



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JULY 23-24, 2009

The regular meeting of the Ohio Board of Nursing (Board) was held on July 23-24, 2009 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, July 23, at 8:33 a.m., President Lisa Klenke called the Board meeting to order. On Friday, July 24, 2009 at 8:31 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day and L. Klenke recognized students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Lisa Klenke, RN, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters
Janet L. Boeckman, RN
Patricia Burns, LPN
Judith Church, RN
Kathleen Driscoll, RN
Delphenia Gilbert, RN
Bertha Lovelace, RN
Johnnie Maier, Consumer Member
Melissa Meyer, LPN (Absent after 12:00 p.m. on Friday)
Patricia Protopapa, LPN
Eric Yoon, RN

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

On Thursday, the Board Reception was held at 8:00 a.m., the Board Committee for the CPG Appointment met at noon, Executive Session was held at 2:00 p.m., and the Board deliberated on cases pending before the Board following Executive Session. Open Forum was scheduled on Friday.

Minutes of May 14-15, 2009 Board Meeting

Action: It was moved by Kathleen Driscoll, seconded by Janet Boeckman that the Board accept the minutes of the May 14-15, 2009 Board meeting as submitted. Motion adopted by majority vote of the Board members with Delphenia Gilbert and Patricia Protopapa abstaining.

Executive Director Report

B. Houchen read Governor Ted Strickland's proclamation recognizing the Board for receiving the NCSBN 2009 Regulatory Achievement Award. In addition, she provided the Executive Director Report and highlighted the following:

- Two employees were recognized for their years of state service: Julia Hilty, 10 years, and Marion Wilson, 15 years.
- NCSBN representatives will be at the Board office in August to discuss the workforce data project.
- An article in the *Los Angeles Times* was published regarding the disciplinary processes of the California RN Board of Nursing as compared to Ohio.
- We were proud that Christopher McNeil, an expert in administrative law, spoke very highly of the Board's administrative hearing processes during a July 2009 administrative law seminar.

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

B. Houchen provided a report regarding 2009 licensure and renewal processes. Beginning June 15th, the state eLicensing system that controls the Board's licensure and renewal process and is administered by the Department of Administrative Services (DAS), experienced serious systems issues causing very substantial problems for applicants, licensees and certificate holders, and the work of Board staff.

Initial Licensure: For individuals applying for initial licensure, the eLicensing system all but came to a grinding halt. Initial application processing that typically took 3-5 minutes was taking up to 60 minutes creating a large backlog and delaying licensing nurses for Ohio's workforce. This forced a change to the timeline for processing applications from 30 business days to 45 business days.

Another result of the eLicensing slowdown, was that it took staff 10-15 minutes to respond to each caller who had lost their username and password needed to renew online; the usual time to respond to such a call was 30 seconds. At that time our in-house IT staff was able to determine a short-term solution. They constructed a data base application internally and loaded it with limited licensee data to allow staff to better handle the influx of calls from licensees requesting usernames and passwords, as the June 30 renewal deadline to avoid late fees approached. A second database application was created internally to assist fiscal staff with the reconciliation of renewal payments between the licensing system and the credit card vendor.

Renewal: The continued degradation in the performance of the eLicensing system culminated in a near work stoppage as the internal facing system became almost completely unresponsive. This facilitated the resolution by DAS of several outstanding software issues that had previously delayed the hardware upgrade planned for earlier this year. An emergency server upgrade was performed the evening of Friday June 26th. This dramatically improved the performance of the portion of the licensing system used by staff.

The server upgrade described above contributed to an unforeseen failure of the outward (public facing) Online Renewal and Verification system. By Monday morning June 29th, the Online Renewal System's performance had degraded, preventing most who attempted to renew online from completing their transaction. By the afternoon of the 29th, DAS was still unable to determine the cause of the online renewal system's failure and requested that Online Renewal be suspended for the Nursing Board for an undetermined amount of time. It was their intention to relieve as much "stress" on the system as possible by dropping the largest group attempting to renew in hopes that smaller licensee groups from several boards would be able to complete their transactions by their own June 30th deadlines.

With that understanding, the Board placed a message on the website and phone lines, and issued an eNews listserv message stating that the Online Renewal System was unavailable and that the Board would be preparing a paper application mailing. Given the overwhelming number of calls, at least 20,000 emails and faxes requesting paper applications, constant lines of licensees at the Board office, and no timeline for online service restoration, the decision was made to waive the July 1 late fee for this renewal period. Late in the afternoon on June 30th a "fix" was applied to the system by DAS that improved performance to the point where DAS decided not to remove our licensees from the renewal system. The next morning, July 1st, when it was apparent that about 900 licensees had managed to renew overnight, Board staff discovered that nurses were never actually closed out of the system.

After a web-server replacement, several "patches" and coding changes, online renewal is once again considered available to our licensees and is being closely monitored by Board IT staff and DAS. As of July 10th, DAS was still tentative about the system's ability to be overwhelmed, and has begun load testing (stress testing) its capacity to better prepare for the conclusion of our renewal period at the end of August. According to DAS, the near failure of this system has elevated its importance to be recognized as a critical application to the state's IT system.

Telecommunications: Due to the extremely high volume of licensee calls related to the Online Renewal System, the Auto Attendant phone system used by the Board and several other agencies became overloaded. Early during the morning of June 29th, DAS Telecom Services informed the Board that our connection to this automated call routing system was severed to prevent a system failure. All incoming calls to the Board were funneled into two front desk lines where the receptionist was required to manually transfer and route all incoming calls to the

proper areas. This action further limited applicant and licensee access to the Board. On July 9th, DAS began tentative restoration of Auto Attendant/Call Routing services.

Status: As of July 9th, 120,141 RNs renewed their licenses (112,923 online and 7,218 via a paper application). In addition, 1,514 nurses placed their licenses on inactive status. Paper applications will be mailed to any individuals who have not renewed their license by July 17.

The volume of applications for licensure by examination is extremely high this year. The Board is processing approximately 760 applications per month. In previous years, the Board offered overtime and/or used temporary staffing to handle the applicant workload during peak licensure months. However, due to the state budget issues, we can no longer offer overtime or hire additional staffing at a time when there are more nursing education programs, more graduates, more applicants, and additionally, serious flaws in the eLicensing system. To address the problem, we have expedited the process between licensure and fiscal and shifted work of other staff and trained them to assist with licensure. Some staff have also volunteered to work overtime and elected to be compensated by receiving compensatory time.

The issues in the state system have many ramifications for the Board: loss of state revenue due to waiving late fees, increased costs associated with printing, mailing, and bank costs, increased staff time in processing paper applications, and a lack of trust in the online system for future renewal periods.

We commend staff for their hard work and commitment to get applicants licensed and nurses renewed as quickly as possible. Recently, IT personnel from DAS have begun communicating with us; the initial lack of communication impacted our operations, communications with our customers, and the business decisions we made.

L. Klenke and B. Houchen thanked ONA and OAAPN for helping the Board provide information to nurses and their understanding of the dilemma.

Legislative Status Report

B. Houchen reported that the budget bill, HB 1, was passed and signed by the Governor. The Board lost funding, \$450,000 from the NEGP fund in each year of FY10 and FY11. For the 2009 funding cycle, the Board is able to fund programs at the same level as the last grant cycle. There was no consolidation language in HB 1. HB 1 also created the School Health Services Advisory Council. The Governor is charged with appointing a member of the Board to the Council.

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board recommend Delphenia Gilbert to the School Health Services Advisory Council to represent the Ohio Board of Nursing. Motion adopted by unanimous vote of the Board members.

B. Houchen reported on the status of SB 89. The bill, sponsored by Senator Morano, amends the requirements for APNs seeking to endorse their prescriptive authority into Ohio. B. Houchen noted that the Board is following HB 205, supervision of surgical technologists and HB 215, Dental Board processes, as well as other bills of interest. HB 206, which would expand APNs prescribing of schedule II drugs, has had proponent testimony. The Board agreed by general consensus to send a letter of support for HB 206.

Fiscal Report

Kathy King provided the final report for fiscal year 2009. Staff continues to implement cost saving measures. Anne Barnett questioned if the Board received a 2007 DAS invoice in 2009. K. King responded that this is correct and that the Board is working with DAS to pay the bill.

NEW BUSINESS

Nurse Educator Grant Program (NEGP) Grant Awards

Lisa Emrich stated that NEGP Review Committee recommended the Board approve eleven of nineteen proposals submitted to the Board.

Action: It was moved by Kathleen Driscoll, seconded by Patricia Burns, that the Board approve the September 1, 2009 to August 31, 2011 award recommendations for the Nurse Education Grant Program as follows: Otterbein College Post Licensure Program, \$199,806.41; The Ohio State University Post Licensure Program, \$198,678.00; Lourdes College Post Licensure Program, \$193,265.00; Xavier University Post Licensure Program, \$199,339.00; Xavier University Pre-Licensure RN Program, \$199,999.00; North Central State College Pre-Licensure RN Program, \$194,088.00; Wright State University Pre-Licensure RN Program, \$200,000.00; Firelands Pre-Licensure RN Program, \$110,664.38; Marion Technical College Pre-License RN Program, \$200,000.00; Nancy K. Knight Pre-Licensure PN Program, \$200,000.00, and the Robert T. White Pre-Licensure PN Program \$104,160.21. Motion adopted by majority vote of the Board members with Janet Boeckman abstaining.

Five-Year Review Rules

Chapter 16 – Hearings

Holly Fischer and Lisa Ferguson-Ramos reviewed the proposed rule changes for Chapter 4723-16. The substantive changes are described below. The Board agreed by consensus to the changes presented and discussed.

- Rule 16-01: Changes include a new definition for the "board committee"; paragraph (C)(1) allows for the option of mailing scheduling letters and other correspondence that is not required by Section 119.07 to be mailed by certified mail to be mailed by regular mail with a certificate of mailing.
- Rule 16-02: Minor changes made, so rule is similar to Medical Board rule 4731-13-01.

- Rule 16-03: Changes include using term "due" diligence rather than "proper" diligence; paragraph (H) is added to emphasize that failure of respondent to cooperate with prehearing conferences or other attempted contacts is not sufficient grounds to continue the hearing date. The Board recommended that in paragraph (H), language be added, "and a hearing has been timely requested," after "Revised Code."
- Rule 16-05: Changes made to: (i) streamline and simplify language; (ii) in paragraph (E), add provision related to expert witness reports; (iii) include in paragraph (F) settlement negotiations as a topic for prehearing conferences.
- Rule 16-06: Language is added in paragraph (D) as required by new law, 119.094, RC.
- Rule 16-07: Language is added in paragraph (A), similar to Medical Board rule 4731-13-21, requiring admission into evidence of prior Board actions; the language defines what records are to be mandatorily included, versus those records related to past Board action that may be included if certain criteria are present. For example, a past Notice of Opportunity for Hearing, and Board Order related to that Notice, shall be included into evidence, but a police report or witness statement, that may have been exhibits in a hearing related to the prior Board action, may be admitted if certain criteria are met, e.g., "to demonstrate respondent's disregard for compliance with the laws." This approach is intended to strike a balance between mandatory admission of the past Board action itself, while not mandating that every record related to that action be admitted. Admission of all the records related to a prior board action in every case would cause the record in the current action to become unnecessarily voluminous.
- Language in paragraph (C) adds factors that the board may consider in determining a sanction, including failure to cooperate with the investigation and providing false, misleading or deceptive information to the Board or Board staff.
- Rule 16-08: Significant changes have been made primarily to make the rule read more clearly. Paragraph (F) consolidates various bases for quashing a subpoena, and language is added allowing for modification of subpoenas. These changes reflect current practices.
- Rule 16-10: Language is added to paragraph (B) to reflect that the Board Committee or the hearing examiner in lieu of hearing may accept settlements. This does not affect the requirement that the Board must ratify settlement agreements in order to be effective.
- Rule 16-12: Minor changes. The Board recommended that the words "prior to addressing the Board" be added to paragraph (A) before the

words “the representative has filed..,”

- Rule 16-13: This is a new proposed rule. This rule incorporates language from Section 119.09, RC, regarding reports and recommendations, and provides a list of some of the duties and authority of the board hearing committee or hearing examiner (the list is very similar to Medical Board rule 4731-13-03). Language is added describing in more detail the concept of the board hearing committee (paragraph (C)) and clarifying that the hearing examiner may be a board employee or independent contractor (paragraph (B)). Language is added underscoring that the board hearing committee may obtain legal advice from a staff attorney or hearing examiner on legal issues, and that this consultation is not ex parte communication. Language in paragraph (F) requires that the report and recommendation be submitted to the board within four months of the closure of the hearing. Note that although a similar Medical Board rule requires a report and recommendation to be completed within 30 days, this timeframe seems too short for Board operations. Among other things, the hearing transcript is frequently not ready until three weeks after the hearing date. Language in paragraph (G) provides that board hearing committee members are not excluded from voting on a case outcome as Board members.

Chapter 17 – IV Therapy Courses for LPNs

H. Fischer and Lisa Emrich reviewed the proposed rule changes for Chapter 4723-17. A Board Practice Committee was convened to review changes to both the law and rules related to intravenous therapy. The Board reviewed the Committee's recommended changes at the May 2009 Board meeting. Some of the changes will require statutory change. In addition, it would be ideal to revise the statutory structure so the language is worded more clearly. The Chapter 4723-17 rule language mirrors the current statutory language structure. Staff recommended that once statutory changes are implemented, Chapter 4723-17 be further revised. In the interim, the following rule changes are recommended by the Practice Committee, and to comply with the EO directive to eliminate redundant, obsolete, inconsistent, or confusingly worded language.

The Board agreed by consensus to the changes presented and discussed. The substantive changes are described below.

- Rule 17-01: Revised definition of “piggyback” to reflect that it is “secondary.” Note that while the term “piggyback” may be outdated, the term is used in the law (Section 4723.17(D)(6)(b), RC). The Board requested the definition of “piggyback” in paragraph (E) include the language “intermittent” or secondary.
- Rule 17-02: Rescind. The rule is redundant, as the same information is set forth in licensure rule 4723-7-06(C)(2) and in the law (Section 4723.17(A), RC).
- Rule 17-03: In paragraph (B)(3), the phrase “secondary intravenous infusion”

is used rather than “piggyback”, consistent with the updated definition in 17-01. The same change would occur in Rule 17-03(B)(3) regarding “intermittent” or secondary, as recommended by the Board in Rule 17-01(E).

- Rule 17-04: Rescind. This rule is redundant, as the same information is contained in Chapter 4723-14, Continuing Nursing Education
- Rule 17-05: Changes are made so the rule is more consistent with rule 4723-14-15 (Approval of a faculty-directed continuing education activity) and according to the EO. Board may also consider rescinding this rule and moving the content to rule 4723-14-15. Consider whether requirement in paragraph (B)(1) that course instructors be graduates of an Ohio-approved registered nursing program is too restrictive, i.e., could expand so that graduates of out-of-state registered nursing programs could be instructors.
- Rule 17-06: Changes made are minor and to make grammatical and cross-reference corrections. The law (Section 4723.17(A)(2)(a), RC) requires that the curriculum be as set forth in rules "in effect January 1, 1999," thus, it appears that substantive changes to the rule content cannot be made without a statutory change. The Board recommended that the Continuing Education Advisory Group review whether the three venipuncture language in paragraph (D) should remain, as that Group will be reviewing Chapter 14 in the upcoming year.
- Rule 17-07: Recommend name change in title and content to be consistent with Chapter 4723-14 (board, or board approver can approve a course). The following changes are proposed:
 - Paragraph (A), restructure language so that the requirements are tied to the requirements for approval status.
 - Paragraph (B) (renumbered as (A)(5)) - delete language requiring the provider to pay a \$25 fee to the Board. Section 4723.08(A)(23), ORC, makes collection of this fee discretionary. Section 4723.17(G), ORC, discusses circumstances in which a fee is not to be collected.
 - Paragraph (E) is deleted; language is redundant (repeats language in rule 4723-1-03(F), OAC).
- Rule 17-08: Rescind. The rule is obsolete, as rule 4723-5-14(F) (Curriculum for practical nursing education programs) requires IV therapy coursework after January 1, 2009.
- Rule 17-09: Rescind. The rule does not serve to clarify the law, as it would seem clear that one's employment status is not related to eligibility to participate in a continuing education activity.

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that discussion on this topic be extended by fifteen minutes. Motion adopted by unanimous vote of the Board members.

Chapter 25 – Nurse Education Grant Program

H. Fischer and L. Emrich reviewed the proposed rule changes for Chapter 4723-25. The Nurse Education Grant Program (NEGP) is established by Section 4723.063, RC, and the rules related to the NEGP to a large degree mirror the law. This program is to expire after December 31, 2013, absent legislative action. Most of the proposed changes are to clarify the language.

The rules establish grant fund allocation percentages for pre-licensure LPN (15%) and RN (35%) programs, and for post-licensure programs (50%). These percentages are not set in statute, and could be revised should the Board determine another ratio is desired based on current numbers of programs and faculty shortages. The Board agreed by consensus to maintain the allocations as currently specified.

The Board agreed by consensus to the changes presented and discussed. The substantive changes are described below.

- Rule 25-02: Paragraph (H)(7) is revised to be consistent with changes made to rule 4723-5-08(A)(6), OAC. Paragraph (K) is changed to correct a cross-reference.
- Rule 25-03: Board staff recommended rescinding this rule and replacing it because the Office of Budget and Management controls the amount of funding in this account.
- Rule 25-07: Changes to simplify language and to allow publication by electronic mail. Noted that DAS rule 123:5-1-08(C), related to requests for proposals, allows for electronic mail notice.
- Rule 25-13: Paragraph (A)(10) is revised to be consistent with changes made to rules 4723-5-01(H) and 4723-5-20, and to delete reference to rescinded rule 4723-5-18. L. Klenke recommended the staff consider an outcome report regarding how NEGP recipients have used funds and outcomes associated with those expenditures.

Chapter 26 – Community Health Workers

H. Fischer and Lesleigh Robinson reviewed the proposed rule changes for Chapter 4723-26. The Board agreed by consensus to the changes presented and discussed. The substantive changes are described below.

- Rule 26-01: Paragraph (A) is revised to be consistent with the definition in rule 4723-5-01(B). Paragraph (K) is deleted because under the law (Section 4723.84, RC) endorsement is not an option; all individuals must complete an Ohio-approved training program to be certified. Paragraph

- (M) is deleted to be consistent with standards for nurses in Chapter 4723-4, OAC (the Board decided last year against adopting a definition for "professional boundaries" similar to this). Paragraph (L) is revised to make the language consistent with Section 4723.01(B), RC. Paragraph (Q) is revised because "supervision" under Section 4723.82(B)(1), RC, can be by a non-nurse if related to other health activities. Thus, the definition is revised so it applies only to supervision by a RN. The Board asked that staff review "professional boundaries" in paragraph (M) to determine if clarification is needed, or whether the definition should remain.
- Rule 26-02: Title amended to reflect that certification does not establish a "scope of practice." Paragraphs (A), (B), and (C) are revised to make the language read more clearly and to eliminate obsolete language. Paragraph (D) is deleted as it is obsolete; the statutory timeframe for the Board to certify individuals who were working as community health workers prior to the effective date of the certification program has expired (see Section 4723.84(B), RC).
 - Rule 26-03: Repeal. The rule sets for an endorsement process that is not consistent with the law. Section 4723.84, RC, requires that individuals complete an Ohio board-approved training program in order to become certified.
 - Rule 26-04: Title change for same reason as recommended in rule 26-02. Changes made to simplify language. Language changed from "restoration" of lapsed certificate to "reinstatement" consistent with Chapters 4723-7 and 4723-14, OAC. Paragraph (H) is revised to reflect new language for disciplinary action implemented in rule 4723-26-11, rather than by cross-reference to Section 4723.28, RC. Board staff recommended adding a military service provision to be consistent with other workers certified by the Board.
 - Rule 26-05: Paragraph (B) is deleted as the law does not provide for endorsement. Language changed consistent with Chapter 4723-7 and 4723-14 regarding "reinstatement" instead of "restoration." Changes to renumbered paragraph (G) to refer to documentation on Board certification "record" rather than on paper certificate, consistent with elimination of wallet cards.
 - Rule 26-08: Changes are proposed to make this rule more consistent with rule 4723-13-05 (delegation to unlicensed persons). For example, in 2007, Rule 4723-13-05 was revised to eliminate the term nursing "activity". Paragraph (C) is revised to move the delegating nurse's evaluation of whether a task should be delegated, based on criteria such as whether the task requires nursing knowledge and expertise, to paragraph (B), so that this evaluation is one of the steps taken prior to delegating. The concept of "delegable" and "non-delegable" tasks is removed, to emphasize that this determination is made on a case-by-case basis rather than based on a

preconceived category of tasks. The substantive provisions remain the same. The same change is proposed in rule 4723-13-05.

- Rule 26-09: Revised title and minor changes to eliminate the term nursing “activity,” consistent with rule 4723-13-05. The Board requested that staff review whether the current 1:5 supervision ratio in paragraph (C) is working for the CHW program.
- Rule 26-10: Changes to correct typographical errors and make the rule consistent with rules 4723-4-03, 4723-4-04, and 4723-4-06, including revisions made to those rules in February 2009.
- Rule 26-11: Propose to rescind and re-file this rule due to substantial changes, notably, the rule as adopted did not set forth the grounds for disciplinary action for community health workers, but instead cross-referenced Section 4723.28(B), RC (disciplinary action for licensed nurses and dialysis technicians). The proposed new rule would set for the grounds for disciplinary action applicable to community health workers, similar to the approach taken in the medication aide rules.
- Rule 26-14: Minor changes to simplify language and clarify process regarding deficiency reports. Addition of language enabling applicant or programs to enter consent agreements with the Board, consistent with provisions for nursing education programs.

Other Proposed Rule Changes: Chapters 1, 3, 4, 5, 7, 9, 13, and 18

H. Fischer reviewed the proposed changes for additional rules. The Board agreed by consensus to the changes presented and discussed.

- Rule 4723-1-03: Delete paragraph (C) to be consistent with current policy regarding name change notification and elimination of wallet cards.
- Rule 4723-3-02: Proposed to add a definition of “Mental or Physical Impairment or Disability.” This would amplify the language in Section 4723.28(G), RC (examination orders involving nurses or dialysis technicians), 4723.28(B)(11), RC (disciplinary action involving nurses or dialysis technicians based on impairment), and language for medication aides and community health workers established in disciplinary action rules adopted under Sections 4723.652(A) and 4723.86, RC. The language is similar to that contained in Medical Board rule 4731-28-01, OAC.
- Rule 4723-4-04: Paragraph (I) is revised to correct language that was inadvertently not changed when this rule was revised effective February 1, 2009 (the revision was made to rule for registered nurses, 4723-4-03(I), but the change was not made in this rule for licensed practical nurses).
- Rule 4723-5-25: Proposed new rule to respond to recent situations

involving education programs or applicants submitting false information to the Board.

- Rule 4723-7-04: Revise requirement for licensure for foreign education nurse graduates in paragraph (F)(3) to facilitate licensure; remove "in good standing" language consistent with other current rules. There are other minor revisions to correct typographical errors.
- Rule 4723-7-05: Revise paragraphs (B)(2) and (E)(2) to facilitate the endorsement process by allowing the applicant to show current valid license as registered nurse in any NCSBN jurisdiction, rather than limiting this to jurisdiction of most recent practice.
- Rule 4723-7-06: Revise paragraphs (A)(1)(c), (B)(2), and (F)(2) to allow applicant to show current valid license as registered nurse in any NCSBN jurisdiction, rather than that limiting to jurisdiction of most recent practice. The intent is to facilitate the endorsement process.
- Rule 4723-7-08: Revise language to reflect that a wallet card is not primary evidence of a license, consistent with rule changes made in February 2009.
- Rule 4723-7-09: Paragraphs (J), (K), and (L) are revised to reflect a March 1 cutoff date for the renewal cycle rather than April 1, as discussed at the Board Retreat in April.
- Rule 4723-9-06: Paragraph (B) is revised to reflect a March 1 cutoff date for the renewal cycle rather than April 1, as discussed at the Board Retreat in April.
- Rule 4723-13-05: In reviewing rule 4723-26-08 (delegation to a community health worker), non-substantive changes are recommended to this general delegation rule to make the language in the two rules consistent, and to correct typographical errors.
- Rule 4723-18-06: Paragraph (B) is revised to correct a cross-reference.

APPROVALS

New Nursing Education Program Approval

Ohio Medical Career Center

Action: It was moved by J. Jane McFee, seconded by Delphenia Gilbert, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to Ohio Medical Career Center Practical Nursing Program. It was further moved that the program submit progress reports to the Board on or before January 7, 2010, and June 10, 2010. Motion adopted by unanimous vote of the Board members.

Stautzenberger College Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Bertha Lovelace, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to Stautzenberger College Practical Nursing Program. It was further moved that the program submit progress reports to the Board on or before February 15, 2010, August 15, 2010, and February 16, 2011. Motion adopted by unanimous vote of the Board members.

Ohio American Health Care Inc.

Lisa Klenke asked that the record show that the applications for Ohio American Health Care Inc. (PN) and Ohio American Health Care Inc. (RN) were incomplete at the time of the Board meeting and therefore would not be considered.

Nursing Education – Determination of Approval Status

Buckeye Career Center Practical Nursing Program

Action: It was moved by Judith Church, seconded by J. Jane McFee, that the Board place Buckeye Career Center Practical Nursing Program on provisional approval for a period of one year, effective July 24, 2009, after fully considering the survey visit report and the response to the report which demonstrate the program failed to meet and maintain the requirements established in rules 4723-5-09 (A)(2)(a); 4723-5-14 (E)(12)(b); 4723-5-15 (B) and (C); and 4723-5-19 (C) and (D), OAC. It was further moved that the program submit progress reports to the Board on or before October 15, 2009 and January 25, 2010. Motion adopted by unanimous vote of the Board members.

The Columbus School of Practical Nursing

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board grant full approval in accordance with Rule 4723-5-04, OAC, to the Columbus School of Practical Nursing, for a period of five years, effective July 24, 2009. Motion adopted by unanimous vote of the Board members.

Columbus State Community College

Action: It was moved by Kathleen Driscoll, seconded by Judith Church, that the Board grant full approval in accordance with Rule 4723-5-04, OAC, to Columbus State Community College Practical Nursing Program for a period of five years effective July 24, 2009. Motion adopted by unanimous vote of the Board members.

Knox County Career Center

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board place Knox County Career Center on provisional approval for a period of one year, effective July 24, 2009, after fully considering the survey visit report and the response to the report which demonstrate the program failed to meet and maintain the requirements established in Rule 4723-5-14 (C)(3), (D), (E)(3), (E)(12)(a) and (b), OAC. It was further moved that the program submit progress reports to the Board on or before October 15, 2009 and January 15, 2010. Motion adopted by unanimous vote of the Board members.

Ohio Northern University

Action: It was moved by Judith Church, seconded by Bertha Lovelace, that the Board grant full approval in accordance with Rule 4723-2-04, OAC, to Ohio Northern University Baccalaureate Nursing Program for a period of five years effective July 24, 2009. Motion adopted by unanimous vote of the Board members.

Toledo School of Practical Nursing

Action: It was moved by J. Jane McFee, seconded by Patricia Protopapa, that the Board continue Toledo School of Practical Nursing, on provisional approval for a period of eighteen months, effective July 24, 2009, after fully considering the survey visit report and the response to the report which demonstrate the program failed to meet and maintain the requirements established in Rules 4723-5-06 (C), 4723-5-11 (A)(4)(b), 4723-5-14 (C)(3), 4723-5-15 (B) and (C), 4723-5-17(A)(1), 4723-5-09 (A)(8), 4723-5-11(A)(5)(b), 4723-5-14(A), 4723-5-20 (B), and 4723-5-21 (D), OAC. It was further moved that the program submit progress reports to the Board on or before October 15, 2009; January 15, 2010, April 15, 2010; July 15, 2010; October 15, 2010, and January 15, 2011. Motion adopted by unanimous vote of the Board members.

Tri-Rivers Diploma RN Program

The survey visit report summary and program response for Tri-Rivers Diploma RN Program was provided and reviewed by the Board.

Medication Aide Training Programs

Kingston Care Center of Sylvania – New Approval

Action: It was moved by Judith Church, seconded by Anne Barnett, that the Board approve Kingston Care Center of Sylvania Medication Aide Training Program in accordance with rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective July 24, 2009. Motion adopted by unanimous vote of the Board members.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board May 1, 2009 through Jun 30, 2009 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, and certified medication aides taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

OBN Approver (Continuing Education)

UVMC-Education and Development

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that UVMC-Education and Development, OBN-00-92, be approved as an approver of

continuing education through July 31, 2014 in accordance with rule 4723-14-10, OAC. Motion adopted by unanimous vote of the Board members.

Executive Session

On Thursday July 23 2009:

Action: It was moved by J. Jane McFee that the Board go into Executive Session to discuss pending or imminent court action with legal counsel, and to consider the appointment, or employment of a public employee. Following Executive Session, the Board meeting was adjourned and the Board deliberated on cases pending before the Board. Motion adopted by roll call vote. Following Executive Session, the Board reported out, and adjourned the meeting.

ADJUDICATION AND COMPLIANCE

Board Actions

On Friday, July 24, 2009, President Klenke requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, July 24, 2009, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

McMunn, N. Darlene, R.N. 094304 (CASE #06-3429); Beck, Jennifer, E. P.N. 111277 (CASE #09-0185); Purdon, Eva-Marie, P.N. 095449 (CASE #09-0911); Sims, Beverly, A. P.N. 087340 (CASE #09-2436); Caswell, Paul, R. R.N. 348651 (CASE #09-2272); Greco, Steven, L. R.N. 276308 (CASE #09-2727); McGarrity, Kathleen, P. R.N. 203112 (CASE #09-2867); Wesley, Linda, D. R.N. 273721 (CASE #08-3266); Wottle, Jane, M. P.N. endorse (CASE #08-2838); Westrick, Nicole, K. P.N. 110740 (CASE #08-1437); Van Tassel, Pamela, K. R.N. 305375 (CASE #08-4152); Tita, Marcy, L. R.N. 346444 (CASE #09-0762); Kirby, Lori, A. R.N. endorse (CASE #09-0636); Penwell, Loretta, M. P.N. 080367 (CASE #09-1120); Jones, Kristi, D. P.N. 087786 (CASE #09-3435); Carroll, Nicholas, S. P.N. 120537 (CASE #08-3052); Brent, Robert, M. R.N. 139369 (CASE #08-2814); Butler, David, A. R.N. 233627 (CASE #09-1375); Fallis, Cindy, L. P.N. 106103 (CASE #09-2487); Muldoon, Barbara, A. R.N. 121581 (CASE #09-2532); Keyes, Colleen, E. R.N. 301722 (CASE #09-0167); Carter, Sabrina, C. R.N. 231525 (CASE #09-3606); Dunn, Scott, D. R.N. 312369 (CASE #08-3555); Glenn, Crystal, L. P.N. 111657 (CASE #09-0796); Gregory, Vickie, L. R.N. 218521 (CASE #08-1842); Hirt, Nicole, R.N. 286598 (CASE #08-2388); Isaly, Margaret, A P.N. 101015 (CASE #08-3861); Keys, Jaciya, C. P.N. NCLEX (CASE #09-1495); Logsdon, Melissa, D. R.N. 337121

(CASE #09-0165); Meadows, Kendra, A. R.N. 295495 (CASE #07-2390); Myers, Kelli, D R.N. 310148 (CASE #08-0695); Roush, Cassandra, J. R.N. 340498 (CASE #08-3063); Spencer, Jodi, L. R.N. 280230 (CASE #08-3802); Thomson, Linda, J. P.N. 075983 (CASE #08-2299); Wolfe, Erin, C. R.N. endorse (CASE #08-0249); Zampounis, Denise, E. R.N. 296085 (CASE #08-0629); Pack, Terry, K. R.N. 265253 (CASE #09-2417); Pottinger, Danny, R. R.N. 269625 (CASE #09-2530); and Donathan, Kyla, R. P.N. 119238 (CASE #09-0168).

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

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2009 Board meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Bulloch, Mary, L. P.N. 091161 (CASE #07-2858); Black, Angela, L. P.N. 112025 (CASE #09-2613); Gartrell, Pamela, J. R.N. 264501 (CASE #09-2844); Veiock, Connie, S. R.N. 257998 (CASE #07-1195); Stinchcomb, Kevin, A. R.N. 325333 (CASE #08-3809); Shumard, Jenny, R. R.N. 290338 (CASE #08-0686); Sanders, Jami, B. R.N. 311587 (CASE #08-3904); Price, Amy, N. R.N. 337735 (CASE #09-1094); Marks, Harold, C. R.N. 242555, C.O.A 04589 (CASE #09-2270); Magner, Rose, M. P.N. 106198 (CASE #09-2244); Gill, Gurkiran (Karen), K. R.N. 337034 (CASE #08-3122); Fritz, Lynda, S. R.N. 168764 (CASE #09-2372); Fox, Frederick, D. R.N. 278713 (CASE #09-3175); Davidson, Cathie, D. R.N. 227086 (CASE #08-2663); Burgemeir, Dora, N. R.N. 295393 (CASE #09-0686); Donaldson, Cheryl, E. R.N. 253256 (CASE #09-0788); Casey, Michael, R. R.N. 320744 (CASE #08-4760); Kotkovskaya, Larisa, R.N. 327532 (CASE #09-0944); and Lanz, Barbara, J. R.N. 175420, C.O.A. 08183 (CASE #08-1781).

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

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2009 Board meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Harrison, Denise, Y. R.N. 285013 (CASE #09-2283); Compher, Melissa, A. P.N. 132954 (CASE #09-1836); Shelton, Angelia, D. P.N. 115139 (CASE #09-2421); Card, Sinthia, B. P.N. 126056, TC 2 02924, TC 1 02924 (CASE #09-2731); Pennington, Elizabeth, E. P.N. 059092 (CASE #09-2540); Shell, Anthony, L. R.N. 346689, P.N. 117451(CASE #09-0801); Springer, Heidi, J. R.N. 197059, C.O.A. 02311 (CASE #09-2284); Yetter, Cathy, L. P.N. 096752 (CASE #09-3018); Thomas, Frederick, K. R.N. 100663 (CASE #09-3179); Fox, Julie, L. R.N. 342795 (CASE #09-2542); and Lawson, Cindy, M. R.N. 263545 (CASE #09-2541).

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

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2009 Board meeting.

SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

Action: It was moved by Judith Church, seconded by Bertha Lovelace, that there is clear and convincing evidence that continued practice by Mardi Forth, PN 124557, presents a danger of immediate and serious harm to the public. It was further moved to Summarily Suspend the license and issue a Notice of Opportunity for Hearing for violation of Chapter 4723 ORC, retroactive to the date it was issued, May 26, 2009. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of Summary Suspension and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2009 Board meeting.

TEMPORARY SUSPENSIONS AND NOTICE OF OPPORTUNITY

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

Abbott, Amie, N. R.N. 327324 (CASE #09-2547).

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

A complete copy of the Temporary Suspension and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2009 Board meeting.

SURRENDERS

Voluntary Surrender

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board accept the Voluntary Surrender of License for the following case(s):

Lowman, Sharon, T. P.N. 110176 (CASE #07-2426); Osborn, Angela, M. P.N. 099219 (CASE #09-0030); Arnold, Shannon, M. P.N. 121526 (CASE #08-1678); Thompson, William, E. R.N. 326531 (CASE #08-3968); Ruschau, Molly, M. R.N. 270196 (CASE #05-2358); and Brinkman, Ann, M. R.N. 274719 (CASE #09-3011).

Motion adopted by unanimous vote of the Board members.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the July 2009 Board meeting.

Voluntary Non-Permanent withdrawal of NCLEX application

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that the Board accept the voluntary Non-Permanent withdrawal of Application for Licensure by examination for the following case(s):

Kaylor, Holly, K. P.N. NCLEX (CASE #08-2370).

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

VOLUNTARY RETIREMENT

Action: It was moved by Melissa Meyer, seconded by Kathleen Driscoll, the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following case(s):

Abrams, Brenda, K. P.N. 047008 (CASE #09-1903) and Gura, Joanne, K. R.N. 105784 (CASE #07-3489).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

CONSENT AGREEMENTS

On Friday, July 24, 2009, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board approve the consent agreements for violations of Chapter 4723.

ORC entered into by and between the Board and the following case(s):

Muse, Marion, L. R.N. 141690 (CASE #07-1845); Jablonski, Gloria, J. P.N. 114620 (CASE #08-0402); Kubicki, Dawn, J. P.N. 095357 (CASE #08-1618); Floyd, Shonda, R.N. 310635 (CASE #09-0008); Barrax, Joshua, C. R.N. endorse (CASE #08-3927); Kennard, Dana, S. P.N. 125284 (CASE #08-2662); Boniella, Joseph, M. P.N. 114496 (CASE #09-0883); Shonk, Holly, J. R.N. 209840 (CASE #08-0918); Groll, Roberta, M. R.N. 256967 (CASE #04-0335); Erd, Leilani, M. R.N. 231425 (CASE #07-2865); Race, Kathryn, A. R.N. 303987 (CASE #06-3370); Rogers, Gara, B. P.N. NCLEX (CASE #07-0466); Chalmers, Allison, M. P.N. NCLEX (CASE #09-1861); Arthur Woodson, Jean, R.N. 207676 (CASE #09-2474); Lewis, Kimyada, M. P.N. 114940 (CASE #08-1443); Zoruba, Santina, M. P.N. 129655 (CASE #08-1470); Kirschbaum, Traci, A R.N. 259419 (CASE #08-2236); Wiland, Chandler, R.N. 317640 (CASE #06-0601); Reynolds, Linda, M. R.N. 240923 (CASE #08-0920); Vigorito, Veronica, S. R.N. 286613 (CASE #07-3616); Watson, Gary, L. R.N. 175133 (CASE #04-2540); Griffin-Lindsay, Katie, B. R.N. 256501 (CASE #08-0311); Payne, Clifford, A. R.N. 234503 (CASE #08-3826); O'Leary, Tamara, O. R.N. 339849 (CASE #08-2929); Oliver, Ashley, M. CHW applicant (CASE #09-1499); Maschek, Theresa, M. R.N. 254843 (CASE #08-2827); Burke, Janaya, V. R.N. NCLEX (CASE #08-3576); Poulos, Mary, G. P.N. 050448 (CASE #09-2546); Correll, Brian, D. P.N. NCLEX (CASE #09-0974); Stephens, Jennifer, L. R.N. 312431 (CASE #09-1752); Howard, Mark, W. R.N. 332519, P.N. 120511 (CASE #08-2902); McCollum, Randall, S. D.T. 01633 (CASE #08-1118); Tecco, Kara, K. P.N. 101110 (CASE #08-2425); McLeod, Calvin, J. P.N. 122203 (CASE #08-3832); Lively, Andrea, D. R.N. 265083, C.O.A 07394, R.X. 07394 (CASE #08-3258); Miller, Kimberly, A. R.N. 288605 (CASE #09-3046); Browning, Melissa, R. R.N. 311209 (CASE #08-0699); Combs, Camille, M. R.N. NCLEX (CASE #07-2588); Anderson, Kimberly, S. R.N. 168707 (CASE #09-2790); Chammas, Raymond, R. R.N. 333924 (CASE #08-0114); Dyko, Beth, T. R.N. 296561 (CASE #08-3378); Hines, Cassandra, A. P.N. 087163 (CASE #07-3864); Tessaro III, Andrew, R.N. 340757 (CASE #09-2638); Wallace, Shirley, M P.N. 104945 (CASE #08-3372); Longoria, Susan, L. R.N. 255818 (CASE #09-0761); Klein, Mary, R. R.N. 249257 (CASE #09-0089); Smith, Valerie, R. R.N. NCLEX (CASE #09-1282); Miller-Marshall, Tamatha, A. TC 1 02937, TC 2 APPLICANT (CASE #08-1385); Dennie, Amber, M. R.N. NCLEX (CASE #09-1114); Cole, Ebony, D. P.N. 121175 (CASE #08-4382); Buck, Mickey, R. R.N. 311291 (CASE #09-3003); Dimaline, Marsha, R R.N. 247485 (CASE #08-3814); Greene, Traci, L. R.N. 260763 (CASE #09-0685); Claborn, Karen, M. I. R.N. 256945 (CASE #09-1935); Reinke, Patrick, P.N. 110714 (CASE #08-2307); Smith, Timothy, D. R.N. 289396 (CASE #09-2538); Kearney, Christopher, M. R.N. 315537 (CASE #09-3015); Tawney, Kathleen, M. R.N. 293547 (CASE #09-0293); Bias, Christopher, B. R.N. 322927 (CASE #08-3004); Mitchell, Mary, E. R.N. 231376 (CASE #08-1447); Mason, Tracy, R. R.N. 309832 (CASE #09-3016); Crayton, Sharon, E. P.N. 094930 (CASE #08-2716); Carr, Marilyn, E. R.N. 250447 (CASE #08-1238); Pace, Francis, J. R.N. 315453, C.O.A. 08133, N.A. 08133 (CASE #09-0808); Kessel, James, K. P.N. NCLEX (CASE #09-1320); Ramsey, Virginia, M. R.N. 314838 (CASE #09-0009); Tufts,

Katherine, R. R.N. 223599 C.O.A. 02991, N.M. 02991 (CASE #07-3749); Clapp, Cherie, M. R.N. 133505 (CASE #08-2040); Halicki, Janet, M. R.N. 193115 (CASE #09-2188); Murdoch, Meagan, E. R.N. NCLEX (CASE #09-1771); Floyd, Margaret, L. R.N. 227517 (CASE #08-4224); Wallace, Crystal, A. P.N. NCLEX (CASE #09-2155); Wolfgang, Lorene, M. R.N. 316759 (CASE #07-3765); Mitchell, Muriel, E. R.N. 128503, C.O.A. 03643, N.A. 03643 (CASE #07-3404); Cole, La Dawn, R. R.N. 260437 (CASE #09-1708); Carlson, Mary, L. R.N. 267324 (CASE #09-0839); Puleo, Michael, R. P.N. 123675 (CASE #09-1748); Dent, Angela, D. P.N. 113754 (CASE #09-2263); James, Sheila, M. R.N. 234441, C.O.A. 09202, N.P. 09202 (CASE #08-0329); Waddell, Korinna, N. P.N. 125241 (CASE #08-3710); Miller, Patricia, D. R.N. 294339 (CASE #09-3264); Beyl, Linda, M. P.N. 101162 (CASE #09-1746); Chesnut, Kimberly, J. R.N. 303131 (CASE #08-1218); Devers, Kayleigh, A. P.N. NCLEX (CASE #08-0949); Akaba, Ruth, N. R.N. 337629 (CASE #08-1828); Griss, Amanda, M. R.N. 339748 (CASE #09-1430); Shinaberry, Adrienne, N. R.N. 314598 (CASE #09-2964); Knox, Jacquelyn, S. R.N. 339749, P.N. 069018 (CASE #08-3711); Bauman, Ambrozine, C. R.N. 261090 (CASE #09-0304); Quinn, Colleen, M. R.N. 167027 (CASE #08-0033); Garcia, Shawna, K. P.N. NCLEX (CASE #09-1500); Dye, Julia, N. CMA applicant (CASE #09-2583); Roundtree, Sheila, R.N. NCLEX (CASE #09-1998); Graham, Christine, M. R.N. 191122 (CASE #09-2255); Ruoff, Nicole, A. P.N. 109440 (CASE #09-0298); Williams, Lynda, S. R.N. 176380 (CASE #09-0003); Smith, Dineen, M. R.N. 166814 (CASE #07-3407); Lancione, Tara, R.N. 158867 (CASE #08-1880); Ball, Susan, D. P.N. 117126 (CASE #09-3419); Wagner, Justin, P. R.N. 319925 (CASE #09-0991); Dresser, Andrew, J. R.N. 192935 (CASE #08-4279); (CASE #09-3421); Adas, Sabrina, C. R.N. NCLEX (CASE #09-2012); Davis, Kristina, L. R.N. 323649 (CASE #08-4714); Mathews, Melissa, L. R.N. 312852 (CASE #08-1899); Miller, Brandon, D. P.N. NCLEX (CASE #08-0524); and Green, Ramona, D. TC 1 applicant (CASE #09-0623).

Janet Boeckman abstained from voting on Klein, Mary, R. R.N. 249257 (CASE #09-0089) only. Anne Barnett abstained from voting on all cases. Patricia Burns voted no on the following cases only: Stephens, Jennifer, L. R.N. 312431 (CASE #09-1752); Lively, Andrea, D. R.N. 265083 (CASE #08-3258); Browning, Melissa, R. R.N. 311209 (CASE #08-0699); Dyko, Beth, T. R.N. 296561 (CASE #08-3378); Cole, Ebony, D. P.N. 121175 (CASE #08-4382); Tufts, Katherine, R. R.N. 223599 (CASE #07-3749); Devers, Kayleigh, A. P.N. NCLEX (CASE #08-0949); and Smith, Dineen, M. R.N. 166814 (CASE #07-3407). Judith Church voted no on Chammas, Raymond, R. R.N. 333924 (CASE #08-0114) only. Kathleen Driscoll voted no on the following cases only: Griffin-Lindsay, Katie, B. R.N. 256501 (CASE #08-0311); James, Sheila, M. R.N. 234441 (CASE #08-0329); and Williams, Lynda, S. R.N. 176380 (CASE #09-0003). Bertha Lovelace voted no on Puleo, Michael, R. P.N. 123675 (CASE #09-1748) only. Johnnie Maier voted no on Boniella, Joseph, M. P.N. 114496 (CASE #09-0883) only. J. Jane McFee voted no on the following cases only: Boniella, Joseph, M. P.N. 114496 (CASE #09-0883); Zoruba, Santina, M. P.N. 129655 (CASE #08-1470); Griffin-Lindsay, Katie, B. R.N. 256501 (CASE #08-0311); Miller-Marshall, Tamatha, A. TC 1 02937 (CASE #08-1385); and

Tawney, Kathleen, M. R.N. 293547 (CASE #09-0293). Melissa Meyer voted no on the following cases only: Barrax, Joshua, C. R.N. endorse (CASE #08-3927); Boniella, Joseph, M. P.N. 114496 (CASE #09-0883); and Devers, Kayleigh, A. P.N. NCLEX (CASE #08-0949). Eric Yoon voted no on the following cases only: Muse, Marion, L. R.N. 141690 (CASE #07-1845); Kubicki, Dawn, J. P.N. 095357 (CASE #08-1618); Floyd, Shonda, R.N. 310635 (CASE #09-0008); Barrax, Joshua, C. R.N. endorse (CASE #08-3927); Boniella, Joseph, M. P.N. 114496 (CASE #09-0883); Shonk, Holly, J. R.N. 209840 (CASE #08-0918); Wiland, Chandler, R.N. 317640 (CASE #06-0601); Howard, Mark, W. R.N. 332519 (CASE #08-2902); Lively, Andrea, D. R.N. 265083 (CASE #08-3258); Browning, Melissa, R. R.N. 311209 (CASE #08-0699); Chammas, Raymond, R. R.N. 333924 (CASE #08-0114); Dyko, Beth, T. R.N. 296561 (CASE #08-3378); Klein, Mary, R. R.N. 249257 (CASE #09-0089); Buck, Mickey, R. R.N. 311291 (CASE #09-3003); Tawney, Kathleen, M. R.N. 293547 (CASE #09-0293); Pace, Francis, J. R.N. 315453 (CASE #09-0808); Tufts, Katherine, R. R.N. 223599 (CASE #07-3749); Wallace, Crystal, A. P.N. NCLEX (CASE #09-2155); and Mitchell, Muriel, E. R.N. 128503 (CASE #07-3404). Motion adopted by majority vote of the Board members. Lisa Klenke was absent for the vote.

Action: It was moved by Bertha Lovelace, seconded by Eric Yoon, that the Board approve the consent agreement for violations of Chapter 4723. ORC entered into by and between the Board and the following case(s):

Tri-Rivers Center for Adult Education in Nursing.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Action: It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the Board approve the consent agreement for violations of Chapter 2723. ORC entered into by and between the Board and following case(s):

Robinson, Euniece, M. R.N. NCLEX, P.N. 121258 (CASE #09-3459).

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

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the July 2009 Board meeting.

HEARING EXAMINER REPORT AND RECOMMENDATION
Petrick, Ellen, J. R.N. 253121 (CASE #07-1264)

Action: It was moved by Bertha Lovelace, seconded by Eric Yoon, 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 **ELLEN J. PETRICK's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for a minimum period of two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PETRICK** shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. PETRICK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PETRICK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. PETRICK** 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 Medication Administration; five (5) hours of Documentation; and five (5) hours of Ethics.

Educational Needs Assessment and Learning Plan

4. Prior to seeking reinstatement by the Board, **MS. PETRICK** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. PETRICK** shall have the educator provide the Board with a written report of an assessment of **MS. PETRICK**, which identifies **MS. PETRICK's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. PETRICK** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. PETRICK** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. PETRICK's** employer(s), former employers, and Board staff. Following the assessment, **MS. PETRICK** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. PETRICK** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. PETRICK** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. PETRICK** shall complete such learning plan.

- Prior to seeking reinstatement by the Board, **MS. PETRICK** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. PETRICK** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. PETRICK's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. PETRICK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. PETRICK** shall be responsible for all costs associated with meeting this requirement.
5. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. PETRICK's** license.
 6. In the event that the educator's recommendations require **MS. PETRICK** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. PETRICK** a license to practice nursing as a registered nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. PETRICK's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. PETRICK's** license shall be terminated. **MS. PETRICK** shall not gain or attempt to gain employment as a registered nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

Monitoring

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

Reporting Requirements of MS. PETRICK

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

DURATION

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

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

1. **MS. PETRICK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PETRICK** 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. PETRICK** shall notify the Board.
4. **MS. PETRICK** 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. PETRICK** 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. PETRICK** 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. PETRICK

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

11. **MS. PETRICK** 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, **MS. PETRICK** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

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

The Board further Orders **ELLEN J. PETRICK** to surrender her registered nurse license, R.N. # 253121, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Mason, Cindy, A. P.N. 119167 (CASE #07-0704)

Action: It was moved by Johnnie Maier, seconded by Patricia Burns, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation.

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

The Ohio Board of Nursing hereby ORDERS that:

CINDY A. MASON's license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CINDY A. MASON** to surrender her licensed practical nurse license, P.N. #119167, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Morgan, George, A. P.N. 127962 (CASE #08-3437)

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board adopt the correction to the Report and Recommendation in to reference to George Morgan, P.N. 127962 as presented.

NO REQUEST FOR HEARING

Scott, Ade, Y. TC 2 02880 (CASE #09-0012)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **ADE SCOTT** in the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SCOTT** 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. SCOTT'S** certificates to practice as a dialysis technician are hereby **PERMANENTLY REVOKED**.

The Board further Orders **ADE SCOTT** to surrender his dialysis technician certificates, #TC1 02880 and #TC2 02880, and frameable wall certificates immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Ketterer, Crystal, L. P.N. 110795 (CASE #09-0306)

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that upon consideration of the charges stated against **CRYSTAL L. KETTERER** in the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KETTERER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. KETTERER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CRYSTAL L. KETTERER** to surrender her licensed practical nurse license, #P.N. 110795, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Patterson, Vicky, E. P.N. 067942 (CASE #08-4049)

Action: It was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **VICKY E. PATTERSON** in the January 20, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PATTERSON** 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. PATTERSON's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PATTERSON** 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. PATTERSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PATTERSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

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

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

Reporting Requirements of MS. PATTERSON

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

DURATION

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

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

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

Monitoring

3. **MS. PATTERSON** 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.**

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

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

11. **MS. PATTERSON** 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. PATTERSON** 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. PATTERSON** 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. PATTERSON

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

The Board further Orders **VICKY E. PATTERSON** to surrender her licensed practical nurse license, #P.N. 067942, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Hutton, Alicia, M. P.N. 107895 (CASE #09-0301)

Action: It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **ALICIA MAE HUTTON** in the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HUTTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. HUTTON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ALICIA MAE HUTTON** to surrender her licensed practical nurse license, #P.N. 107895, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Dibiase, Heather, L. P.N. 102599 (CASE #09-0466)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **HEATHER LEE DIBIASE** in the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DIBIASE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. DIBIASE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **HEATHER LEE DIBIASE** to surrender her licensed practical nurse license, #P.N. 102599, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Bennett, Beth, A. R.N. 304190, P.N. 094699 (CASE #09-0039)

Action: It was moved by Patricia Burns, seconded by Johnnie Maier, that upon consideration of the charges stated against **BETH ANNE BENNETT** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BENNETT** 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. BENNETT's** licenses to practice nursing as a registered nurse and as a licensed practical nurse are hereby suspended for an indefinite period of time.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BENNETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENNETT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BENNETT** shall successfully complete the terms, conditions, and limitations imposed on **MS. BENNETT's** nursing license by the Order of the West Virginia Board of Examiners for Registered Professional Nurses (West Virginia Nursing Board). Prior to seeking reinstatement by the Board, **MS. BENNETT** shall submit satisfactory documentation from the West Virginia Nursing Board that **MS. BENNETT** has successfully completed all terms, conditions, and limitations imposed on **MS. BENNETT's** West Virginia nursing license.

Reporting Requirements of MS. BENNETT

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

Board or to employers or potential employers.

7. **MS. BENNETT** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
8. **MS. BENNETT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
9. **MS. BENNETT** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MS. BENNETT** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. BENNETT** shall submit to a BCI criminal records check.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. BENNETT** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

DURATION

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

The Board further Orders **BETH ANNE BENNETT** to surrender her registered nurse license, #R.N. 30419, and her practical nurse license, #P.N. 094699, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Arensberg, Mark, S. TC 1 03043 (CASE #09-0025)

Action: It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **MARK S. ARENSBERG** in

the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ARENSBERG** 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. ARENSBERG's** temporary certificate one to practice as a dialysis technician is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. ARENSBERG** 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 Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. ARENSBERG** 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. ARENSBERG'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 certificate for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. ARENSBERG** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ARENSBERG's** history.
8. Within thirty (30) days prior to **MR. ARENSBERG** initiating drug screening, **MR. ARENSBERG** 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. ARENSBERG**.
9. After initiating drug screening, **MR. ARENSBERG** 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. ARENSBERG** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. ARENSBERG** 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. ARENSBERG** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MR. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG's** certificate, and a statement as to whether **MR. ARENSBERG** is capable of practicing dialysis according to acceptable and prevailing standards of safe dialysis care.

12. **MR. ARENSBERG** 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. ARENSBERG's** certificate.

Reporting Requirements of MR. ARENSBERG

13. **MR. ARENSBERG** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. ARENSBERG** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe dialysis care.
15. **MR. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. ARENSBERG** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
20. **MR. ARENSBERG** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MR. ARENSBERG** 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. ARENSBERG's** history. **MR. ARENSBERG** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. ARENSBERG** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. ARENSBERG** 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 certificate for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. ARENSBERG** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ARENSBERG's** history.
6. **MR. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. ARENSBERG** 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. ARENSBERG** shall obtain approval by the Board or its designee.
11. **MR. ARENSBERG** shall have his employer(s), if working in a position where a dialysis technician certificate is required, submit written reports regarding job performance on a quarterly basis. **MR. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG

12. **MR. ARENSBERG** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. ARENSBERG** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe dialysis care practice.
14. **MR. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** 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. ARENSBERG** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. ARENSBERG** 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. ARENSBERG** shall complete a dialysis technician refresher course or extensive orientation approved in advance by the Board.

Temporary Practice Restrictions

MR. ARENSBERG shall not practice as a dialysis technician (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; or (4) as an independent provider where the dialysis technician provides dialysis care and is reimbursed for services by the State of Ohio through State agencies or agents of the State.

MR. ARENSBERG shall not function as a supervisor or as a manger while working in a position for which a certificate as a dialysis technician is required.

FAILURE TO COMPLY

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

The Board further Orders **MARK S. ARENSBERG** to surrender his temporary certificate one to practice as a dialysis technician, #T.C.1. 03043, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Ruffin, Christina, A. P.N. 103029 (CASE #08-2777)

Action: It was moved by Kathleen Driscoll, seconded by Melissa Meyer, that upon consideration of the charges stated against **CHRISTINA ANN RUFFIN** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RUFFIN** 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. RUFFIN's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. RUFFIN** 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. RUFFIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RUFFIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

3. **MS. RUFFIN** 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.**

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

RUFFIN.

9. After initiating drug screening, **MS. RUFFIN** 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. RUFFIN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. RUFFIN** 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. RUFFIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. RUFFIN** 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. RUFFIN** 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. RUFFIN's** license, and a statement as to whether **MS. RUFFIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. RUFFIN** 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. RUFFIN's** license.

Reporting Requirements of MS. RUFFIN

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

DURATION

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

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

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

Monitoring

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

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

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

Permanent Narcotic Restriction

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

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

Permanent Practice Restrictions

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

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

The Board further Orders **CHRISTINA ANN RUFFIN** to surrender her licensed practical nurse license, #P.N. 103029, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Wade, Michelle, E. R.N. 201076 (CASE #08-3736)

Action: It was moved Eric Yoon, seconded by Bertha Lovelace, that upon consideration of the charges stated against **MICHELLE E. WADE** in the November 24, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board dismisses the legal allegation of Section 4723.28(B)(8), ORC, because, on December 15, 2008, the Board received a copy of a prescription for Darvocet for **MS. WADE**, dated July 25, 2008. For the remaining allegations, the Board finds that **MS. WADE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. WADE's** license to practice nursing as a registered nurse is hereby suspended for a minimum period of one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WADE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. WADE** 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. WADE's** history. **MS. WADE** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. WADE** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. WADE** 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. WADE** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. WADE** 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. WADE's** license, and a statement as to whether **MS. WADE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. WADE** 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. WADE's** license.
 7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WADE** 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. WADE'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. WADE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WADE's** history.
 8. Within thirty (30) days prior to **MS. WADE** initiating drug screening, **MS. WADE** 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. WADE**.
 9. After initiating drug screening, **MS. WADE** 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. WADE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WADE** 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. WADE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. WADE** 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. WADE** 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. WADE's** license, and a statement as to whether **MS. WADE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 12. **MS. WADE** 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. WADE's** license.
- Reporting Requirements of MS. WADE**
13. **MS. WADE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
 14. **MS. WADE** 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. WADE** 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. WADE** 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. WADE** 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. WADE** shall verify that the reports and documentation required by

this Order are received in the Board office.

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

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

DURATION

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

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

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

Monitoring

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

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

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

13. **MS. WADE** 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. WADE** 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. WADE** 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. WADE** 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. WADE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. WADE** 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. WADE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

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

The Board further Orders **MICHELLE E. WADE** to surrender her registered nurse license, #R.N. 201076, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Wells, Raymeke, R. P.N. 126671 (CASE #08-3476)

Action: It as moved by Melissa Meyer, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **RAYMEKA R. WELLS** in the March 23, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WELLS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. WELLS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **RAYMEKA R. WELLS** to surrender her licensed practical nurse license, #P.N. 126671, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the

Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Calloway, Amy, K. P.N. 103540 (CASE #08-0708)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert that upon consideration of the charges stated against **AMY K. CALLOWAY** in the November 24, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CALLOWAY** 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. CALLOWAY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CALLOWAY** 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 Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

Reporting Requirements of MS. CALLOWAY

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

DURATION

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

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

period of three (3) years.

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

Monitoring

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. CALLOWAY** 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. CALLOWAY** shall notify the Board.
11. **MS. CALLOWAY** 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. CALLOWAY** 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. CALLOWAY** 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. CALLOWAY

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

Permanent Narcotic Restriction

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

Temporary Practice Restrictions

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

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

The Board further Orders **AMY K. CALLOWAY** to surrender her licensed practical nurse license, #P.N. 103540, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Lange, Heather, R. P.N. 117298 (CASE #08-0252)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that consideration of the charges stated against **HEATHER R. LANGE** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LANGE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. LANGE's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LANGE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. LANGE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LANGE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. LANGE** 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 Medication Administration; five (5) hours of Documentation; and five (5) hours of Professionalism.

Monitoring

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

shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LANGE's** history.

9. Within thirty (30) days prior to **MS. LANGE** initiating drug screening, **MS. LANGE** 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. LANGE**.
10. After initiating drug screening, **MS. LANGE** 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. LANGE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. LANGE** 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. LANGE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. LANGE

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

DURATION

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

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

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

Monitoring

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

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

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

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

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

13. **MS. LANGE** 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. LANGE** 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. LANGE** 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. LANGE** 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. LANGE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. LANGE** 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. LANGE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

The Board further Orders **HEATHER R. LANGE** to surrender her licensed practical nurse license, #P.N. 117298, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members. Lisa Klenke was absent for the vote

Whitt, Lula, E. P.N. 116059 (CASE #07-2490)

Action: It was moved by Bertha Lovelace, seconded by Eric Yoon, that upon consideration of the charges stated against **LULA E. WHITT** in the March 23, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board dismisses the factual allegation in Paragraph 2 pertaining to Ms. Whitt being suspended from employment at Harrison Pavilion. For the remaining allegations, the Board finds that **MS.**

WHITT has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. WHITT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LULA E. WHITT** to surrender her licensed practical nurse license, #P.N. 116059, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Morris, Cynthia, A. R.N. 130726 (CASE #07-2583)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **CYNTHIA A. MORRIS** in the November 18, 2005 Notice of Automatic Suspension and Opportunity for Hearing, the charges stated against **CYNTHIA A. MORRIS** in the November 24, 2008 Notice of Immediate Suspension and Opportunity for Hearing, and the evidence supporting the charges, the Board finds that **MS. MORRIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. MORRIS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CYNTHIA A. MORRIS** to surrender her registered nurse license, #R.N. 130726, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Butler, Michelle, L. R.N. NCLEX (CASE #08-3896)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that upon consideration of the charges stated against **MICHELLE L. BUTLER** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BUTLER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing

ORDERS that **MS. BUTLER'S** application for licensure by examination to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Buttelwerth, Tina, M. P.N. 086967 (CASE #08-3816)

Action: It was moved by Patricia Protopapa, seconded by Janet Boeckman, that consideration of the charges stated against **TINA M. BUTTELWERTH** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BUTTELWERTH** 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. BUTTELWERTH's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BUTTELWERTH** 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. BUTTELWERTH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BUTTELWERTH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

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

twenty-four (24) hours of release from hospitalization or medical treatment.

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

Reporting Requirements of MS. BUTTELWERTH

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

DURATION

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

care based upon an interview with **MS. BUTTELWERTH** and review of the documentation specified in this Order.

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

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

Monitoring

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

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. BUTTELWERTH 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. BUTTELWERTH's** suspension shall be lifted and **MS.**

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

The Board further Orders **TINA M. BUTTELWERTH** to surrender her licensed practical nurse license, #P.N. 086967, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Fox, Paula, A. P.N. 089661 (CASE #08-1560)

Action: It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **PAULA ANN FOX** in the March 23, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FOX** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. FOX'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **PAULA ANN FOX** to surrender her licensed practical nurse license, #P.N. 089661, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Gundling, Teresa, R.N. 253981, P.N. 076780 (CASE #08-3371)

Action: It was moved by Johnnie Maier, seconded Patricia Burns, that upon consideration of the charges stated against **TERESA GUNDLING** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GUNDLING** 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. GUNDLING's** licenses to practice nursing as a registered nurse and as a licensed practical nurse are hereby suspended for a minimum period of one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GUNDLING** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. GUNDLING** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GUNDLING** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. GUNDLING** shall submit satisfactory documentation of compliance with Medina County Court of Common Pleas Case Number 08-CR-0368.

Monitoring

4. **MS. GUNDLING** 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. GUNDLING's** history. **MS. GUNDLING** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. GUNDLING** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. GUNDLING** 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. GUNDLING** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. GUNDLING** 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. GUNDLING's** licenses, and a statement as to whether **MS. GUNDLING** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. GUNDLING** 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. GUNDLING's** licenses.
 8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. GUNDLING** 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. GUNDLING'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. GUNDLING** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GUNDLING's** history.
 9. Within thirty (30) days prior to **MS. GUNDLING** initiating drug screening, **MS. GUNDLING** 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. GUNDLING**.
 10. After initiating drug screening, **MS. GUNDLING** 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. GUNDLING** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. GUNDLING** 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. GUNDLING** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. GUNDLING

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

DURATION

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

Following reinstatement, MS. GUNDLING shall be subject to the following probationary terms, conditions, and limitations for an indefinite period of

time to run concurrent with community control in Medina County Court of Common Pleas Case Number 08-CR-0368 but no less than five (5) years.

1. **MS. GUNDLING** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GUNDLING** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. GUNDLING** shall submit satisfactory documentation of compliance with Medina County Court of Common Pleas Case Number 08-CR-0368 on a quarterly basis.

Monitoring

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

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

Permanent Practice Restrictions

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

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

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

The Board further Orders **TERESA GUNDLING** to surrender her registered nurse license, #R.N. 253981, and her practical nurse license, #P.N. 076780, 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 24th day of July, 2009.

MS. GUNDLING's license to practice nursing as a registered nurse, #R.N. 304237, remains subject to the terms, conditions, and limitations contained in the Board Adjudication Order No. 1738, entered upon the Journal of the Board for the 30th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Holodnak, Tara, M. P.N. 117291 (CASE #08-0319)

Action: It was moved by Patricia Burns, seconded by Johnnie Maier, that upon consideration of the charges stated against **TARA MARIE HOLODNAK** in the March 23, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HOLODNAK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. HOLODNAK'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TARA MARIE HOLODNAK** to surrender her licensed practical nurse license, #P.N. 117291, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Mullins, Larry, M. R.N. 183801, C.O.A. 07057 (CASE #08-4272)

Action: It was moved by Kathleen Driscoll, seconded by Melissa Meyer, that upon consideration of the charges stated against **LARRY MULLINS** in the March 23, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. MULLINS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. MULLINS's** license to practice nursing as a registered nurse and certificate of authority to practice as a certified registered nurse anesthetist are hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. MULLINS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. MULLINS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MULLINS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MR. MULLINS** 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 Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
4. Prior to seeking reinstatement by the Board, **MR. MULLINS** shall submit satisfactory documentation of compliance with Brown County Municipal Court Case Number CRB 0800605-B.
5. Prior to seeking reinstatement by the Board, **MR. MULLINS** 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 Ethics.

Monitoring

6. **MR. MULLINS** 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. MULLINS's** history. **MR. MULLINS** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MR. MULLINS** shall abstain completely from the use of alcohol.

8. Prior to seeking reinstatement by the Board, **MR. MULLINS** 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. MULLINS** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. MULLINS** 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. MULLINS's** license and certificate, and a statement as to whether **MR. MULLINS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. MULLINS** 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. MULLINS's** license and certificate.
10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. MULLINS** 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. MULLINS'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 or certificate for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. MULLINS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MULLINS's** history.
11. Within thirty (30) days prior to **MR. MULLINS** initiating drug screening, **MR. MULLINS** 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. MULLINS**.
12. After initiating drug screening, **MR. MULLINS** 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. MULLINS** 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 six (6) months immediately prior to seeking reinstatement, MR. MULLINS** 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. MULLINS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. Prior to seeking reinstatement by the Board, **MR. MULLINS** 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. MULLINS** 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 **MR. MULLINS's** license and certificate, and a statement as to whether **MR. MULLINS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
15. **MR. MULLINS** 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. MULLINS's** license and certificate.

Reporting Requirements of MR. MULLINS

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

DURATION

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

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

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

Monitoring

3. **MR. MULLINS** 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. MULLINS's** history. **MR. MULLINS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. MULLINS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. MULLINS** 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 or certificate for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. MULLINS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MULLINS's** history.

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

Further, **MR. MULLINS** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. MULLINS

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

Permanent Practice Restrictions

MR. MULLINS shall not practice nursing as a registered nurse or certified registered nurse anesthetist (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; (5) for an individual or group of individuals who directly engage **MR. MULLINS** to provide

nursing services for fees, compensation, or other consideration or as a volunteer; or (6) for independent contract work or locum tenens assignments.

MR. MULLINS 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.

MR. MULLINS shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

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

The Board further Orders **LARRY MULLINS** to surrender his registered nurse license, #R.N. 183801, and his certificate of authority to practice as a certified registered nurse anesthetist, #C.O.A. 07057, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Action: It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **SANDRA G. DILLOW** in the July 23, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board dismisses the factual allegation in Paragraph 3 that states, "You told your employer that you had a valid, legal prescription accounting for the Propoxyphene," and the legal allegation of Rule 4723-4-06(P), Ohio Administrative Code, in Paragraph 3. For the remaining allegations, the Board finds that **MS. DILLOW** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. DILLOW'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **SANDRA G. DILLOW** to surrender her licensed practical nurse license, #P.N. 105262, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Palombo, Susan, E. P.N. 091612 (CASE #08-2881)

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

The Board further Orders **SUSAN E. PALOMBO** to surrender her licensed practical nurse license, #P.N. 091612, and frameable wall certificate immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett and Bertha Lovelace abstaining. Lisa Klenke was absent for the vote.

Helton, Karessa, K. P.N. 101123 (CASE #08-0977)

Action: It was moved by Bertha Lovelace, seconded by Eric Yoon, that upon consideration of the charges stated against **KARESSA K. HELTON** in the March 23, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HELTON** 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. HELTON's** license to practice nursing as a licensed practical nurse is hereby suspended for a minimum period of three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HELTON** 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. HELTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HELTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

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

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

Reporting Requirements of MS. HELTON

11. **MS. HELTON** shall sign release of information forms allowing health

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

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

The Board further Orders **KARESSA K. HELTON** to surrender her licensed practical nurse license, #P.N. 101123, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

Boyd, Tanya, J. R.N. 304237 (CASE #09-2262)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that upon consideration of the charges stated against **TANYA J. BOYD** in the May 18, 2009 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOYD** 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. BOYD's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BOYD** 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. BOYD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOYD** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Monitoring

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

release from hospitalization or medical treatment.

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

Reporting Requirements of MS. BOYD

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

The Board further Orders **TANYA J. BOYD** to surrender her registered nurse license, #R.N. 304237, 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 24th day of July, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining. Lisa Klenke was absent for the vote.

MONITORING

LIFTS OF SUSPENSION/PROBATION

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

Ewing, Danielle, J. R.N. 297392 (CASE #07-3837); Joyner, Frances, E. P.N. 092928 (CASE #07-1058); Sarr, Leslie, M. R.N. 347263, P.N. 129269 (CASE #08-3215); Browning, Sarah, J. P.N. 124120 (CASE #06-1578); Smith, Kelli, C. R.N. 311372 (CASE #06-1886); Chapman, Kyle, E. P.N. 130369 (CASE #07-4046); Craft, Natalie, M. P.N. 085716 (CASE #06-2829); Campolongo, Mary, L. R.N. 166671 (CASE #01-0641); Witzky, Erin, E. P.N. 129171 (CASE #07-0568); Allison, Richard, B. R.N. 269791 (CASE #05-1589); Messner, Bobbi, N. R.N. 280980 (CASE #07-1186); and Wright, Alicia, N. P.N. 130376 (CASE #07-2464).

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

LIFT OF NARCOTIC RESTRICTIONS – EARLY RELEASE

Action: It was moved by Melissa Meyer, seconded by Kathleen Driscoll, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the narcotic restriction within their consent agreement or adjudication order:

Ositadimma, Jennifer, E. R.N. 304042 (CASE #07-2088).

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

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

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

Gray, Dawn, M. R.N. 257388 (CASE #07-2843); Harrison, Cathy, A. R.N. 264380 (CASE #05-3407); Maisel, Margaret, H. R.N. 187397, R.X. 09482 (CASE #07-0069); Shroades, Julie, A. R.N. 260925 (CASE #06-0458); Loew, Justin, T. R.N. 293159 (CASE #07-1510); Kemp, Carleen, M. R.N. 317515, P.N. 112194 (CASE #08-0054); Olobatuyi, Richard, B. P.N. 117378 (CASE #04-2005); Sylvester, Tabitha, Y. R.N. 205103 (CASE #06-2394); and Ledoux (Scanes), Jeanne, M. R.N. 237590 (CASE #07-1822).

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

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

Action: It was moved by Eric Yoon, seconded by Judith Church, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudications order with exception of the permanent practice restriction(s) that will remain in effect:

Forbes, Katrina, P.N. 126140 (CASE #07-0401); Gregory, Tiffany, C P.N. 126669 (CASE #07-1238); Van Buren, Gary, R. R.N. 324417 (CASE #06-2275); Christian, Dionelle, M. R.N. 293704 (CASE #06-0436); and Wright, Dawn, R. P.N. 099269 (CASE #03-0230).

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

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT WORK RESTRICTIONS REMAIN

Action: It was moved by Patricia Burns, seconded by Johnnie Maier, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation of Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their consent agreements or adjudication orders with the exception of the permanent narcotics restriction(s) that will remain in effect:

Chapman, Diana, K. R.N. 322665 (CASE #06-1731); Miller, Makisha, L. P.N. 126150 (CASE #06-3307); and Eckstein, Favian, R.N. 327573 (CASE #08-1330).

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

LIFT OF NARCOTIC RESTRICTION

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

Brenneman, Jonathan, D. P.N. 076412 (CASE #07-3311); Hall, Jennifer, S. R.N. 294884 (CASE #07-1627); Keck, Sharon, M. R.N. 309677 (CASE #06-3526); Adkins, Amy, M. R.N. 317985 (CASE #08-1142); Sullivan, Jeanne, R.N. 205520 (CASE #06-0120); Wells, Jessie, Jo P.N. 108077 (CASE #07-0646);

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

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT WORK AND NARCOTIC RESTRICTIONS REMAIN

Action: It was moved by Judith Church, seconded by Delphenia Gilbert that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of the consent agreement with the exception of the permanent work and narcotic restriction(s) that will remain in effect:

Herod, Loraine, C. R.N. 228463 (CASE #07-2255).

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

LIFT OF NO DIRECT HANDS-ON PATIENT CARE RESTRICTION

Action: It was moved by Bertha Lovelace, seconded by Eric Yoon, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the temporary work restriction of no direct hands-on patient care within the respective consent agreement:

Stegmoyer, Gary, E. R.N. 225978 (CASE #07-0065).

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

REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER

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

Clevidence, Sandra, K. D.T. 01938 (CASE #07-3574); Demarchi, Ryan, J. R.N. 304164 (CASE #07-2393); Orafu, Ijeoma, O. R.N. 261439 (CASE #05-0389); and Masser, Sandra, M. P.N. 089899 (CASE #06-1715).

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

MODIFICATION OF PERMANENT WORK RESTRICTION SPECIFIC ONLY TO CURRENT POSITION

Action: It was moved by Patricia Protopapa, seconded by Janet Boeckman that the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, approve a supervisory position at Chillicothe Dialysis for Cottrill, Lori, A. R.N. 239838 (CASE #05-1863).

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

REPORTS TO THE BOARD

Board Committee Reports

Committee on CPG Appointment

Action: It was moved by Eric Yoon, seconded by Bertha Lovelace, that the Board appoint Cynthia Roller to the Committee on Prescriptive Governance as the Certified Nurse Midwife representative for a term of three years. Motion

adopted by unanimous vote of the Board members.

Open Forum – Friday, July 24, 2009 – No Participants

Advisory Group Reports

Continuing Education Advisory Group

D. Gilbert and L. Robinson reported on the meeting held June 12, 2009. The Advisory Group reviewed the LPN IV therapy requirements in several states and determined that Missouri and Nebraska have requirements similar to Ohio. L. Robinson conducted a site visit to OBN Approver UVMC on May 22, 2009, for the purpose of reviewing compliance with Chapter 4723-14, OAC. She is recommending re-approval. The Advisory Group discussed future rule revisions for Chapter 4723-14, and will continue to do so in preparation for the Chapter's next scheduled five-year review. Advisory Group member Pam Dickerson provided an update on issues being discussed at the national level, including continuing education (CE) activities from commercial entities, peer review processes, and CE activities that do or do not meet the CE requirements. The next meeting is scheduled for October 9, 2009.

Nursing Education Advisory Group

K. Driscoll and L. Emrich reported on the Nursing Education Advisory Group meeting held June 18, 2009. The Group discussed NCLEX pass rates and agreed that the school's NCLEX pass rate outcomes should continue to be based on first-time test takers. The Group also discussed the academic preparation of faculty and that PN faculty should have the same qualifications as faculty in RN programs. The Group also believes there should be a two-year minimum of education for all nurses, including PNs. J. Boeckman stated that she supports faculty academic preparation that requires PN faculty qualifications be the same as RN faculty.

Action: It was moved by Patricia Protopapa, seconded by Janet Boeckman, that discussion on this topic be extended fifteen minutes. Motion adopted by unanimous vote of the Board members.

Other Reports

Administrative Hearings

At the May 2009 Board meeting the Board discussed administrative hearing fees and requested information. B. Houchen presented information regarding other boards in Ohio and other state boards of nursing in the country. Two boards in Ohio have authority to assess the licensee the cost of a hearing. Several boards of nursing also have the authority to impose a fee and others are considering it. Melissa Meyer said she agrees that cost should be paid by the individual requesting the hearing, but only in the cases where the Board prevails.

After discussion, the Board agreed by general consensus to further explore the concept of hearing fees by considering the financial implications for the licensees and the Board, barriers, and benefits. The Board also discussed imposing fines more routinely as a part of discipline and asked that this be explored and discussed at a later meeting.

GENERAL INFORMATION (FYI)

L. Klenke reviewed the General Information items and asked if Board members had questions. There were no questions or discussion.

BOARD GOVERNANCE

Designation of Hotel for 2010

Joseph Kirk reported that Board members would continue staying at the Hyatt on Capitol Square in 2010. Additional information will be presented at the September and November 2009 meetings.

Hospitality Fund

Board members discussed the Hospitality Fund and noted that no state funds are used. The fund contains only Board members' personal contributions.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board, pursuant to Section 119.09, Ohio Revised Code, appoint attorney Beth Lewis as a Hearing Examiner. Motion adopted by unanimous vote of the Board members.

EVALUATION OF MEETING AND ADJOURNMENT

H. Fischer provided training on administrative hearings from 12:15 p.m. to 1:45 p.m. The meeting adjourned on July 24, 2009 at 1:45 p.m.

Lisa Klenke, MBA, RN, CNAA
President



Attest:

Betsy Houchen, RN, MS, JD
Secretary

