheimer, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

Brogdon, Denise A., R.N. endorse (CASE #11-1901).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawals of Endorsement Applications shall be maintained in the exhibit book for the January 2012 Board Meeting.

### **CONSENT AGREEMENTS**

On Friday, January 20, 2012, 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 Tracy Ruegg, that the Board approve the Consent Agreements for violations of Chapter 4723. ORC entered into by and between the Board in the following case(s):

Leach, Mary K., P.N. endorse (CASE #11-3648); Davis, Rhonda , P.N. NCLEX (CASE #11-2180); Dyer, Daphna M., P.N. NCLEX (CASE #11-3581); Myers, Julie A., P.N. NCLEX (CASE #11-3442); Nichols, Julie M., P.N. 107535 (CASE #11-1631); Dokko, Hee J., R.N. 157656 (CASE #11-2530); Conant, Alicia M., P.N. NCLEX (CASE #11-2906); Youngpeter, Dennis J., R.N. 315412 (CASE #11-0903); Howard, Joy L., R.N. 366275 (CASE #11-2865); Coates, Vicki A., R.N. 305212 (CASE #09-1345); Gilbert, Matthew J., R.N. 309636 (CASE #09-5069); Seale, Stephanie J., R.N. 332994 (CASE #09-2251); McCall, Alice, P.N. 109525 (CASE #09-0853); Yeager, Mary K., P.N. 110744 (CASE #08-4708); Carroll, Tonya M., P.N. 132605 (CASE #11-3658); Barker, Margrette R., R.N. NCLEX (CASE #11-4185); Wickham, Tiffany L., R.N. NCLEX (CASE #10-2023); Whitfield, Kimberly A., P.N. NCLEX (CASE #11-4299); Kalaher, Michele, P.N. 061495 (CASE #10-4729); McKnight, Rosia E., P.N. NCLEX (CASE #11-3642); Wilms, Jennifer A., R.N. 228818 (CASE #10-5630); Holder, Sharon L., P.N. endorse (CASE #11-4521); Inman, Raquel D., R.N. 301711 (CASE #10-5820); Bair, Jeffrey R., R.N. 279787 (CASE #10-4078); Owens, Garnetta, R.N. 267323 (CASE #09-4705); Reel, Kathryn M., R.N. 209907, NP 11778 (CASE #11-3072); Perrin, Denise, R.N. 210581 (CASE #10-3408); Michell, Leslie, R.N. 353449, P.N. 120937 (CASE #10-2230); Mecum, Megan A., TC 1 applicant, D.T. applicant (CASE #11-4270); Penwell, Charles P., P.N. 119362 (CASE #11-2041); Thompson, Andriea M., P.N. NCLEX (CASE #11-3527); Smith-Williams, Dewan E., R.N. 250602 (CASE #09-1132); Fisher, Colleen Y., R.N. 188503 (CASE #10-2241); Turner, Sharon, R.N. 305170 (CASE #10-3273); Miller, Marcia, R.N. 091279 (CASE #10-4395); Neeley, Jill M., R.N. 150310 (CASE #10-4721); Gibbs, Brian T., R.N. 275709 (CASE #09-5901); Scott, Wilena, P.N. 126130 (CASE #09-6278); Mordock, Kelly L., R.N. 309969 (CASE

#09-0521); Horn, Arthur R., R.N. 237096 (CASE #11-2752); Miller, Elizabeth J., P.N. 097580 (CASE #09-5308); Moore, Anna J., R.N. 337037 (CASE #11-0113); Klug, Sharon L., R.N. 190177 (CASE #11-2992); Stafford, Shawn E., P.N. 119412 (CASE #10-5452); Wagner, Lynn A., R.N. 338293 (CASE #11-3105); Hagley, Paul M., R.N. 352155, D.T. 01849 (CASE #11-1766); Howard, Debra L., R.N. 176912 (CASE #11-2152); Bolan, Catherine A., R.N. NCLEX (CASE #11-3119); Kramer, Tish D., P.N. 110402 (CASE #11-1004); Wallingford, Robbi L., P.N. 064925 (CASE #11-5200); Williams, Ginette M., R.N. 274052 (CASE #10-3874); Frazier, Amy M., P.N. 104527 (CASE #09-3438); Hicks, Robin D., P.N. 088478 (CASE #11-3591); Smith, April L., P.N. 146309 (CASE #11-4768); Slone, Michelle R., P.N. 140304 (CASE #10-4818); Buckland, Cynthia M., R.N. 305741 (CASE #11-1051); Mehls, Elizabeth D., R.N. 285296, NP 06784, RX 06784 (CASE #11-2842); Haugabook, Kimberly C., R.N. 309417, NP 12166, RX12166 (CASE #11-1542); Carnes, Cheryl A., P.N. 083319 (CASE #11-0979); Parker, Patricia, P.N. 114697 (CASE #10-3020); Martin, Tracie A., P.N. 131204 (CASE #10-4649); Beal, Leslie, P.N. 140098 (CASE #10-4474); Thompson, Lena A., P.N. 133668 (CASE #11-1640); Bailey, Katherine E., R.N. 359528, P.N. 132577 (CASE #11-2340); Neekamp, Shelley L., R.N. 242390 (CASE #11-1650); Reda, Ashly L., TC1 applicant, D.T. applicant (CASE #11-4845); Mullins, Alyssa N., TC1 03480, D.T. applicatn (CASE #11-2339); Pierce, Lakesha D., D.T. applicant (CASE #11-5103); Huelsman, Holly M., P.N. NCLEX (CASE #11-4696); Dynes, Cheryl, R.N. 294788 (CASE #10-0961); Thompson, Lindsey J., P.N. NCLEX (CASE #11-2531); Wszedorowski (Burke), Shannon I, R.N. endorse (CASE #11-5008); Hancock, Cierra N., P.N. NCLEX (CASE #11-4584); Sherman, Bradley A., P.N. NCLEX (CASE #11-3497); Donkor, Victoria, P.N. endorse (CASE #11-4539); Harouff (Burr), Roberta A., P.N. 079615 (CASE #11-5140); Etzler, Lowayne E., P.N. 095286 (CASE #11-5171); Bowen, Gretchen L., R.N. 287000 (CASE #09-6589); Ralston, David R., R.N. 338472 (CASE #11-1806); Charnetzky, Danette C., P.N. NCLEX (CASE #10-5424); Benadum, Carrie J., R.N. 346285 (CASE #11-2456); Thompson, Dawn A., P.N. 089626 (CASE #11-3224); Vernon, Patrick H., P.N. 100270 (CASE #11-4129); Christman, Kimberly D., R.N. 322074, P.N. 116985 (CASE #10-4712); Bolton, Carolyn S., R.N. 268392, NP 09231, RX 09231 (CASE #10-2037); Chihil, Lynette M., R.N. 217505 (CASE #11-1214); Sethavarangura, Julie A., R.N. 331503 (CASE #11-4135); Salazar, Michelle A., TC 1 03439 (CASE #11-0344); Hinkle, Melissa , R.N. 321456 (CASE #10-5711); Nusbaum, Gabriella A., R.N. 335158 (CASE #10-3938); Wigner, Cheryl L.E., R.N. 207081 (CASE #11-1683); Duskey, Jan M., R.N. 333524 (CASE #11-1446); Corso, Tracey L., R.N. 345713 (CASE #10-2106); Chesnut, Kimberly J., R.N. 303131 (CASE #10-3764); Chapman, Julia M., P.N. 104279 (CASE #10-3277); Mitchell, Mary E., R.N. 231376 (CASE #11-4495); Wolf, Carrie E., R.N. 332688 (CASE #11-4713); Stephenson, Kimberlee Y., R.N. 277061 (CASE #10-2776); Noel, Christy E., P.N. 143542 (CASE #11-1376); Romans, Dara L., R.N. 192133 (CASE #12-0099); Leskovac, John M., R.N. 281961, NA 07151 (CASE #11-5145); and Hayes, Kevin, TC1 applicant, D.T. applicant (CASE #11-4433).

Janet Arwood abstained from voting on Wolf, Carrie E., R.N. 332688 (CASE

#11-4713) only. Judith Church abstained from voting on all cases. Patricia Hayek abstained from voting on the following cases only: Scott, Wilena, P.N. 126130 (CASE #09-6278); Horn, Arthur R., R.N. 237096 (CASE #11-2752); Bolan, Catherine A., R.N. NCLEX (CASE #11-3119); and Leskovac, John M., R.N. 281961, NA 07151 (CASE #11-5145). Bertha Lovelace abstained from voting on Mordock, Kelly L., R.N. 309969 (CASE #09-0521) only. J. Jane McFee abstained from voting on Parker, Patricia, P.N. 114697 (CASE #10-3020) only.

Janet Arwood voted no on the following cases only: Horn, Arthur R., R.N. 237096 (CASE #11-2752); Bowen, Gretchen L., R.N. 287000 (CASE #09-6589); Ralston, David R., R.N. 338472 (CASE #11-1806); and Charnetzky, Danette C., P.N. NCLEX (CASE #10-5424). Rhonda Barkheimer voted no on the following cases only: Sherman, Bradley A., P.N. NCLEX (CASE #11-3497) and Chesnut, Kimberly J., R.N. 303131 (CASE #10-3764). Maryam Lyon voted no on Charnetzky, Danette C., P.N. NCLEX (CASE #10-5424) only. J. Jane McFee voted no on the following cases only: Horn, Arthur R., R.N. 237096 (CASE #11-2752); Sherman, Bradley A., P.N. NCLEX (CASE #11-3497); and Bowen, Gretchen L., R.N. 287000 (CASE #09-6589). Susan Morano voted no on the following cases only: Coates, Vicki A., R.N. 305212 (CASE #09-1345); Wallingford, Robbi L., P.N. 064925 (CASE #11-5200); and Bowen, Gretchen L., R.N. 287000 (CASE #09-6589). Tracy Ruegg voted no on the following cases only: Leach, Mary K., P.N. endorse (CASE #11-3648); Wickham, Tiffany L., R.N. NCLEX (CASE #10-2023); Carnes, Cheryl A., P.N. 083319 (CASE #11-0979); Beal, Leslie, P.N. 140098 (CASE #10-4474); Thompson, Lena A., P.N. 133668 (CASE #11-1640); Sherman, Bradley A., P.N. NCLEX (CASE #11-3497); Chapman, Julia M., P.N. 104279 (CASE #10-3277); Noel, Christy E., P.N. 143542 (CASE #11-1376); and Romans, Dara L., R.N. 192133 (CASE #12-0099). Roberta Stokes voted no on the following cases only: Stafford, Shawn E., P.N. 119412 (CASE #10-5452); Sherman, Bradley A., P.N. NCLEX (CASE #11-3497); Donkor, Victoria, P.N. endorse (CASE #11-4539); and Harouff (Burr), Roberta A., P.N. 079615 (CASE #11-5140).

Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the January 2012 Board Meeting.

#### **HEARING EXAMINER REPORT AND RECOMMENDATION**

Bowersock, Jenniffer J., P.N. 118489 (CASE #10-1686)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and dismissed the allegation that Ms. Bowersock self-administered a dangerous drug without a legal valid prescription in violation of Section 4723.28(B)(8), Ohio Revised Code, as set forth in the September 2010 Notice of Opportunity for Hearing.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Slentz, Deborah M., P.N. NCLEX (CASE #10-4994)

**Action:** It was moved by Tracy Ruegg, 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 Ordered that Deborah Slentz's application for licensure by examination to practice nursing as a licensed practical nurse in the State of Ohio be granted subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the temporary practice and narcotic restrictions set forth below.

The rationale for the modification is the following:

There is no evidence that Ms. Slentz self-administered drugs without a legal valid prescription and the misconduct may be related to Ms. Slentz's age and lack of maturity at the time of the offense, and the Board has determined that permanent restrictions are not required to protect the public from subsequent misconduct.

1. **MS. SLENTZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SLENTZ** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Within ninety (90) days prior to requesting release from probation, MS. SLENTZ** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SLENTZ**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SLENTZ's** criminal records check reports to the Board. A request for release will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Employment Conditions**

4. Prior to accepting employment as a nurse, each time with every employer, **MS. SLENTZ** shall notify the Board.
5. **MS. SLENTZ** 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. SLENTZ** 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. SLENTZ** 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. SLENTZ**

6. **MS. SLENTZ** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **MS. SLENTZ** 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. SLENTZ** 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. SLENTZ** 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. SLENTZ** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. SLENTZ** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. SLENTZ** 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 Restrictions**

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

### **Temporary Practice Restrictions**

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

**Unless otherwise approved in advance by the Board or its designee, MS. SLENTZ** 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.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **Ms. SLENTZ** has complied with all aspects of this Order; and (2) the Board determines that **MS. SLENTZ** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SLENTZ** and review of the reports as required herein. Any period during which **MS. SLENTZ** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Reese, Charmaine N., P.N. 098680 (CASE #11-1834)

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, 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 Ordered that Charmaine Reese's license to practice nursing as a licensed practical nurse in the State of Ohio be PERMANENTLY REVOKED.

The rationale for the modification is the following:

The severity of Ms. Reese's infractions as set forth in paragraphs 1-15 of the Hearing Examiner's Findings of Fact; Ms. Reese's repeated violations of Consent Agreements with the Board as set forth in paragraph 1 of the Hearing Examiner's discussion; and Ms. Reese's failure to accept responsibility for her actions as set forth in paragraph 2 of the Hearing Examiner's discussion.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Johnson, Anita D., D.T. 01370 (CASE #10-3024)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Anita Johnson's certificate to practice as a dialysis technician in the State of Ohio be PERMANENTLY REVOKED.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

#### **BOARD HEARING COMMITTEE PANEL**

Surface, Ingrid, TC1 applicant (CASE #10-5215)

**Action:** It was moved by Tracy Ruegg, seconded by Rhonda Barkheimer, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Ingrid Surface's application for a Temporary Certificate to Practice as a Dialysis Technician in the State of Ohio be PERMANENTLY DENIED.

The rationale for the modification is the following:

Ms. Surface has numerous drug convictions over a long period of time and the Board previously revoked her registered nursing license. The Board has determined that there is insufficient evidence to demonstrate that Ms. Surface has effectively addressed her past drug problems

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Bertha Lovelace and J. Jane McFee abstaining.

McRae, Melanie, R.N. 295277 (CASE #09-5718)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that MELANIE MCRAE's license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the temporary practice restrictions set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MCRAE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio and shall submit documentation of her full compliance with the Community Control conditions imposed in Hamilton County Court of Common Pleas Case No. B 0906699.
2. **MS. MCRAE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. MCRAE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCRAE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCRAE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

**Monitoring**

4. **Prior to requesting reinstatement by the Board, MS. MCRAE** shall, at her expense, obtain a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MCRAE** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. MCRAE** 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. MCRAE's** license, and a statement as to whether **MS. MCRAE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. MCRAE** 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. MCRAE's** license.

### **Reporting Requirements of MS. MCRAE**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. MCRAE's license shall be subject to the following probationary terms, conditions, and limitations for not less than two (2) years.**

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

rules governing the practice of nursing in Ohio.

2. **MS. MCRAE** 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. MCRAE** shall notify the Board.
4. **MS. MCRAE** 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. MCRAE** 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. MCRAE** 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. MCRAE**

5. **MS. MCRAE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MCRAE** 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. MCRAE** 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. MCRAE** 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. MCRAE** 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. MCRAE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MCRAE** shall inform the Board within five (5) business days, in

writing, of any change in employment status or of any change in residential or home address or telephone number.

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

### **Temporary Practice Restrictions**

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

**MS. MCRAE** 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. MCRAE** shall not supervise or be involved in any financial activity or financial transactions.

### **FAILURE TO COMPLY**

**The stay of MS. MCRAE's suspension shall be lifted and MS. MCRAE's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MCRAE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MCRAE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MCRAE** 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. MCRAE** has complied with all aspects of this Order; and (2) the Board determines that **MS. MCRAE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MCRAE** and review of the reports as required herein. Any period during which **MS. MCRAE** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Bertha Lovelace and J. Jane McFee abstaining.

Gibson, Lynn D., R.N. 280641 (CASE #10-2679)

**Action:** It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Lynn Gibson's license to practice nursing as a registered nurse in the State of Ohio be PERMANENTLY REVOKED.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Patricia Hayek and Bertha Lovelace abstaining.

#### **NO REQUEST FOR HEARING**

Bayless, Gregory V., R.N. 261091 (CASE #11-0284)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **GREGORY V. BAYLESS** in the July 29, 2011, Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BAYLESS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. BAYLESS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **GREGORY V. BAYLESS** to surrender his frameable wall certificate for his registered nurse license R.N. #261091, 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 20th day of January, 2012.

Motion adopted by majority vote of the Board with Judith Church abstaining.

Bell, Robert F., P.N. 088257 (CASE #11-2170)

**Action:** It was moved by Melissa Meyer, seconded by Susan Morano, that upon consideration of the charges stated against **ROBERT FRANKLIN BELL** in the September 23, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated

in the Notice. The Ohio Board of Nursing ORDERS that **MR. BELL'S** application for renewal of his license to practice nursing as a licensed practical nurse is hereby granted and **REPRIMANDED**.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board with Judith Church abstaining.

Bowman, Jannette S., P.N. 084142 (CASE #11-1591)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Arwood, that upon consideration of the charges stated against **JANNETTE S. BOWMAN** in the July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOWMAN** 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. BOWMAN'S** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BOWMAN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. BOWMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOWMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. BOWMAN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BOWMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BOWMAN'S** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

4. **MS. BOWMAN** 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.**

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

5. **MS. BOWMAN** shall abstain completely from the use of alcohol.
6. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BOWMAN** 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. BOWMAN'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. BOWMAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BOWMAN's** history.
7. Within thirty (30) days prior to **MS. BOWMAN** initiating drug screening, **MS. BOWMAN** 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. BOWMAN**.
8. After initiating drug screening, **MS. BOWMAN** 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. BOWMAN** 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.
9. **Prior to requesting reinstatement by the Board, MS. BOWMAN** 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. BOWMAN** 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. BOWMAN's** license, and a statement as to whether **MS. BOWMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

10. **MS. BOWMAN** 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. BOWMAN's** license.

#### **Reporting Requirements of MS. BOWMAN**

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

#### **DURATION**

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

**Following reinstatement, MS. BOWMAN shall be subject to the following**

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

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

**Monitoring**

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

**Treating Practitioners and Reporting**

6. Within sixty (60) days of the execution of the probationary period, **MS. BOWMAN** 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. BOWMAN** 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.
7. **MS. BOWMAN** 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. BOWMAN** throughout the duration of this Order.

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

### **Employment Conditions**

9. Prior to accepting employment as a nurse, each time with every employer, **MS. BOWMAN** shall notify the Board.
10. **MS. BOWMAN** 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. BOWMAN** 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. BOWMAN** 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. BOWMAN**

11. **MS. BOWMAN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. **MS. BOWMAN** 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. BOWMAN** 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. BOWMAN** 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. BOWMAN** 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.
16. **MS. BOWMAN** shall verify that the reports and documentation required by this Order are received in the Board office.

17. **MS. BOWMAN** 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.

18. Prior to working as a nurse, **MS. BOWMAN** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

**MS. BOWMAN** 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. BOWMAN's** suspension shall be lifted and **MS. BOWMAN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BOWMAN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BOWMAN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BOWMAN** 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. BOWMAN** has complied with all aspects of this Order; and (2) the Board determines that **MS. BOWMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BOWMAN** and review of the reports as required herein. Any period during which **MS. BOWMAN** 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 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Carpenter, Samantha L., R.N. 307101, P.N. 107385 (CASE #11-1904)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **SAMANTHA L. CARPENTER** in the July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CARPENTER** 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. CARPENTER's** licenses to practice nursing as a registered nurse and as a licensed practical nurse are hereby suspended for an indefinite period of time but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CARPENTER's** licenses to practice nursing as a registered nurse and as a licensed practical nurse 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. CARPENTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CARPENTER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. CARPENTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CARPENTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CARPENTER's**

criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MS. CARPENTER** 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. CARPENTER's** history. **MS. CARPENTER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. CARPENTER** shall abstain completely from the use of alcohol.
6. **Prior to requesting reinstatement by the Board, MS. CARPENTER** 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. CARPENTER** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. CARPENTER** 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. CARPENTER's** licenses, and a statement as to whether **MS. CARPENTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. CARPENTER** 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. CARPENTER's** licenses.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CARPENTER** 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. CARPENTER'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.**

- CARPENTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARPENTER's** history.
9. Within thirty (30) days prior to **MS. CARPENTER** initiating drug screening, **MS. CARPENTER** 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. CARPENTER**.
  10. After initiating drug screening, **MS. CARPENTER** 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. CARPENTER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CARPENTER** 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. CARPENTER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **Prior to requesting reinstatement by the Board, MS. CARPENTER** 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. CARPENTER** 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. CARPENTER's** licenses, and a statement as to whether **MS. CARPENTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  13. **MS. CARPENTER** 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. CARPENTER's** licenses.

### **Reporting Requirements of MS. CARPENTER**

14. **MS. CARPENTER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. CARPENTER** 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. CARPENTER** 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. CARPENTER** 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. CARPENTER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MS. CARPENTER** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. CARPENTER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. CARPENTER's licenses shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. CARPENTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CARPENTER** shall appear in person for interviews before the full

Board or its designated representative as requested by the Board or its designee.

### **Monitoring**

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

treatment, **MS. CARPENTER** 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. CARPENTER** shall notify the Board.
11. **MS. CARPENTER** 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. CARPENTER** 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. CARPENTER** 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. CARPENTER**

12. **MS. CARPENTER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. CARPENTER** 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. CARPENTER** 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. CARPENTER** 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. CARPENTER** 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. CARPENTER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. CARPENTER** 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. CARPENTER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. CARPENTER** 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. CARPENTER's** suspension shall be lifted and **MS. CARPENTER'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. CARPENTER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. CARPENTER** via certified mail of the specific nature of the charges and automatic suspension of her licenses. Upon receipt of this notice, **MS. CARPENTER** 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. CARPENTER** has complied with all aspects of this Order; and (2) the Board determines that **MS. CARPENTER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. CARPENTER** and review of the reports as required herein. Any period during which **MS. CARPENTER** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Crayton, Sharon M., P.N. 094930 (CASE #10-4138)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Arwood, that upon consideration of the charges stated against **SHARON CRAYTON** in the November 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CRAYTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. CRAYTON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **SHARON CRAYTON** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #094930, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Daugherty, Lisa L., P.N. 126156 (CASE #11-1572)

**Action:** It was moved by Janet Arwood, seconded by Susan Morano, that upon consideration of the charges stated against **LISA LYNN DAUGHERTY** in the July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DAUGHERTY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. DAUGHERTY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LISA LYNN DAUGHERTY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #126156, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

French, Amy L., R.N. 260378 (CASE #09-5888)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **AMY LYNN FRENCH** in the March 18, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FRENCH** 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. FRENCH'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. FRENCH's** license to practice nursing as a registered nurse 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. FRENCH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FRENCH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. FRENCH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. FRENCH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. FRENCH's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. FRENCH** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to requesting reinstatement by the Board, MS. FRENCH** 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: fifteen (15) hours of Ethics and fifteen (15) hours of professionalism.

### **Reporting Requirements of MS. FRENCH**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. FRENCH's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. FRENCH** shall notify the Board.
4. **MS. FRENCH** 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. FRENCH** 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. FRENCH** 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. FRENCH**

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

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

#### **Permanent Practice Restrictions**

**The following Permanent Practice Restrictions are in effect unless otherwise modified by the Board:**

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

**MS. FRENCH** 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. FRENCH's suspension shall be lifted and MS. FRENCH's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. FRENCH** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. FRENCH** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. FRENCH** 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. FRENCH** has complied with all aspects of this Order; and (2) the Board determines that **MS. FRENCH** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. FRENCH** and review of the reports as required herein. Any period during which **MS. FRENCH** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Jacobs, Nicole D., P.N. 133328 (CASE #11-2158)

**Action:** It was moved by Tracy Ruegg, seconded by Patricia Hayek, that upon consideration of the charges stated against **NICOLE D. JACOBS** in the September 23, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JACOBS** 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. JACOBS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JACOBS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

#### **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. JACOBS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JACOBS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. JACOBS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. JACOBS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. JACOBS's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. JACOBS** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

#### **Monitoring**

5. **MS. JACOBS** 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. JACOBS's** history. **MS. JACOBS** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. JACOBS** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. JACOBS** 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. JACOBS** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. JACOBS** 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. JACOBS's** license, and a statement as to whether **MS. JACOBS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. JACOBS** 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. JACOBS's** license.
9. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. JACOBS** 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. JACOBS'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. JACOBS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JACOBS's** history.
10. Within thirty (30) days prior to **MS. JACOBS** initiating drug screening, **MS. JACOBS** 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. JACOBS**.

11. After initiating drug screening, **MS. JACOBS** 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. JACOBS** 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.
12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. JACOBS** 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. JACOBS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. JACOBS**

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

### **DURATION**

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

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

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

### **Monitoring**

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

12. **MS. JACOBS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. JACOBS** 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. JACOBS** 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. JACOBS** 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. JACOBS** 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. JACOBS** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. JACOBS** 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. JACOBS** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. JACOBS** 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. JACOBS's suspension shall be lifted and MS. JACOBS's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. JACOBS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JACOBS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JACOBS** 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. JACOBS** has complied with all aspects of this Order; and (2) the Board determines that **MS. JACOBS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JACOBS** and review of the reports as required herein. Any period during which **MS. JACOBS** 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 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Leidy, Jared A., P.N. 141761 (CASE #11-2652)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that upon consideration of the charges stated against **JARED A. LEIDY** in the September 23, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LEIDY** 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. LEIDY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. LEIDY's** license to practice nursing as a licensed practical nurse 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. **MR. LEIDY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. LEIDY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. LEIDY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. LEIDY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. LEIDY's** criminal records check reports to the Board.  
A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. LEIDY** 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: two (2) hours of Ohio Nursing Law and Rules and ten (10) hours of Ethics.

### **Monitoring**

5. **MR. LEIDY** 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. LEIDY's** history. **MR. LEIDY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. LEIDY** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. LEIDY** 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. LEIDY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. LEIDY** 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. LEIDY's** license, and a statement as to whether **MR. LEIDY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

8. **MR. LEIDY** 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. LEIDY's** license.
9. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MR. LEIDY** 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. LEIDY'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. LEIDY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. LEIDY's** history.
10. Within thirty (30) days prior to **MR. LEIDY** initiating drug screening, **MR. LEIDY** 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. LEIDY**.
11. After initiating drug screening, **MR. LEIDY** 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. LEIDY** 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.
12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MR. LEIDY** 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. LEIDY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. LEIDY**

13. **MR. LEIDY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. LEIDY** 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.
15. **MR. LEIDY** 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. **MR. LEIDY** 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. **MR. LEIDY** 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. **MR. LEIDY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. LEIDY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. LEIDY's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

12. **MR. LEIDY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. LEIDY** 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. LEIDY** 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. LEIDY** 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. LEIDY** 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. LEIDY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. LEIDY** 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, **MR. LEIDY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MR. LEIDY** 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. LEIDY's suspension shall be lifted and MR. LEIDY's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. LEIDY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. LEIDY** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. LEIDY** 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. LEIDY** has complied with all aspects of this Order; and (2) the Board determines that **MR. LEIDY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. LEIDY** and review of the reports as required herein. Any period during which **MR. LEIDY** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

McDermott, Donna L., R.N. 258093 (CASE #11-1573)

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that upon consideration of the charges stated against **DONNA LYNN MCDERMOTT** in July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board dismisses the following factual allegations contained in Item B, Page 2, and Item 3, Page 4, of the July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing: **Ms. McDermott** failed to call FirstLab on February 28, 2007.

For the remaining allegations, the Board finds that **MS. MCDERMOTT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. MCDERMOTT'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DONNA LYNN MCDERMOTT** to surrender her frameable wall certificate for her registered nurse license, R.N. #258093, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Nance, Amelia I., R.N. 290924 (CASE #11-1577)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **AMELIA I. NANCE** in the July 29, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NANCE** 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. NANCE's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. NANCE's** license to practice nursing as a registered nurse 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. NANCE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. NANCE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. NANCE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. NANCE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. NANCE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. NANCE** 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: twenty (20) hours of the effects of drugs and alcohol on nurses and patient safety.

### **Monitoring**

5. **MS. NANCE** 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. NANCE's** history. **MS. NANCE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. NANCE** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. NANCE** 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. NANCE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. NANCE** 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. NANCE's** license, and a statement as to whether **MS. NANCE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. NANCE** 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. NANCE's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. NANCE** 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. NANCE'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. NANCE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. NANCE's** history.
  10. Within thirty (30) days prior to **MS. NANCE** initiating drug screening, **MS. NANCE** 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. NANCE**.
  11. After initiating drug screening, **MS. NANCE** 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. NANCE** 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.
  12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. NANCE** 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. NANCE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. NANCE** 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. NANCE** 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. NANCE's** license, and a statement as to whether **MS. NANCE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. **MS. NANCE** 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. NANCE's** license.

#### **Reporting Requirements of MS. NANCE**

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

#### **DURATION**

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

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

**Following reinstatement, the suspension shall be stayed and MS. NANCE's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

12. **MS. NANCE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. NANCE** 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. NANCE** 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. NANCE** 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. NANCE** 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. NANCE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. NANCE** 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. NANCE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. NANCE** 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. NANCE's** suspension shall be lifted and **MS. NANCE's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. NANCE** has violated or breached

any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. NANCE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. NANCE** 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. NANCE** has complied with all aspects of this Order; and (2) the Board determines that **MS. NANCE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. NANCE** and review of the reports as required herein. Any period during which **MS. NANCE** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Ray, Roger L., P.N. 140696 (CASE #11-1838)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **ROGER L. RAY** in the July 29, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. RAY** 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. RAY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. RAY's** license to practice nursing as a licensed practical nurse 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. **MR. RAY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. RAY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. RAY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII)

to conduct a criminal records check of **MR. RAY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. RAY's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MR. RAY** 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 chemical dependency, and six (6) hours of professionalism and ethics.

### **Monitoring**

5. **MR. RAY** 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. RAY's** history. **MR. RAY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. RAY** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. RAY** 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. RAY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. RAY** 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. RAY's** license, and a statement as to whether **MR. RAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. RAY** 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. RAY's** license.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. RAY** 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. RAY'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. RAY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. RAY's** history.
10. Within thirty (30) days prior to **MR. RAY** initiating drug screening, **MR. RAY** 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. RAY**.
  11. After initiating drug screening, **MR. RAY** 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. RAY** 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.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. RAY** 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. RAY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MR. RAY** shall, at his 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, **MR. RAY** 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 **MR. RAY's** license, and a statement as to whether **MR. RAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing

care.

14. **MR. RAY** 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 **MR. RAY's** license.

#### **Reporting Requirements of MR. RAY**

15. **MR. RAY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
16. **MR. RAY** 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.
17. **MR. RAY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. **MR. RAY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
19. **MR. RAY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
20. **MR. RAY** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MR. RAY** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. RAY's license shall be subject to the following probationary terms, conditions,**

**and limitations for a minimum period of two (2) years.**

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

**Monitoring**

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. RAY** 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. RAY** shall notify the Board.
11. **MR. RAY** 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. RAY** shall provide his employer(s) with a copy of this Order and Notice of Automatic Suspension and 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 Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MR. RAY** 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 MR. RAY**

12. **MR. RAY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. RAY** 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. RAY** 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. RAY** 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. RAY** 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. RAY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. RAY** 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, **MR. RAY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Practice Restrictions**

**The following Permanent Practice Restrictions are in effect unless otherwise modified by the Board:**

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

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

required herein. Any period during which **MR. RAY** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Sewell, Kelly A., R.N. 174189 (CASE #11-0908)

**Action:** It was moved by Janet Arwood, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **KELLY A. SEWELL** in the September 23, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SEWELL** 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. SEWELL'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. SEWELL's** license to practice nursing as a registered nurse 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. SEWELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SEWELL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. SEWELL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SEWELL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SEWELL's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. SEWELL** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance

Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

5. **Prior to requesting reinstatement by the Board, MS. SEWELL** shall submit documentation of her full compliance with the terms and conditions imposed by the Stark County Court of Common Pleas Case Number 2011CR0847.
6. **Prior to requesting reinstatement by the Board, MS. SEWELL** 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: thirty (30) hours of chemical dependency and three (3) hours of drug abuse prevention.

### **Monitoring**

7. **MS. SEWELL** 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. SEWELL's** history. **MS. SEWELL** shall self-administer the prescribed drugs only in the manner prescribed.
8. **MS. SEWELL** shall abstain completely from the use of alcohol.
9. **Prior to requesting reinstatement by the Board, MS. SEWELL** 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. SEWELL** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SEWELL** 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. SEWELL's** license, and a statement as to whether **MS. SEWELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. SEWELL** 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. SEWELL's** license.
11. **For a minimum, continuous period of one (1) year immediately prior**

- to requesting reinstatement, MS. SEWELL** 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. SEWELL'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. SEWELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SEWELL's** history.
12. Within thirty (30) days prior to **MS. SEWELL** initiating drug screening, **MS. SEWELL** 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. SEWELL**.
13. After initiating drug screening, **MS. SEWELL** 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. SEWELL** 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.
14. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. SEWELL** 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. SEWELL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. SEWELL**

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

Board or to employers or potential employers.

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. SEWELL's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

1. **MS. SEWELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SEWELL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **MS. SEWELL** shall successfully comply with all conditions imposed in Stark County Court of Common Pleas Case Number 2011CR0847, and shall submit satisfactory documentation of completion.

### **Monitoring**

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

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

#### **Treating Practitioners and Reporting**

8. Within sixty (60) days of the execution of the probationary period, **MS. SEWELL** 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. SEWELL** 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.
9. **MS. SEWELL** 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. SEWELL** throughout the duration of this Order.
10. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SEWELL** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

11. Prior to accepting employment as a nurse, each time with every employer, **MS. SEWELL** shall notify the Board.
12. **MS. SEWELL** 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. SEWELL** 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. SEWELL** 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. SEWELL**

13. **MS. SEWELL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. SEWELL** 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. SEWELL** 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. SEWELL** 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. SEWELL** 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.
18. **MS. SEWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. SEWELL** 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.
20. Prior to working as a nurse, if requested by the Board or its designee, **MS. SEWELL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

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

### **Permanent Practice Restrictions**

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

**MS. SEWELL** 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. SEWELL's suspension shall be lifted and MS. SEWELL's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. SEWELL** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SEWELL** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SEWELL** 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. SEWELL** has complied with all aspects of this Order; and (2) the Board determines that **MS. SEWELL** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SEWELL** and review of the reports as required herein. Any period during which **MS. SEWELL** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board with Rhonda Barkheimer and Judith Church abstaining.

Mistak, Christa M., P.N. 121233 (CASE #10-0990)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **CHRISTA MARIE MISTAK** in the September 23, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MISTAK** 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. MISTAK'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 July 2011, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MISTAK** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MISTAK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MISTAK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. MISTAK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MISTAK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MISTAK's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. MISTAK** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

**Monitoring**

5. **MS. MISTAK** 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. MISTAK's** history. **MS. MISTAK** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. MISTAK** shall abstain completely from the use of alcohol.
  7. **Prior to requesting reinstatement by the Board, MS. MISTAK** 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. MISTAK** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MISTAK** 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. MISTAK's** license, and a statement as to whether **MS. MISTAK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  8. **MS. MISTAK** 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. MISTAK's** license.
  9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MISTAK** 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. MISTAK'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. MISTAK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MISTAK's** history.
  10. Within thirty (30) days prior to **MS. MISTAK** initiating drug screening, **MS. MISTAK** 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. MISTAK**.

11. After initiating drug screening, **MS. MISTAK** 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. MISTAK** 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.
12. For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, **MS. MISTAK** 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. MISTAK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MISTAK**

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

#### **DURATION**

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

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

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

### **Monitoring**

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

12. **MS. MISTAK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. MISTAK** 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. MISTAK** 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. MISTAK** 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. MISTAK** 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. MISTAK** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. MISTAK** 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. MISTAK** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Temporary Narcotic Restriction**

**MS. MISTAK** shall not administer, have access to, or possess (except as prescribed for **MS. MISTAK's** use by another so authorized by law who has full knowledge of **MS. MISTAK's** history) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **one (1) year** in which **MS. MISTAK** is working in a position that requires a nursing license. At any time after the one-year period previously described, **MS. MISTAK** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. MISTAK** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. MISTAK** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

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

**MS. MISTAK** 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. MISTAK's suspension shall be lifted and MS. MISTAK's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MISTAK** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MISTAK** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MISTAK** 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. MISTAK** has complied with all aspects of this Order; and (2) the Board determines that **MS. MISTAK** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MISTAK** and review of the reports as required herein. Any period during which **MS. MISTAK** 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 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Quint, Lizabeth A., R.N. 226703 (CASE #10-2672)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **LIZABETH A. QUINT** in the May 20, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. QUINT** 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. QUINT'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. QUINT's** license to practice nursing as a registered nurse 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. QUINT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. QUINT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. QUINT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. QUINT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. QUINT's** criminal records check reports to the Board.  
A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. QUINT** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to requesting reinstatement by the Board, MS. QUINT** 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: fifteen (15) hours of substance abuse.

### **Monitoring**

6. **MS. QUINT** 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. QUINT's** history. **MS. QUINT** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. QUINT** shall abstain completely from the use of alcohol.
8. **Prior to requesting reinstatement by the Board, MS. QUINT** 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. QUINT** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. QUINT** 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. QUINT's** license, and a statement as to whether **MS. QUINT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. QUINT** 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. QUINT's** license.
  10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. QUINT** 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. QUINT'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. QUINT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. QUINT's** history.
  11. Within thirty (30) days prior to **MS. QUINT** initiating drug screening, **MS. QUINT** 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. QUINT**.
  12. After initiating drug screening, **MS. QUINT** 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. QUINT** 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.
  13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. QUINT** 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. QUINT** shall

provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. QUINT**

14. **MS. QUINT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. QUINT** 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. QUINT** 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. QUINT** 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. QUINT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MS. QUINT** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. QUINT** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. QUINT's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

### **Monitoring**

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

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

approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

**MS. QUINT** 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. QUINT's suspension shall be lifted and MS. QUINT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. QUINT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. QUINT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. QUINT** 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. QUINT** has complied with all aspects of this Order; and (2) the Board determines that **MS. QUINT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. QUINT** and review of the reports as required herein. Any period during which **MS. QUINT** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Roco, Stephanie G., R.N. 339047 (CASE #09-6595)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **STEPHANIE G. ROCO** in the May 20, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROCO** 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. ROCO's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ROCO's** license to practice nursing as a registered nurse 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. ROCO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROCO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. ROCO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROCO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ROCO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

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

6. **Prior to requesting reinstatement by the Board, MS. ROCO** 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. ROCO** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. ROCO** 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. ROCO's** license, and a statement as to whether **MS. ROCO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. ROCO** 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. ROCO's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. ROCO** 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. ROCO'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. ROCO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROCO's** history.
9. Within thirty (30) days prior to **MS. ROCO** initiating drug screening, **MS. ROCO** 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. ROCO**.
10. After initiating drug screening, **MS. ROCO** 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. ROCO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

### **Reporting Requirements of MS. ROCO**

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

### **DURATION**

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

**ROCO** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MS. ROCO's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

### **Monitoring**

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

12. **MS. ROCO** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. ROCO** 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. ROCO** 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. ROCO** 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. ROCO** 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. ROCO** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. ROCO** 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. ROCO** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

**MS. ROCO** 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. ROCO** has complied with all aspects of this Order; and (2) the Board determines that **MS. ROCO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ROCO** and review of the reports as required herein. Any period during which **MS. ROCO** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church and Delphenia Gilbert abstaining.

Trusso, Amber D., R.N. 270714 (CASE #10-2988)

**Action:** It was moved by Roberta Stokes, seconded by Susan Morano, that upon consideration of the charges stated against **AMBER D. TRUSSO** in the July 29, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TRUSSO** 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. TRUSSO'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. TRUSSO's** license to practice nursing as a registered nurse 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. TRUSSO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TRUSSO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. TRUSSO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TRUSSO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause

BCII to submit **MS. TRUSSO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MS. TRUSSO** 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 chemical dependency.

### **Monitoring**

5. **MS. TRUSSO** 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. TRUSSO's** history. **MS. TRUSSO** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. TRUSSO** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. TRUSSO** 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. TRUSSO** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. TRUSSO** 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. TRUSSO's** license, and a statement as to whether **MS. TRUSSO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. TRUSSO** 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. TRUSSO's** license.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TRUSSO** 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. TRUSSO'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. TRUSSO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TRUSSO's** history.
10. Within thirty (30) days prior to **MS. TRUSSO** initiating drug screening, **MS. TRUSSO** 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. TRUSSO**.
  11. After initiating drug screening, **MS. TRUSSO** 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. TRUSSO** 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.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. TRUSSO** 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. TRUSSO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. TRUSSO** 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. TRUSSO** 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. TRUSSO's** license, and a statement as to whether **MS. TRUSSO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  14. **MS. TRUSSO** 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. TRUSSO's** license.

15. **Prior to requesting reinstatement by the Board, MS. TRUSSO** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. TRUSSO's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. TRUSSO's** comprehensive physical examination and with a comprehensive assessment regarding **MS. TRUSSO's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. TRUSSO** shall provide the Board approved physician with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. TRUSSO** 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. TRUSSO's** license to practice, and stating whether **MS. TRUSSO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

#### **Reporting Requirements of MS. TRUSSO**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. TRUSSO's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

### **Monitoring**

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

6. **MS. TRUSSO** 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. TRUSSO** 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. TRUSSO** 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. TRUSSO** 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. TRUSSO** 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. TRUSSO** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TRUSSO** 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. TRUSSO** shall notify the Board.
11. **MS. TRUSSO** 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. TRUSSO** 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. TRUSSO** 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. TRUSSO**

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

documentation directly to the Board.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. TRUSSO** 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. TRUSSO's suspension shall be lifted and MS. TRUSSO's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. TRUSSO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. TRUSSO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. TRUSSO** 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. TRUSSO** has complied with all aspects of this Order; and (2) the Board determines that **MS. TRUSSO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. TRUSSO** and review of the reports as required herein. Any period during which **MS. TRUSSO** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

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

White, Mark W., P.N. 137860 (CASE #11-2350)

**Action:** It was moved by Rhonda Barkheimer, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **MARK WAYNE WHITE** in the September 23, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WHITE** 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 **MR. WHITE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following

reinstatement, **MR. WHITE's** license to practice nursing as a licensed practical nurse 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. WHITE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. WHITE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. WHITE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. WHITE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. WHITE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. WHITE** 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: fifteen (15) hours of Chemical Dependency, five (5) hours of Professionalism, and five (5) hours of Ethics.

#### **Monitoring**

5. **MR. WHITE** 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. WHITE's** history. **MR. WHITE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. WHITE** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. WHITE** 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. WHITE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. WHITE** 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. WHITE's** license, and a statement as to whether **MR. WHITE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. WHITE** 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. WHITE's** license.
  9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. WHITE** 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. WHITE'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. WHITE** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WHITE's** history.
  10. Within thirty (30) days prior to **MR. WHITE** initiating drug screening, **MR. WHITE** 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. WHITE**.
  11. After initiating drug screening, **MR. WHITE** 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. WHITE** 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.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. WHITE** 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. WHITE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MR. WHITE**

13. **MR. WHITE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. WHITE** 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.
15. **MR. WHITE** 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. **MR. WHITE** 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. **MR. WHITE** 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. **MR. WHITE** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. WHITE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. WHITE's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

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

### **Monitoring**

3. **MR. WHITE** 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. WHITE's** history. **MR. WHITE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. WHITE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. WHITE** 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. WHITE** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WHITE's** history.
6. **MR. WHITE** 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. WHITE** 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. WHITE** 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. WHITE** 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. WHITE** 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. WHITE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical

treatment, **MR. WHITE** 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. WHITE** shall notify the Board.
11. **MR. WHITE** 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. WHITE** shall provide his employer(s) with a copy of this Order and Notice of Immediate Suspension and 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 Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MR. WHITE** 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 MR. WHITE**

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

home address or telephone number.

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

Board monitoring, based upon an interview with **MR. WHITE** and review of the reports as required herein. Any period during which **MR. WHITE** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Whitnight, Keith T., R.N. 251399 (CASE #06-0173)

**Action:** It was moved by Patricia Hayek, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **KEITH THOMAS WHITNIGHT** in the September 22, 2006 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WHITNIGHT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. WHITNIGHT'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KEITH THOMAS WHITNIGHT** to surrender his frameable wall certificate for his registered nurse license, R.N. #251399, 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 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church and Susan Morano abstaining.

Whitacre, Carol A., P.N. 063707 (CASE #03-1280)

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, that upon consideration of the charges stated against **CAROL WHITACRE** in the November 18, 2005 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WHITACRE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. WHITACRE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CAROL WHITACRE** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #063707, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Heiss, Peggy A., P.N. 067388 (CASE #95-0248)

**Action:** It was moved by Roberta Stokes, seconded by Janet Arwood, that upon consideration of the charges stated against **PEGGY A. HEISS** in the January 22, 1996 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HEISS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. HEISS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **PEGGY A. HEISS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #067388, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Prewitt, Sandra L., R.N. 258853 (CASE #11-1774)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that upon consideration of the charges stated against **SANDRA LYNN PREWITT** in the September 23, 2011 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PREWITT** 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. PREWITT'S** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than five (5) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PREWITT'S** license to practice nursing as a registered nurse 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. PREWITT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PREWITT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. PREWITT** shall

submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PREWITT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PREWITT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MS. PREWITT** shall submit documentation of her full compliance with the terms and conditions imposed by the Butler County Court of Common Pleas Case Number CR2011-06-0793.
5. **Prior to requesting reinstatement by the Board, MS. PREWITT** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics and twenty (20) hours of Chemical Dependency.

### **Monitoring**

6. **MS. PREWITT** 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. PREWITT's** history. **MS. PREWITT** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. PREWITT** shall abstain completely from the use of alcohol.
8. **Prior to requesting reinstatement by the Board, MS. PREWITT** 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. PREWITT** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. PREWITT** 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. PREWITT's** license, and a statement as to whether **MS. PREWITT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. PREWITT** 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. PREWITT's** license.

10. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. PREWITT** 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. PREWITT'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. PREWITT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PREWITT's** history.
11. Within thirty (30) days prior to **MS. PREWITT** initiating drug screening, **MS. PREWITT** 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. PREWITT**.
12. After initiating drug screening, **MS. PREWITT** 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. PREWITT** 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.
13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. PREWITT** 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. PREWITT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. **Prior to requesting reinstatement by the Board, MS. PREWITT** 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. PREWITT** shall provide the psychiatrist with a copy of this Order and Notice of Temporary 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. PREWITT's** license, and a statement as to whether **MS. PREWITT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

15. **MS. PREWITT** 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. PREWITT's** license.

#### **Reporting Requirements of MS. PREWITT**

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

#### **DURATION**

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

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

**Following reinstatement, the suspension shall be stayed and MS. PREWITT's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.**

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

#### **Monitoring**

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

12. **MS. PREWITT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. PREWITT** 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. PREWITT** 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. PREWITT** 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. PREWITT** 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. PREWITT** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. PREWITT** 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. PREWITT** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. PREWITT** 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. PREWITT's suspension shall be lifted and MS. PREWITT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. PREWITT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. PREWITT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. PREWITT** 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. PREWITT** has complied with all aspects of this Order; and (2) the Board determines that **MS. PREWITT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PREWITT** and review of the reports as required herein. Any period during which **MS. PREWITT** 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 and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

### **WITHDRAW NOTICE OF OPPORTUNITY FOR HEARING**

Weigel, Jeanette S., P.N. 072817 (CASE #10-2638)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board withdraw the July 29, 2011 Notice of Opportunity for Hearing that was issued to Weigel, Jeanette S., P.N. 072817 (CASE #10-2638), based upon additional evidence received in December 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

A complete copy of the Withdrawal of Notice of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board meeting.

### **TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that the Board temporarily suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC, for the following case(s):

Lekutis, Angela M., P.N. 115836 (CASE #11-4862); Reilly, Jennifer L., P.N. 096930 (CASE #11-4407); Lohr, James N., P.N. 086634 (CASE #11-4863); and Hall, Heidi M., R.N. 281240 (CASE #11-4852).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Complete copies of the Temporary Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

#### **NOTICE OF IMMEDIATE AND AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board immediately and automatically suspend the license and issue a Notice of Opportunity for Hearing for the following:

Cole, Ebony D., P.N. 121175 (CASE #11-4702).

Motion adopted by majority vote of the Board member with Judith Church abstaining.

#### **NOTICE OF OPPORTUNITY FOR HEARING – EDUCATION PROGRAMS**

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following:

Ohio American Health Care Registered Nursing Program, (CASE #11-2803) and Ohio American Health Care Inc., Practical Nursing Program, (CASE #11-4356).

Motion adopted by unanimous vote of the Board members.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2012 Board Meeting.

#### **DEFAULT ORDERS**

Addison, Ronnie C., R.N. 293605 (CASE #10-4314)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the allegations contained in the May 12, 2011 examination order and the findings contained in the November 2011 Default Order, the Board finds that **MR. ADDISON** has committed acts in violation of the Nurse

Practice Act, as set forth in the November 2011 Default Order, and the Board orders that **MR. ADDISON's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of November 18, 2011, with conditions for reinstatement set forth in the November 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Imbrogno, Stefanie R., R.N. 337659 (CASE #09-3610)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the allegations contained in the April 8, 2011 examination order and the findings contained in the November 2011 Default Order, the Board finds that **MS. IMBROGNO** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2011 Default Order, and the Board orders that **MS. IMBROGNO's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of November 18, 2011, with conditions for reinstatement set forth in the November 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Coyle, Brenton D., P.N. 140678 (CASE #11-1470)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that upon consideration of the allegations contained in the July 26, 2011 examination order and the findings contained in the November 2011 Default Order, the Board finds that **MR. COYLE** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2011 Default Order, and the Board orders that **MR. COYLE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of November 18, 2011, with conditions for reinstatement set forth in the November 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Knott, Diana S., R.N. 260818 (CASE #10-2519)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board find that that **MS. KNOTT** has admitted the truth of the allegations set forth in the October 25, 2010 Examination Order issued to **MS. KNOTT** and that **MS. KNOTT** is impaired. The Board ORDERS that **MS. KNOTT's** license

to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

### **CONDITIONS FOR REINSTATEMENT**

1. **MS. KNOTT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KNOTT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **Prior to requesting reinstatement by the Board, MS. KNOTT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KNOTT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KNOTT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MS. KNOTT** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services, 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MS. KNOTT** shall provide the Examiner with a copy of this Order and the October 25, 2010 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. KNOTT's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. KNOTT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. KNOTT** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency, psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 4., above. If the Board and **MS. KNOTT** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

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

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Raines, Mystie R., R.N. 225542 (CASE #10-1542)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board find that **MS. RAINES** has admitted the truth of the allegations set forth in the September 28, 2011 Examination Order issued to **MS. RAINES** and that **MS. RAINES** is impaired. The Board ORDERS that **MS. RAINES's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

### **CONDITIONS FOR REINSTATEMENT**

1. **MS. RAINES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RAINES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **Prior to requesting reinstatement by the Board, MS. RAINES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RAINES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. RAINES's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MS. RAINES** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Michael A. Gureasko, The Christ Hospital Medical Office Building, 2123 Auburn Avenue, Suite 306, Cincinnati, Ohio 45219. Prior to the evaluation, **MS. RAINES** shall provide the Examiner with a copy of this Order and the September 28, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. RAINES's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. RAINES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

5. **MS. RAINES** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency, psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 4., above. If the Board and **MS. RAINES** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

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

**MS. RAINES** is hereby further informed that, if **MS. RAINES** timely requests a hearing, **MS. RAINES** is entitled to appear at such hearing in person, by **MS.**

**RAINES's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. RAINES** may present **MS. RAINES's** position, arguments, or contentions in writing. At the hearing **MS. RAINES** may also present evidence and examine witnesses appearing for and against **MS. RAINES**.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 20th day of January, 2012.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

#### **VOLUNTARY RETIREMENT**

**Action:** It was moved by Delphenia Gilbert, seconded by Patricia Hayek, that the Board accept the Voluntary Retirement from the following:

Gianakopoulos, Theresa M., P.N. 041168 (CASE #10-2922).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

#### **MONITORING**

##### **LIFTS OF SUSPENSION/PROBATION**

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Arwood, that the following, having met the terms and conditions of their Consent Agreements or Adjudication Orders with the Board, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their respective Consent Agreements or Adjudication Orders:

Dill, Brian J., R.N. 367225 (CASE #10-4413); Calloway, Shilonda Q., P.N. 138347 (CASE #09-4891); Ussai, Robert, R.N. 359845 (CASE #10-0583); Nation, Donna S., P.N. 071440 (CASE #10-3613); Dzik, Sandra A., R.N. 161088 (CASE #08-2131); Haber, Yvette R., R.N. 348866 (CASE #08-4326); Thompson, Elaine M., R.N. 364861 (CASE #10-2456); Jordan, Tracy L., P.N. 132929 (CASE #08-1807); Runkle, Laura B., P.N. 131829 (CASE #08-4234); Ositadimma, Jennifer E., R.N. 304042 (CASE #07-2088); Renicker, Daniel L., R.N. 367227 (CASE #10-4847); and McNulty, Dawn R., P.N. 023127 (CASE #08-1253).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

**LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, having met the terms and conditions of their Consent Agreements or Adjudication Orders with the Board, be released early from their respective Consent Agreements or Adjudication Orders:

Lape, Christopher J., R.N. 287681, NA 10593 (CASE #09-4315); Lively, Amy D., R.N. 292128 (CASE #06-3329); and Hill, Tonia G., P.N. 120898 (CASE #10-2592).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

**Action:** It was moved by Rhonda Barkheimer, seconded by Janet Arwood, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreements with the exception of the permanent practice restriction(s) that will remain in effect:

Sislow, John E., R.N. 207497 (CASE #05-3350); Kohut, Donna M., R.N. 133647 (CASE #08-1606); Lovelace, Demetrius J., D.T. 03098 (CASE #08-3777); and Vonier, Ronda L., R.N. 261952 (CASE #10-2769).

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

**LIFT OF SUSPENSION ONLY – EARLY RELEASE – PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Rhonda Barkheimer, seconded by Janet Arwood, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their respective Consent Agreements with the exception of the permanent practice restrictions that will remain in effect:

Kostecki, Louise E., R.N. 155859 (CASE #07-3557) and Svoboda, Karen C., R.N. 190729 (CASE #09-3420).

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

**LIFT OF TEMPORARY PRACTICE RESTRICTION ONLY**

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their temporary practice restriction(s) within their September 24, 2010 Consent Agreements:

Cornelius, Debra L., R.N. 365829, P.N. 086688 (CASE #09-2560)

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

**LIFT OF TEMPORARY NARCOTIC RESTRICTION ONLY**

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restriction(s) within their Consent Agreements:

Stewart, Shelvie, P.N. 110483 (CASE #08-4284) and Abbott, Paula F., R.N. 283101, COA 08849 (CASE #10-3848).

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

**REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT**

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Arwood, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be reinstated subject to the probationary terms of the September 24, 2010 Consent Agreement:

Williams, Susan A., R.N. 293485 (CASE #08-3369);

Motion adopted by majority vote of the Board members with Judith Church abstaining.

**MOTION TO ACCEPT SPECIFIC NURSING EMPLOYMENT ONLY**

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve Von Bauer, Diana L., P.N. 105650 (CASE #09-1362) for employment as a Home Health Nurse with E.J.Q. Home Health Care.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

**MOTION TO APPROVE PROVIDING PEDIATRIC CARE FOR SPECIFIC EMPLOYMENT ONLY**

**Action:** It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that the Board approve Vonier, Ronda L., R.N. 261952 (CASE #10-2769a) to provide nursing care for pediatric patients during employment with Select Specialty Hospitals.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

#### **MISCELLANEOUS MONITORING MOTION.**

**Action:** It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, that based on the recommendation of Judith Church, Supervising Member for Board Disciplinary Matters, Simpson, Cheryl L., P.N. 139952 (CASE #10-1030) be released from the terms and conditions of her May 2010 Consent Agreement. This recommendation is based **solely** on the following factors:

1. Ms. Simpson was released from temporary practice restrictions and urine drug/alcohol screen requirements on July 29, 2011, based upon an August 2010 chemical dependency evaluation report finding that she was not drug or alcohol dependent, her completion of eight (8) hours in chemical dependency education, and her demonstrated record of negative urine drug/alcohol screen;
2. Ms. Simpson has had no additional OMVIs or other similar offenses since 2007; and
3. Ms. Simpson has met the Monitoring Conditions of the Consent Agreement, with the exception of submitting employer reports. At this time, there is no evidence that Ms. Simpson's nursing practice presents a public safety risk, and the public should be protected without the receipt of employer reports.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

#### **REPORTS TO THE BOARD**

##### **Open Forum – Friday, January 20, 2012**

There were no participants for Open Forum.

##### **Other Reports**

###### **Final Report for the Nurse Education Grant Program (NEGP) 2009-2011 Grant Cycle**

Lisa Emrich reviewed the final report for the NEGP 2009-2011 Grant Cycle. It was noted that grant monies not used are returned to the NEGP fund.

###### **Report Regarding Continuation of NEGP Funding**

On December 31, 2013, the transfer of funds for NEGP ends unless legislation is passed that authorizes continuation of the funding. The

Board reviewed the funding and outcomes of NEGP and discussed the continuation of NEGP. Based on the positive impact on Ohio's nursing workforce, the increased preparation of nursing faculty, and the increase in RNs and LPNs pursuing continued nursing education, the Board agreed by consensus to seek legislation to continue NEGP.

The Board also agreed by consensus to the following in this priority order: (1) continue funding for programs and/or strategies that increase the capacity to educate future nursing faculty; (2) establish a funding priority for programs and/or strategies that promote LPNs obtaining RN degrees and RNs obtaining BSN or MS/MSN degrees; (3) continue funding pre-licensure registered nursing programs. Funding for pre-licensure PN programs would be reduced or eliminated.

Further legal analysis is required to implement these priorities in that the funding allocations are established through administrative rules, and funding for PN programs is contemplated in law. The Board also agreed to hold future discussions regarding the number of LPNs being educated, but the decrease in LPN positions.

#### **GENERAL INFORMATION (FYI)**

The Board reviewed the general information items and had no questions. Holly Fischer explained that she will provide ethics training for Board members at the Retreat, however, if Board members are unable to attend the Retreat, there are additional training dates for 2012 established by the Ethics Commission, as provided.

#### **BOARD GOVERNANCE**

##### **Review Board Policies**

**Action:** It was moved by Patricia Hayek, seconded by Rhonda Barkheimer, that the Board approve the Board Policies as amended. Motion adopted by unanimous vote of the Board members.

##### **Discuss Board Retreat**

The Board discussed changing the 2012 Board Retreat dates due to the availability of meeting space. After discussion, it was agreed by general consensus to hold the 2012 Retreat on April 16-17 at the Drury Inn and Suites in Dublin, Ohio. Joseph Kirk will make the necessary arrangements and hotel reservations.

##### **Reminder – Financial Disclosure Statements**

Board members were reminded that Financial Disclosure Statements (FDS) are due by April 16, 2012. Board members may file the FDS directly with the Ohio Ethics Commission, or may return their FDS to Joseph Kirk by April 6, 2011 and he will file the forms for them.

**Determine Board Member Attendance for NCSBN Mid-Year Meeting**

The Board agreed by general consensus that President Bertha Lovelace and Vice-President Melissa Meyer would attend the NCSBN Mid-Year Meeting. L. Emrich and B. Houchen will also attend as members of the NCSBN Leadership Succession Team and the Board of Directors respectively. NCSBN will cover the expenses of each person attending. Jane McFee and Roberta Stokes indicated they might be interested in attending, if their schedules permit and if NCSBN Resource Funds are available to cover the travel costs.

**Completion of Board Governance Survey**

B. Lovelace reminded Board members to complete the Board Governance Survey and return them to her or J. Kirk. The surveys will be compiled and discussed at the Board Retreat. She encouraged Board members to provide comments and suggestions.

**Schedule Board Meetings and Retreat for 2014**

J. Kirk reviewed the proposed meeting dates for 2014. The Board agreed by consensus to the dates as presented.

**EVALUATION OF MEETING AND ADJOURNMENT**

The meeting adjourned on Friday, January 20, 2012 at 10:01 a.m.

Bertha Lovelace, RN, CRNA  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

