



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JULY 29-30, 2010

The regular meeting of the Ohio Board of Nursing (Board) was held on July 29-30, 2010 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. In addition, a presentation was provided to the Board on Friday, July 30, 2010 at the Vern Riffe Center, 77 South High Street, 31st Floor, Columbus, OH 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, July 29, at 8:31 a.m., President Bertha Lovelace, called the Board meeting to order. On Friday, July 30, 2010 at 8:35 a.m., President Lovelace called the Board meeting to order, and the Board immediately adjourned and went into deliberations until 8:45 a.m. when President Lovelace called the meeting to order. Vice-President Patricia Protopapa read the Board mission each day. President Lovelace recognized students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Bertha Lovelace, RN, President
Patricia Protopapa, LPN, Vice-President
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters
Judith Church, RN
Kathleen Driscoll, RN
Delphenia Gilbert, RN
Maryam Lyon, RN
Johnnie Maier, Consumer Member
J. Jane McFee, LPN
Melissa Meyer, LPN
Tracy Ruegg, RN
Roberta Stokes, RN
Eric Yoon, RN (Absent Friday)

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.; Kathleen Filiaggi, RN applicant and Attorney Elizabeth Collis addressed the Board at 10:30 a.m.; a

public hearing on administrative rule changes was held at 1:00 p.m.; and Executive Session was held at 2:00 p.m. with deliberations following Executive Session. On Friday, Open Forum was held at 10:00 a.m. and at 10:30 a.m., Scott Griffith, Chief Operating Officer of Outcome Engineering, presented Just Culture to the Board and guests. The presentation was open to the public.

Minutes of May 20-21, 2010 Board Meeting

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept the minutes of the May 20-21, 2010 Board meeting as submitted. Motion adopted by unanimous vote of the Board members.

Executive Director Report

Betsy Houchen provided the Executive Director Report. The following are highlights of the Report:

- Kristie Oles joined the Board staff on July 18, 2010, as an Education Consultant.
- HB 198 created Patient-Centered Medical Homes and also created an Education Advisory Group to administer the pilot project. Bert Lovelace designated Judith Church to be the Board's representative citing her education work with the Board as an asset to the work of the Advisory Group.
- The Ohio Organization of Nurse Executive's Practice and Legislative Committee convened a "Day of Dialogue" to discuss "Transition into Practice" for the nursing graduate transitioning into the acute care setting. Nancy Spector from NCSBN attended to present NCSBN's Transition to Practice Model and discuss the NCSBN Pilot Project. She complimented Ohio for bringing together the Board, nurse executives, and nurse educators. At the conclusion of the meeting, the group agreed to continue the work on a transition to practice model and apply to be one of the three states for the NCSBN Pilot Program.
- Johnnie Maier is recognized for receiving the 2010 Court Clerk of the Year award in the June issue of the NCSBN Council Connector.
- On June 30, 2010, the Compliance Unit completed an internal audit of Board actions from September 1996 through 2009 and submitted additional information to HRSA to ensure that the Board is in compliance with the HIPDB reporting requirements. In addition, the Board received a letter from HRSA regarding submission of Board actions for Nurse Practitioners. The Board has been reporting Nurse Practitioners but they have been reported in the category of Registered Nurse. The rationale for this is that under Ohio law, all Nurse Practitioners are required to be licensed as Registered Nurses, and any adverse action regarding the Registered Nurse license automatically operates on the Nurse Practitioner certificate of authority. In the future, we will report new submissions using the Nurse Practitioner credential to ensure the nurse is listed in the Nurse Practitioner category.
- As part of the Nursys Data Integrity (NDI) project, the remainder of the data corrections and enhancements was pushed to NCSBN as part of

the Board's weekly Nursys update transmission. Since the first dataset was finished ahead of schedule, we are continuing the project by updating other datasets.

- Recent NCSBN reporting enhancements now allow for sexual offender and social security death index information to be cross-referenced directly against Nursys records. This new feature will compliment the Board's existing sexual offender records check.

B. Houchen noted that there was no legislative report for this meeting.

Fiscal Report

Kathy King provided the report for Fiscal Year 2010. Anne Barnett thanked K. King for the explanations provided in the fiscal report memorandum. B. Houchen complimented the fiscal staff for monitoring the accounts throughout the year and managing the end of year funding.

NEW BUSINESS

House Bill 648 Related Rules

On Thursday, July 29, 2010 the Board held a public hearing regarding proposed revisions to Chapter 4723-1 Ohio Administrative Code.

Action: It was moved by Patricia Protopapa, seconded by Judith Church, that the Board adopt the revisions to Rule 4723-1-10, OAC, and file a revised filing with the Legislative Service Commission, Secretary of State, and the Joint Committee on Agency Rule Review. Motion adopted by unanimous vote of the Board members.

APPROVALS

Nursing Education Program – Approval of New Programs

Butler Tech Registered Nursing Education Program

Action: It was moved by Melissa Meyer, seconded by Judith Church, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to Butler Tech Registered Nursing Education Program, Hamilton, effective July 29, 2010. It was further moved that the program submit progress reports to the Board on or before February 15, and June 15, 2011. Motion adopted by unanimous vote of the Board members.

Nursing Education – Determination of Approval Status

Cuyahoga Community College Associate Degree Program

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Cuyahoga Community College Associate Degree Program, Cleveland, for a period of five years effective July 29, 2010. Motion adopted by majority vote of the Board members with Delphenia Gilbert abstaining.

Knox County Career Center School of Practical Nursing

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Knox County Career Center School of Practical Nursing, Mount Vernon, for a period of five years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Mount Vernon Nazarene University School of Nursing and Health Sciences

Action: It was moved by Judith Church, seconded by Maryam Lyon, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Mount Vernon Nazarene University School of Nursing and Health Sciences, Mount Vernon, for a period of five years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Ohio Medical Career Center Practical Nurse Program

Action: It was moved by Maryam Lyon, seconded by Anne Barnett, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Ohio Medical Career Center Practical Nurse Program, Dayton, for a period of five years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

The School of Nursing Program at Cuyahoga Valley Career Center

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to The School of Nursing Program at Cuyahoga Valley Career Center, Brecksville, for a period of five years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

The University of Toledo College of Nursing – Bowling Green State University BSN Program

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to The University of Toledo College of Nursing – Bowling Green State University BSN Program, Toledo, for a period of five years effective July 29, 2010. Motion adopted by majority vote of the Board members with J. Jane McFee abstaining.

Mid-East Career and Technology Centers, Adult Center for Education PN Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Mid-East Career and Technology Centers, Adult Center for Education PN Program, Zanesville, for a period of five years effective July 29, 2010. It was further moved that the program submit progress reports on or before January 3, and August 8, 2011 to further document implementation of the program's systematic plan of evaluation. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Mid-East Career and Technology Centers, High School PN Program

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Mid-East Career and Technology Centers, High School PN Program, Zanesville, for a period of five years effective July 29, 2010. It was further moved that the program submit progress reports on or before January 3, and August 8, 2011 to further document implementation of the program's systematic plan of evaluation. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Miami University Bachelor of Science in Nursing Program

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Miami University Bachelor of Science in Nursing Program, Hamilton, for a period of two years effective July 29, 2010. At the end of the two years, the Board will consider the program's approval status following a survey visit to the program. It was further moved that the program submit reports to the Board on or before January 3, 2011 and January 9, 2012, in which the program attests that its students have been supervised, in accordance with rule 4723-5-20, OAC, by a faculty member, teaching assistant or preceptor during all student clinical experiences. Motion adopted by unanimous vote of the Board members.

The University of Toledo College of Nursing BSN Program

Action: It was moved by Maryam Lyon, seconded by Judith Church, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to the University of Toledo College of Nursing BSN Program, Toledo, for a period of five years effective July 29, 2010. Motion adopted by majority vote of the Board members with J. Jane McFee abstaining.

The University of Toledo College of Nursing MSN Program

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to the University of Toledo College of Nursing MSN Program, Toledo, for a period of five years effective July 29, 2010. Motion adopted by majority vote of the Board members with J. Jane McFee abstaining.

Collins Career Center Practical Nursing Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Collins Career Center Practical Nursing Program, Chesapeake, for a period of five years effective July, 29, 2010. Motion adopted by unanimous vote of the Board members.

Bryant And Stratton College Associate Degree Program

Action: It was moved Roberta Stokes, seconded by J. Jane McFee, that the Board continue it full approval granted, in accordance with Rule 4723-5-04, OAC, to Bryant and Stratton College Associate Degree Program, Eastlake. Delphenia

Gilbert opposed the motion. Motion adopted by majority vote of the Board members.

Miami-Jacobs Career College Practical Nursing Program

Action: It was moved by Judith Church, seconded by J. Jane McFee, that after consideration of the survey visit report and the program's response to that report, the Board propose to deny full approval to, and withdraw conditional approval of, Miami-Jacobs Career College Practical Nursing Program, Dayton, effective July 29, 2010, in accordance with Rule 4723-5-04, OAC and Section 4723.06 (A)(6), ORC, based upon the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, and that the Board issue a notice of opportunity for hearing in accordance with Chapter 119., ORC. Motion adopted by unanimous vote of the Board members.

Buckeye Career Center School of Practical Nursing

Action: It was moved Maryam Lyon, seconded by Anne Barnett, that the Board continue its provisional approval in accordance with Rule 4723-5-04, OAC, of Buckeye Career Center School of Practical Nursing, New Philadelphia, for the lesser time period of one year, or the date of the program's planned June 2011 closure. 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 Tracy Ruegg, that the Board retroactively ratify as submitted, the licenses and certificates initially issued by the Board of Nursing May 1, 2010 through June 30, 2010, 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, community health workers, and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members. J. Jane McFee abstained on RN 360294, Kelly Tolles.

OBN Continuing Education Approver

Ohio League for Nursing

Action: It was moved by Anne Barnett, seconded by Maryam Lyon, that the Board re-approve the Ohio League for Nursing, OBN-006-92, as an approver of continuing education through July 31, 2015 in accordance with Rule 4723-14-10, OAC. Motion adopted by majority vote of the Board members with Delphenia Gilbert abstaining.

University of Cincinnati College of Nursing

Action: It was moved by Judith Church, seconded by J. Jane McFee, that the Board re-approve the University of Cincinnati College of Nursing, OBN-011-93, as an approver of continuing education through July 31, 2015 in accordance with Rule 4723-14-10, OAC. Motion adopted by unanimous vote of the Board members.

Licensed Practical Nurse Association of Ohio, Inc.

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board re-approve the Licensed Practical Nurse Association of Ohio, OBN-002-92, as an approver of continuing education through July 31, 2015 in accordance with Rule 4723-14-10, OAC. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Programs

Saber Healthcare Group Medication Aide Training Program – Approval

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board approve Saber Healthcare Group in accordance with Rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Arden Court's Parma Medication Aide Training Program – Re-approval

Action: It was moved by Anne Barnett, seconded by Maryam Lyon, that the Board re-approve Arden Court's Parma in accordance with Rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Dialysis Technician Training Programs

American Renal Associates

Action: It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board re-approve American Renal Associates in accordance with Rule 4723-23-07, OAC as a dialysis technician training program for a period of two years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

DSI State of Ohio Dialysis Training Program

Action: It was moved by J. Jane McFee, seconded by Roberta Stokes that the Board re-approve DSI State of Ohio Dialysis Technician Training Program in accordance with Rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Kidney Services of West Central Ohio Dialysis Training Program

Action: It was moved Tracy Ruegg, seconded by Delphenia Gilbert, that the Board re-approve Kidney Services of West Central Ohio Dialysis Training Program in accordance with Rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective July 29, 2010. Motion adopted by unanimous vote of the Board members.

Aultman College of Nursing and Health Sciences Curriculum Revision Request

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision

submitted by Aultman College of Nursing and Health Sciences. Motion adopted by unanimous vote of the Board members.

Executive Session

On Thursday July 29, 2010:

Action: It was moved by Patricia Protopapa that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Following Executive Session the Board meeting was adjourned and the Board deliberated on cases pending before the Board. Motion adopted by roll call vote.

ADJUDICATION AND COMPLIANCE

Kathleen Filiaggi, RN applicant, and her legal representative Elizabeth Collis, Esq., addressed the Board on Thursday, July 29, 2010 at 10:30 a.m. regarding Ms. Filiaggi's Hearing Report and Recommendation pending before the Board. Melissa Wilburn, AAG, responded.

Board Actions

On Friday, July 30, 2010, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter. Eric Yoon was absent from the meeting on July 30, 2010, and did not vote on any disciplinary matters.

NOTICES OF OPPORTUNITY FOR HEARING

On Friday, July 30, 2010, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

Action: It was moved by Melissa Meyer, 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):

Thompson, Lea, R.N. 317388 (CASE #10-0766); Cosey, Yvonne, M. P.N. 118255 (CASE #10-1818); Cresce, Jocyle, P.N. endorse (CASE #10-1629); Van Hauter, Kristen, M R.N. 257093 (CASE #09-5610); Knapp, Nichole, J. P.N. 104707 (CASE #10-2546); Salinger, Cecily, M P.N. 129848 (CASE #10-1821); Waite, Frances, D. R.N. 315021 (CASE #09-4838); Reeves, Veronica, D. P.N. 112523 (CASE #09-4999); McClure, Roxanne, M. R.N. 315452 (CASE #10-1310); Church, Stacy, R. P.N. 127309 (CASE #09-5614); Leasure, Catherine, M. P.N. 103640 (CASE #10-1269); Herbert, Kim, A. P.N. 124044 (CASE #09-5701); Koreen, Kelly, A. P.N. 116388 (CASE #09-4836); Wolfe, Dennis, R. R.N. endorse (CASE #10-0942); Tirey, Jason, P.N. 122035 (CASE #09-6263); South, Colleen, R.N. 168683 (CASE #09-3121); Renz, Amanda, K. R.N. endorse (CASE #10-0872); Patzer, Cheryl, J. R.N. 147234 (CASE #04-2219); Edgeworth, Bonita, A. R.N. 312644 (CASE #09-6021); Doran, Susan, R.N. 204162 (CASE #09-0684); Borden, Catherine, A. R.N. 194729 (CASE #09-5076); Smith, Darlene, R.N. 203433 (CASE #10-1827); Bundy, Annette, M. R.N. 239493, (CASE #09-6248); Buckland, Julie, A. R.N. 325671 (CASE #10-

0024); Barrett, Melissa, P.N. 084404 (CASE #09-6216); Eastmann, Stephenie, S. P.N. 029321 (CASE #10-2675); EAGLE, RICHARD, E. P.N. 106903 (CASE #09-6395); DeBerry, Lisa, M. P.N. 100414 (CASE #09-5846); Hart-Heckman, Kerry, A. R.N. 302308, COA 10985, REXEX110985 (CASE #09-5126); Guthrie, Mary, B. R.N. 303613, (CASE #10-0486); Gordon, Jodi, L. R.N. 311931 (CASE #10-0376); Lee, Taeryun, C. R.N. NCLEX (CASE #10-1297); Koepf, Kortnie, L. R.N. 342075 (CASE #09-2544); Johnson, Ashley, M. R.N. 336601 (CASE #09-4994); Lekutis, Yvonne, M. R.N. 267586 (CASE #10-1746); McCoy, Kevin, M. R.N. 351771 (CASE #10-1554); Marsh, Rebecca, J. R.N. 314908 (CASE #09-2467); Loggins, Teri, D. R.N. 340032, (CASE #09-6011); McDannold, Scott, D. R.N. 229284 (CASE #09-4063); Ruby, Theresa, M. C R.N. 221024 (CASE #09-6603); Ware, Tonia, Y. P.N. 073455 (CASE #10-0604); Spinks, Amanda, R. R.N. 346310 (CASE #09-4552); Smith, Courtney, M. P.N. 111964 (CASE #09-6223); Moore, Robert, W. R.N. 257684 (CASE #10-1301); Overholser, Joann, P.N. 115190 (CASE #10-1885); Gratzmiller, Dennis, A. R.N. 166083 (CASE #10-0044); Evans, Lori, L. R.N. 297561 (CASE #10-1695); Fruchey, Corinna, L. P.N. 127730 (CASE #10-1124); Enfield, James, M. R.N. 283994 (CASE #10-0148); DelPercio, Cora, L. P.N. 099238 (CASE #09-5903); Carter, Samantha, P.N. 125164 (CASE #09-6217); Addison, Mike, R.N. 350264 (CASE #09-3130); Kinds, Sarah, K. R.N. NCLEX (CASE #10-2286); Potts, Richard, W. R.N. 334223 (CASE #10-1213); Mullen, Beverly, Jo P.N. 111420 (CASE #10-2671); Walters, Veronica, C. P.N. NCLEX (CASE #10-1017); Rinella, Joseph, P.N. 075689 (CASE #10-0985); Umana-Kipp, Lauretta, A. R.N. 331238 (CASE #09-3364); Santiago-Dubsky, Amy, K. P.N. 113560 (CASE #09-4337); Lemmings, Michelle, R. R.N. 247024 (CASE #10-1747); Norwick, Michael, D. R.N. 327585 (CASE #09-4439); Jackson, Frances, M. R.N. 137726 (CASE #09-5192); Kennedy, Ashley, MAC 00035 (CASE #10-2361); Holsinger, Chantel, M. P.N. 132444 (CASE #10-2152); Dyer, Tina, M. P.N. 105587 (CASE #10-1231); Kleese, Rhonda, L. R.N. 265909 (CASE #10-1315); Miami Jacobs Career College Practical Nursing Program, (CASE #10-3057); and Mikhalkevich, Olga, R.N. 284864 (CASE #09-5496).

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 2010 Board Meeting.

WITHDRAWAL OF NOTICE OF OPPORTUNITY FOR HEARING

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on November 2, 2009 for Stallard, Sheridan, J. R.N. 216629 (CASE #09-4363). Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

Action: It was moved by Maryam Lyon, seconded by Judith Church, that the Board issue a Notice of Immediate Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Piccolo, Bridget, D. P.N. 116665 (CASE #10-2723); Price, Carla, C. P.N. 105119 (CASE #10-1096); Rice, Joseph, D. R.N. 327302 (CASE #09-5305); Kot, Patricia, R.N. 301027 (CASE #10-0883); Ballish, Susan, M. R.N. 266157 (CASE #10-2297); Carrabine, Elizabeth, R.N. 242147, P.N. 070045 (CASE #10-2551); Jones, Juanita, A. P.N. 108553 (CASE #10-2526); Nowell, Kathleen, R. P.N. 120476 (CASE #10-0112); Noe, Megan, R. P.N. 133220 (CASE #10-3115); Bowles, Lauren, M. P.N. 133835 (CASE #10-1432); Zuchegno, Lesli, A. R.N. 259467 (CASE #10-1825); and Pinkney, Robert, P.N. 124865 (CASE #10-1387).

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 2010 Board Meeting.

POST IMMEDIATE SUSPENSION NOTICE AND OPPORTUNITY FOR HEARING

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board issue a notice of opportunity for hearing for violations of Chapter 4723 ORC, for the following case(s):

Abner, Joshua, B. P.N. 104807 (CASE #09-5835); Durham, Toni, J. P.N. 129737 (CASE #09-4879); Street, Stanley, D.T. 00002 (CASE #10-2360); Haynes, Dawn, M. R.N. 268110 (CASE #10-1095); Cimilluca, Karen, S. R.N. 165554, NA 03857 (CASE #09-5480);

Maryam Lyon abstained on Street, Stanley, D.T. 00002 (CASE #10-2360) only.

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

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

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2010 Board Meeting.

WITHDRAWAL OF NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by J. Jane McFee, seconded Johnnie Maier, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that issued by the Board on March 14, 1997 for Butler, Helen, M. R.N. 182404 (CASE #96-0337).

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

Action: It was moved by Tracy Ruegg, seconded Judith Church, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that issued by the Board on March 14, 1997 for Turner, Ted, R.N. 237313 (CASE #96-0219).

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Wiser, Kournie, A. P.N. 137524 (CASE #10-1811); Howell, Laquandria, P.N. 106193 (CASE #10-2082); Lee, Michele, C. R.N. 286373 (CASE #10-2369); Smith, Monica, V. P.N. 099300 (CASE #10-2711); Lloyd, Heather, A. R.N. 181014 (CASE #10-2177); Mahan, Monica, L. P.N. 065427 (CASE #10-2248); Bauman, Ambrozine, C. R.N. 261090 (CASE #10-2480); Arnold, Corrine, K. P.N. 131980 (CASE #10-2249); Codner, Monica, C. R.N. 288202 (CASE #10-1875); Clark, Tara, L. P.N. 138348 (CASE #10-2030); Graham, Linton, P.N. 133411 (CASE #10-1813); Halicki, Janet, M. R.N. 193115 (CASE #10-1814); Nourian, Seid, P.N. 132959 (CASE #10-2229); Torbert, Deosha, D. P.N. 119273 (CASE #10-1982); Shell, Anthony, L. R.N. 346689, P.N. 117451 (CASE #10-1546); Hartsock, John, A. R.N. 222770, (CASE #10-2173); and Moonda, Donna, J. R.N. 177462 (CASE #10-2877).

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 2010 Board Meeting.

TEMPORARY SUSPENSIONS AND NOTICE OF OPPORTUNITY

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board issue a Notice of Temporary Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following:

Bowden, Mark, E. R.N. 247035 (CASE #10-1553); Taylor, Mark, E. R.N. 186152 (CASE #10-2992); Bonin, Angela, R.N. 337215, P.N. 117170 (CASE #10-2032).

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 2010 Board Meeting.

SUMMARY SUSPENSION

Action: It was moved by Melissa Meyer seconded by J. Jane McFee, that the Board Summarily Suspend the license and issue a notice of opportunity for hearing for violations of Chapter 4723. ORC retroactive to the date that it was issued, July 1, 2010 to Schimpf, Patricia, J. R.N. 283387 (CASE #10-2357), due to the fact there is clear and convincing evidence that continued practice by Ms. Schimpf presents a danger of immediate and serious harm to the public.

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

Action: It was moved by Tracy Ruegg seconded by Maryam Lyon, that the Board Summarily Suspend the license and issue a notice of opportunity for hearing for violations of Chapter 4723. ORC retroactive to the date that it was issued, July 12, 2010 to Radabaugh, Tammy, S. P.N. 110820 (CASE #10-2226), due to the fact there is clear and convincing evidence that continued practice by Ms. Radabaugh presents a danger of immediate and serious harm to the public.

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

Action: It was moved by Tracy Ruegg seconded by Maryam Lyon, that the Board Summarily Suspend the license and issue a notice of opportunity for hearing for violations of Chapter 4723. ORC retroactive to the date that it was issued, July 19, 2010 to Donchess, Sheri, L. R.N. 260078 (CASE #10-2622), due to the fact there is clear and convincing evidence that continued practice by Ms. Donchess presents a danger of immediate and serious harm to the public.

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

SURRENDERS

Permanent Voluntary Surrender

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Langenek, Amber, L. P.N. 114211 (CASE #09-1138); Miller, Patricia, R.N. 294339 (CASE #10-2597); and Heister, Andrew, M. R.N. 289588 (CASE #06-2213).

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

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the July 2010 Board Meeting.

Voluntary Non-Permanent Withdrawal of Endorsement Application

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

OConnell, Billie, J. R.N. endorse (CASE #09-5958).

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

A complete copy of the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination shall be maintained in the exhibit book for the July 2010 Board Meeting.

VOLUNTARY RETIREMENTS

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following:

Floyd, Margaret, L. R.N. 227517 (CASE #10-0493).

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

Complete Copies of the Voluntary Retirements shall be maintained in the exhibit book for the July 2010 Board Meeting.

CONSENT AGREEMENTS

On Friday, July 30, 2010, 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 Melissa Meyer, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board in the following case(s):

Bryant, Janet, L. R.N. 213986, (CASE #09-4328); Gibson, Cary, G. D.T. applicant (CASE #10-1842); Laycock, James, R. R.N. 286561 (CASE #08-1439); Ray, Roger, L. P.N. NCLEX (CASE #10-1456); Siehl, Tammy, L. R.N. 201297 (CASE #09-5876); Torres, Esther, P.N. 140697 (CASE #09-7137); Parrett, Sandy, M. R.N. NCLEX, P.N. 110310 (CASE #10-1583); Hall, Amy, A. P.N. 140694 (CASE #10-1251); Day, Heather, E. P.N. 140693 (CASE #09-6307); Becker, Allan, K. R.N. 240244 (CASE #09-2278); Weiss, Kari, L. R.N. 234766 (CASE #08-3911); Flanigan, Lucinda, L. R.N. 252228 (CASE #09-3140); Ball, Barbara, R.N. 173604 (CASE #10-1227); Jones, Matthew, A. R.N. 337820 (CASE #10-0750); McCready, William, M. P.N. 087905 (CASE #10-1992); Martin, Natalie, R. P.N. 129305 (CASE #09-3370); Howard, Mark, W. R.N. 332519, P.N. 120511 (CASE #10-0045); Cohee, Bobby, G. P.N. 083868 (CASE #10-0725); Griffin, Sharon, L. R.N. 106438 (CASE #10-1993); Ngaruiya, Gretchen, M. R.N. endorse, P.N. 124128 (CASE #10-1980); Minshall, Stephanie, R.N. 280492 (CASE #09-4547); Connelly, Tamson, R.N. 286935 (CASE #09-4701); Neu, Jeffrey, A. R.N. 248555, COA 00083, RX 00083 (CASE #09-3139); Santon, Jeffrey, M. P.N. NCLEX (CASE #09-4888); Jacobs, Nicole, D. P.N. 133328 (CASE #09-5864); Laforet, Rose, C. R.N. 335148 (CASE #08-3124); Lodge, Alexis, S. R.N. NCLEX (CASE #10-0817); Talstein, Dori, L. R.N. 174939 (CASE #10-1072); Fowkes, Thomas, L. R.N. 323602 (CASE #09-1787); Kroeger, Lisa, M. R.N. 356003 (CASE #10-1136); Roudebush, Cori, A. P.N. 138868 (CASE #10-1140); Kanu, Kadiatu, P.N. 125963 (CASE #07-1578); Stevens, Gregory, J. R.N. 264895 (CASE #09-3133); Payuyo, Cornelio, A. R.N. 332359 (CASE #09-4995); Stayrook, Renae, L. R.N. 132498 (CASE #10-1125); Brooks, Penny, R. R.N. NCLEX, P.N. 113325 (CASE #10-1909); Erwin, Robert, A. R.N. 251419 (CASE #09-1616); Johnson, Cynthia, L. R.N. NCLEX, P.N. 134174 (CASE #10-0549); Baumann, Angela, M. R.N. 301445 (CASE #09-3013); Van Maele, Robert, A. P.N. 099923 (CASE #09-2782); Tharp, James, A. P.N. 116537 (CASE #09-2773); Henry, Maureen, S. P.N. 123815 (CASE #09-2780); Latham, Mandy, J. R.N. NCLEX (CASE #10-1473); Valdry, Sherie, L. P.N. 140698 (CASE #09-6157); Bauer II, Rocky, M. R.N. 317048 (CASE #09-5865); Clark, Angie, L. R.N. 303902 (CASE #07-3688); DeYoung, Brandi, L. R.N. NCLEX (CASE #10-0904); Fielding, Coby, J. P.N. 109665 (CASE #10-2548); Hayden, Jessica, E. R.N. 300314 (CASE #10-2309); Justus, Lora, D. R.N. 296181 (CASE #09-3255); Liberty, Cherie, L. R.N. 261197 (CASE #10-1761); McCollum, Randall, S. D.T. 01633 (CASE #10-0006); Mills, Cassandra, E. P.N. 112527 (CASE #09-1352); Ralston, David, R. R.N. 338472 (CASE #09-3443); Wharton, Kendall, M. R.N. 330756 (CASE #08-1478); Serra, Mariles, M. R.N. 319579 (CASE #09-6209);

Straka, Amber, C. R.N. NCLEX, TC 1 03084 (CASE #10-2054); Tompkins, Richard, D. R.N. 279681, COA 08078, RX 08078 (CASE #09-4520); Tucker, Mindy, L. R.N. NCLEX (CASE #10-1192); Watson, Gary, L. R.N. 175133 (CASE #04-2540); Johnson, Tracie, L. R.N. 258220 (CASE #09-2951); McNulty, Dawn, R. P.N. 023127 (CASE #08-1253); Knerr-Markko, Tamara, L. R.N. 191422 (CASE #09-4298); Hale, Karin, F. R.N. 144858 (CASE #10-0968); McClain, Christina, R.N. NCLEX, P.N. 122015 (CASE #10-1150); Hamilton, Antoinette, J. R.N. NCLEX (CASE #10-2274); Eley, Amy, E. R.N. 272162 (CASE #09-5715); DURHAM, TANYA, M. P.N. NCLEX (CASE #09-5444); Templin, Amy, M. R.N. 293424 (CASE #09-6212); LeMaster, Andrew, T., R.N. 359743 P.N. 129167 (CASE #07-2260); Kline, Mark, H. R.N. NCLEX (CASE #10-1540); Taylor, Ashley, R. R.N. NCLEX (CASE #10-1458); Johnson, Christine, A. P.N. 131271 (CASE #09-4391); Morris, Carrie, L. P.N. NCLEX (CASE #10-0825); McCray, James, R.N. 235301, COA 08302 (CASE #09-6281); Sinnes, Rae, S. R.N. 208221, P.N. 070017 (CASE #09-1428); Heck, Sindi, S. R.N. 282100 (CASE #10-0014); Jordan, Jennifer, J. R.N. endorse (CASE #10-2183); Flores, Teresa, J. R.N. 276124 (CASE #10-1548); Russell, Marianne, R.N. 234611 (CASE #10-2228); Smith, Ashly, N. P.N. 123403 (CASE #09-3266); Giesman, Rachel, Y. P.N. 112122 (CASE #10-0789); Spratt, Denise, L. R.N. 325603 (CASE #09-5845); Whitt, Janet, L. P.N. 113015 (CASE #10-2975); Meyer, Daniela, E. R.N. NCLEX, P.N. 095093 (CASE #10-1191); Hurd, Erika, R.N. 288901 (CASE #10-3016); Hart, Stacy, J. P.N. 103370 (CASE #08-4712); and Braun, Christine, E. R.N. 178377 (CASE #09-2528).

Judith Church abstained on Johnson, Tracie, L. R.N. 258220 (CASE #09-2951) only. Maryam Lyon abstained on Meyer, Daniela, E. R.N. NCLEX, P.N. 095093 (CASE #10-1191) only. Roberta Stokes abstained on the following cases only: Laycock, James, R. R.N. 286561 (CASE #08-1439) and Liberty, Cherie, L. R.N. 261197 (CASE #10-1761). Anne Barnett abstained from voting on all cases. Judith Church voted no on the following cases only: Siehl, Tammy, L. R.N. 201297 (CASE #09-5876); Jacobs, Nicole, D. P.N. 133328 (CASE #09-5864); Kroeger, Lisa, M. R.N. 356003 (CASE #10-1136); Roudebush, Cori, A. P.N. 138868 (CASE #10-1140); Payuyo, Cornelio, A. R.N. 332359 (CASE #09-4995); Tharp, James, A. P.N. 116537 (CASE #09-2773); Wharton, Kendall, M. R.N. 330756 (CASE #08-1478); Watson, Gary, L. R.N. 175133 (CASE #04-2540); Heck, Sindi, S. R.N. 282100 (CASE #10-0014) Russell, Marianne, R.N. 234611 (CASE #10-2228); and Smith, Ashly, N. P.N. 123403 (CASE #09-3266). Johnnie Maier voted no on the following cases only: Santon, Jeffrey, M. P.N. NCLEX (CASE #09-4888) and Roudebush, Cori, A. P.N. 138868 (CASE #10-1140). J. Jane McFee vote no on the following cases only: Weiss, Kari, L. R.N. 234766 (CASE #08-3911); Flanigan, Lucinda, L. R.N. 252228 (CASE #09-3140); and Santon, Jeffrey, M. P.N. NCLEX (CASE #09-4888). Patricia Protopapa voted no on Fielding, Coby, J. P.N. 109665 (CASE #10-2548) only. Tracy Ruegg voted no on the following cases only: Siehl, Tammy, L. R.N. 201297 (CASE #09-5876); Cohee, Bobby, G. P.N. 083868 (CASE #10-0725); Neu, Jeffrey, A. R.N. 248555, COA 00083, RX 00083 (CASE #09-3139); Jacobs, Nicole, D. P.N. 133328 (CASE #09-5864); Roudebush, Cori, A. P.N. 138868 (CASE #10-1140); Stayrook, Renae, L. R.N. 132498 (CASE #10-

1125); Liberty, Cherie, L. R.N. 261197 (CASE #10-1761); Tompkins, Richard, D. R.N. 279681, COA 08078, RX 08078 (CASE #09-4520); Watson, Gary, L. R.N. 175133 (CASE #04-2540); and Johnson, Christine, A. P.N. 131271 (CASE #09-4391). Roberta Stokes voted no on the following cases only: Siehl, Tammy, L. R.N. 201297 (CASE #09-5876); Mills, Cassandra, E. P.N. 112527 (CASE #09-1352); Ralston, David, R. R.N. 338472 (CASE #09-3443); Sinnes, Rae, S. R.N. 208221, P.N. 070017 (CASE #09-1428); Smith, Ashly, N. P.N. 123403 (CASE #09-3266); and Giesman, Rachel, Y. P.N. 112122 (CASE #10-0789).

Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the July 2010 Board Meeting.

HEARING EXAMINER REPORT AND RECOMMENDATION

Edmonds, Carla, T. P.N. 110221 (CASE #08-4584)

Action: It was moved by, Judith Church, seconded by J. Jane, McFee, 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 **CARLA T. EDMONDS's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. EDMONDS's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the **Temporary Narcotic Restriction** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

successfully comply with the conditions for reinstatement set forth in the Board's Order 1744 in Case #07-1316.

Monitoring

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

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

Reporting Requirements of MS. EDMONDS

13. **MS. EDMONDS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS** shall verify that the reports and documentation required by this Order are received in the Board office.

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

DURATION

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

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

1. **MS. EDMONDS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. EDMONDS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. Prior to seeking release from the probationary terms, conditions, and limitations, **MS. EDMONDS** shall successfully comply with the probationary terms, conditions, and limitations set forth in the Board's Order 1744 in Case #07-1316.

Monitoring

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

7. **MS. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS** throughout the duration of this Order.
10. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. EDMONDS** 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. EDMONDS** shall notify the Board.
12. **MS. EDMONDS** 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. EDMONDS** 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. EDMONDS** 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. EDMONDS

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30st day of July, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Delphenia Gilbert, and Patricia Protopapa abstaining.

Carter, Sabrina, C. R.N. 231525 (CASE #09-3606)

Action: It was moved by Maryam Lyon, seconded by Delphenia Gilbert, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **SABRINA CELESTE CARTER's** license to practice nursing as

a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CARTER's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below.

The rationale for this modification is related to the severity of **MS. CARTER's** neglect of the patient.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. CARTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CARTER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. CARTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CARTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CARTER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. CARTER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to seeking reinstatement by the Board, MS. CARTER** 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 Patient Safety; five (5) hours of Critical Thinking; five (5) hours of Ethics; five (5) hours of Professionalism; and five (5) hours of Documentation.

Reporting Requirements of MS. CARTER

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

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

DURATION

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

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

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

Employment Conditions

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

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

Permanent Practice Restrictions

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

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

MS. CARTER shall not function in a nursing position, which would require **MS. CARTER** to provide direct, hands-on patient care to pediatric patients. *For the purposes of this Order, pediatric patients shall include patients under the age of 18, and between the ages of newly born through age 17.*

FAILURE TO COMPLY

The stay of MS. CARTER's suspension shall be lifted and MS. CARTER's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. CARTER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. CARTER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. CARTER** 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. CARTER** has complied with all aspects of this Order; and (2) the Board determines that **MS. CARTER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. CARTER** and review of the reports as required herein. Any period during which **MS. CARTER** 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 **SABRINA CELESTE CARTER** to surrender her registered nurse license, R.N. #231525, 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 30st day of July, 2010.

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

Lindamood, Lou, A. R.N. 173516 (CASE #07-2931)

Action: it was moved by J. Jane McFee, seconded by Maryam Lyon, that the board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **LOU ANN LINDAMOOD's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LINDAMOOD's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. LINDAMOOD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LINDAMOOD** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. LINDAMOOD** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LINDAMOOD**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LINDAMOOD's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. LINDAMOOD** shall provided to the Board satisfactory documentation that **MS. LINDAMOOD** paid the fine to the Indiana Professional Licensing Agency / Board of Nursing as required in its Order, effective September 17, 2009.
5. **Prior to seeking reinstatement by the Board, MS. LINDAMOOD** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. **Prior to seeking reinstatement by the Board, MS. LINDAMOOD** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective

date of this Order: five (5) hours of Ethics; five (5) hours of Professionalism; and five (5) hours of Patient Rights.

7. **Prior to seeking reinstatement by the Board, MS. LINDAMOOD** 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. LINDAMOOD** 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. LINDAMOOD's** license, and a statement as to whether **MS. LINDAMOOD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. LINDAMOOD** 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. LINDAMOOD's** license.

Reporting Requirements of MS. LINDAMOOD

9. **MS. LINDAMOOD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
10. **MS. LINDAMOOD** 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.
11. **MS. LINDAMOOD** 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.
12. **MS. LINDAMOOD** 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.
13. **MS. LINDAMOOD** 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.
14. **MS. LINDAMOOD** shall verify that the reports and documentation required

by this Order are received in the Board office.

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

DURATION

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

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

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

Employment Conditions

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

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

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

Permanent Practice Restrictions

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

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

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

FAILURE TO COMPLY

The stay of **MS. LINDAMOOD's** suspension shall be lifted and **MS. LINDAMOOD's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LINDAMOOD** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LINDAMOOD** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LINDAMOOD** 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. LINDAMOOD** has complied with all aspects of this Order; and (2) the Board determines that **MS. LINDAMOOD** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LINDAMOOD** and review of the reports as required herein. Any period during which **MS. LINDAMOOD** 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 **LOU ANN LINDAMOOD** to surrender her registered nurse license, R.N. #173516, 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 30st day of July, 2010.

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

Krzewinski, Lester, H. P.N. 109315 (CASE #07-2882)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board accept accepted all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **LESTER HENRY KRZEWSKI's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. KRZEWSKI's** license 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.

The rationale for this modification is due to **MR. KRZEWSKI's** history of charges related to violence and the inconsistencies in his testimony at hearing.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. KRZEWSKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. KRZEWSKI** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MR. KRZEWSKI** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. KRZEWSKI**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. KRZEWSKI's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MR. KRZEWSKI** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to seeking reinstatement by the Board, MR. KRZEWSKI** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics and five (5) hours of Responsibility of Nurses to Safeguard Drug Supplies.
6. **Prior to seeking reinstatement by the Board, MR. KRZEWSKI** 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. KRZEWSKI** 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. KRZEWSKI's** license, and a statement as to whether **MR. KRZEWSKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

7. **MR. KRZEWSKI** 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. KRZEWSKI's** license.
8. **Prior to seeking reinstatement by the Board, MR. KRZEWSKI** shall, at his own expense, obtain an evaluation in anger management by a mental health provider approved in advance by the Board or its designee. Prior to the evaluation, **MR. KRZEWSKI** shall provide the mental provider with a copy of this Order and Notice of Opportunity for Hearing. **MR. KRZEWSKI** shall execute releases to permit the mental health provider to obtain any information deemed appropriate and necessary for the evaluation. The evaluating 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. KRZEWSKI's** license to practice, and a statement as to whether **MR. KRZEWSKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. KRZEWSKI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the Board approved mental health provider until released. Further, the Board may utilize the mental health provider's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. KRZEWSKI's** license.

Reporting Requirements of MR. KRZEWSKI

10. **MR. KRZEWSKI** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
11. **MR. KRZEWSKI** 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.
12. **MR. KRZEWSKI** 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.
13. **MR. KRZEWSKI** 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.

14. **MR. KRZEWSKI** 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.
15. **MR. KRZEWSKI** shall verify that the reports and documentation required by this Order are received in the Board office.
16. **MR. KRZEWSKI** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

Employment Conditions

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

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

Permanent Practice Restrictions

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

MR. KRZEWINSKI shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing

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

FAILURE TO COMPLY

The stay of MR. KRZEWSKI's suspension shall be lifted and MR. KRZEWSKI's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. KRZEWSKI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. KRZEWSKI** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. KRZEWSKI** 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. KRZEWSKI** has complied with all aspects of this Order; and (2) the Board determines that **MR. KRZEWSKI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. KRZEWSKI** and review of the reports as required herein. Any period during which **MR. KRZEWSKI** 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 **LESTER HENRY KRZEWSKI** to surrender his licensed practical nurse license, P.N. #109315, 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 30st day of July, 2010.

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

Brown, Lisa, R.N. 262038 (CASE #08-4274)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **LISA BROWN's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BROWN's** license shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Narcotic Restriction** and **Permanent Practice Restrictions** set forth below.

The rationale for this modification is that **MS. BROWN** is in denial and has not accepted responsibility for her substance abuse problem.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

to reinstatement.

13. **Prior to seeking reinstatement by the Board, MS. BROWN** 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. BROWN** 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. BROWN's** license, and a statement as to whether **MS. BROWN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. BROWN** 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. BROWN's** license.

Reporting Requirements of MS. BROWN

15. **MS. BROWN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
16. **MS. BROWN** 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. BROWN** 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. BROWN** 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. BROWN** 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. BROWN** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. BROWN** shall inform the Board within three (3) business days, in

writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. BROWN 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. BROWN's suspension shall be lifted and MS. BROWN's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BROWN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BROWN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BROWN** 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. BROWN** has complied with all aspects of this Order; and (2) the Board determines that **MS. BROWN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BROWN** and review of the reports as required herein. Any period during which **MS. BROWN** 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 **LISA BROWN** to surrender her registered nurse license, R.N. #262038, 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 30st day of July, 2010.

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

Figueroa, David, D. R.N. 280929 (CASE #08-2863)

Action: It was moved by J. Jane McFee, seconded by Judith Church, 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:

DAVID DEAN FIGUEROA's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DAVID DEAN FIGUEROA** to surrender his registered nurse license, R.N. #280929, and the 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 30st day of July, 2010.

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

Filiaggi, Kathleen, R.N. 277298 (CASE #09-4431)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **KATHLEEN FILIAGGI's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. FILIAGGI's** license shall be subject to probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year.

The rationale for this modification is that the Board, in its expertise, believes that **MS. FILIAGGI** was placed in a difficult situation due to her patient assignment and work environment and that **MS. FILIAGGI** reacted in a defensive manner because she felt threatened. Based upon these circumstances and the nurse's numerous years of practice with no prior Board action, and the letters of support regarding **MS. FILIAGGI** and her practice, the Board does not believe that **MS. FILIAGGI** is likely to re-offend. While it is not excusable for a nurse to respond in the manner in which **MS. FILIAGGI** did, the consequences **MS. FILIAGGI** has received are adequate and do not demean the significance of the offense. **MS. FILIAGGI** has completed anger management, a mental health assessment in 2006, and 80 hours of community work service. The Board does not believe that a lengthy suspension and practice restrictions are necessary to protect the public in this set of circumstances.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. FILIAGGI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FILIAGGI** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. FILIAGGI** shall submit a request to the Bureau of Criminal Identification and Investigation

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

4. Prior to seeking reinstatement by the Board, **MS. FILIAGGI** 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. FILIAGGI** 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. FILIAGGI's** license, and a statement as to whether **MS. FILIAGGI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. FILIAGGI** 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. FILIAGGI's** license.

Reporting Requirements of MS. FILIAGGI

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

11. **MS. FILIAGGI** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. FILIAGGI** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

Following reinstatement, MS. FILIAGGI shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.

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

Employment Conditions

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

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

documentation directly to the Board.

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

FAILURE TO COMPLY

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

the reports as required herein. Any period during which **MS. FILIAGGI** 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 **KATHLEEN FILIAGGI** to surrender her registered nurse license, R.N. #277298, 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 30st day of July, 2010.

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

BOARD HEARING COMMITTEE

Bentley, Melissa, K. P.N. 114044 (CASE #08-0974)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation.

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:

MELISSA KELLEY BENTLEY's license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MELISSA KELLEY BENTLEY** to surrender her licensed practical nurse license, P.N. #114044, and the 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 30st day of July, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, Johnnie Maier and J. Jane McFee abstaining.

Thomas, Frederick, K. R.N. 100663 (CASE #09-3179)

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation.

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:

FREDERICK K. THOMAS's license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **FREDERICK K. THOMAS** to surrender the frameable wall certificate for his registered nurse license, R.N. #100663, 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 30st day of July, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, Johnnie Maier and J. Jane McFee abstaining.

NO REQUEST FOR HEARING

Green, Ramona, D. TC 1 03234 (CASE #09-4254)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **RAMONA GREEN** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GREEN** 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. GREEN's** temporary certificate one to practice as a dialysis technician is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GREEN** 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. GREEN** shall obey all federal, state, and local laws, and all laws and rules governing practice as a dialysis technician in Ohio.
2. **MS. GREEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. GREEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII)

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

4. **Prior to seeking reinstatement by the Board, MS. GREEN** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

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

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

Reporting Requirements of MS. GREEN

13. **MS. GREEN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. GREEN** shall submit any and all information that the Board may request regarding her ability to practice as a dialysis technician according to acceptable and prevailing standards of safe practice.

15. **MS. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. GREEN** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

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

5. During the probationary period, **MS. GREEN** 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 certificate to practice as a dialysis technician for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GREEN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GREEN's** history.
6. **MS. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** 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. GREEN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GREEN** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

10. Prior to accepting employment as a dialysis technician, each time with every employer, **MS. GREEN** shall notify the Board.
11. **MS. GREEN** shall have her employer(s), if working in a position where a certificate to practice as a dialysis technician is required, submit written reports regarding job performance on a quarterly basis. **MS. GREEN** 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. GREEN** 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. GREEN

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

Permanent Practice Restrictions

MS. GREEN 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) as a dialysis technician for staffing agencies or pools; (4) as an independent provider where the dialysis technician provides dialysis technician care and is reimbursed for services by

the State of Ohio through State agencies or agents of the State.

MS. GREEN shall not function as a supervisor while working in a position for which a certification as a dialysis technician is required.

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Price, Stacie, L. P.N. 117351 (CASE #09-5905)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that upon consideration of the charges stated against **STACIE LEE PRICE** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PRICE** 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. PRICE'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. PRICE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations

set forth below for a minimum period of three (3) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

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

Reporting Requirements of MS. PRICE

15. **MS. PRICE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
16. **MS. PRICE** 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. PRICE** 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. PRICE** 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. PRICE** 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. PRICE** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. PRICE** shall inform the Board within three (3) business days, in

writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Santos, Annette, P.N. 121270 (CASE #09-3233)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **ANNETTE SANTOS** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SANTOS** 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. SANTOS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **ANNETTE SANTOS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #121270, 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 30th day of July, 2010.

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

Hatzer, Sean, S. P.N. 124765 (CASE #09-3053)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **SEAN STUART HATZER** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. HATZER** 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. HATZER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MR. HATZER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

4. **MR. HATZER** 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. HATZER's** history. **MR. HATZER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. HATZER** shall abstain completely from the use of alcohol.
6. **Prior to seeking reinstatement by the Board, MR. HATZER** 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. HATZER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. HATZER** 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. HATZER's** license, and a statement as to whether **MR. HATZER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. HATZER** 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. HATZER's** license.
 8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. HATZER** 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. HATZER's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. HATZER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. HATZER's** history.
 9. Within thirty (30) days prior to **MR. HATZER** initiating drug screening, **MR. HATZER** 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. HATZER**.
 10. After initiating drug screening, **MR. HATZER** 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. HATZER** 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, MR. HATZER** 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. HATZER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Prior to seeking reinstatement by the Board, MR. HATZER** 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. HATZER** 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. HATZER's** license, and a statement as to whether **MR. HATZER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MR. HATZER** 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. HATZER's** license.

Reporting Requirements of MR. HATZER

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

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

DURATION

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

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

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

Monitoring

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

dispensed to him by another so authorized by law who has full knowledge of **MR. HATZER's** history.

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

12. **MR. HATZER** shall sign releases of information forms allowing health

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

FAILURE TO COMPLY

The stay of MR. HATZER's suspension shall be lifted and MR. HATZER's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. HATZER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. HATZER** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. HATZER** 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. HATZER** has complied with all aspects of this Order; and (2) the Board determines that **MR. HATZER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. HATZER** and review of the reports as required herein. Any period during which **MR. HATZER** 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 **SEAN STUART HATZER** to surrender his licensed practical nurse license, P.N. #124765, 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 30th day of July, 2010.

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

Hite, Rosemary, P.N. 130791 (CASE #09-2028)

Action: It was moved by Maryam Lyon, seconded by Judith Church, that upon consideration of the charges stated against **ROSEMARY ANNE HITE** in the November 20, 2009 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HITE** 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. HITE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HITE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. HITE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HITE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. HITE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HITE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HITE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. HITE** shall submit documentation of her full compliance with the terms and conditions imposed by the Cuyahoga Court of Common Pleas in Case Number CR-09-524433-A.

Monitoring

5. **MS. HITE** 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. HITE's** history. **MS. HITE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. HITE** shall abstain completely from the use of alcohol.
7. **Prior to seeking reinstatement by the Board, MS. HITE** 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. HITE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for

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

prior to seeking reinstatement, MS. HITE 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. HITE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

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

14. **MS. HITE** 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. HITE's** license.

Reporting Requirements of MS. HITE

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

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

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Martino, Marianne, F. R.N. 079489 (CASE #10-0378)

Action: It was moved by Maryam Lyon, seconded by Judith Church, that upon consideration of the charges stated against **MARIANNE F. MARTINO** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARTINO** 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. MARTINO'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. MARTINO** shall be subject to the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MARTINO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MARTINO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. MARTINO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MARTINO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MARTINO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. The Board may consider reinstatement of **MS. MARTINO's** nursing license only after **MS. MARTINO** submits proof of an adjudication by a probate court of her restoration to competency or upon submission to the Board of other proof of competency.

Monitoring

5. Prior to seeking reinstatement by the Board, **MS. MARTINO** 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. MARTINO** 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. MARTINO's** license, and a statement as to whether **MS. MARTINO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. MARTINO** 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. MARTINO's** license.

Reporting Requirements of MS. MARTINO

7. **MS. MARTINO** shall sign release of information forms allowing health

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

8. **MS. MARTINO** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
9. **MS. MARTINO** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
10. **MS. MARTINO** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
11. **MS. MARTINO** 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.
12. **MS. MARTINO** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. MARTINO** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

Permanent Practice Restrictions

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

MS. MARTINO 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.

The Board further Orders **MARIANNE F. MARTINO** to surrender her registered nurse license, R.N. #079489, 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 30th day of July, 2010.

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

Mack, Charlotte, A. P.N. 113267 (CASE #09-5594)

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that upon consideration of the charges stated against **CHARLOTTE A. MACK** in the January 22, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MACK** 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. MACK'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. MACK** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

4. **Prior to seeking reinstatement by the Board, MS. MACK** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

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

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

Reporting Requirements of MS. MACK

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

DURATION

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

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

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

Monitoring

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

of **MS. MACK's** history.

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

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

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

Motion adopted by majority vote of the Board memberw tih Anne Barnett and Patricia Protopapa abstaining.

Wright, Kimberly, B. R.N. 256230 (CASE #09-4689)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that upon consideration of the charges stated against **KIMBERLY BROWNE WRIGHT** in the December 16, 2009 Notice of Immediate Suspension and Opportunity for Hearing, and in the January 22, 2010 Notice of Opportunity for Hearing ("the Notices"), and evidence supporting the charges, the Board finds that **MS. WRIGHT** 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. WRIGHT'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KIMBERLY BROWNE WRIGHT** to surrender her frameable wall certificate for her registered nurse license, R.N. #256230, 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 30th day of July, 2010.

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

Coulter, Melissa, R.N. 312454 (CASE #09-3655)

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that upon consideration of the charges stated against **MELISSA LYNN COULTER** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COULTER** 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. COULTER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COULTER** 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. COULTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COULTER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. COULTER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
4. **Prior to seeking reinstatement by the Board, MS. COULTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. COULTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause

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

Monitoring

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

administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. COULTER's** history.

10. Within thirty (30) days prior to **MS. COULTER** initiating drug screening, **MS. COULTER** 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. COULTER**.
11. After initiating drug screening, **MS. COULTER** 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. COULTER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. COULTER** 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. COULTER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to seeking reinstatement by the Board, MS. COULTER** 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. COULTER** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. COULTER's** license, and a statement as to whether **MS. COULTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. COULTER** 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. COULTER's** license.

Reporting Requirements of MS. COULTER

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

DURATION

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

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

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

designee.

Monitoring

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Hirschfeld, Barbara, J. R.N. 223847 (CASE #10-0131)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **BARBARA JOAN HIRSCHFELD** in the March 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HIRSCHFELD** 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. HIRSCHFELD'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **BARBARA JOAN HIRSCHFELD** to surrender her frameable wall certificate for her registered nurse license, R.N. #223847, 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 30th day of July, 2010.

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

Ashton, Lora, D. R.N. 256620 (CASE #09-5870)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **LORA D. ASHTON** in the January 22, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ASHTON** 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. ASHTON'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LORA D. ASHTON** to surrender her frameable wall certificate for her registered nurse license, R.N. #256620, 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 30th day of July, 2010.

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

Adams, Stephen, L. P.N. 113194 (CASE #09-3748)

Action: It was moved by Judith Church, seconded by Maryam Lyon, that the Board consolidate the September 2009 Notice of Immediate Suspension and Opportunity for Hearing and the January 2010 Notice of Immediate Suspension and Opportunity for Hearing. It was further moved, that upon consideration of the charges stated against **STEPHEN LEE ADAMS** in the Notices and evidence supporting the charges, the Board finds that **MR. ADAMS** 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 **MR. ADAMS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **STEPHEN LEE ADAMS** to surrender his frameable wall certificate for his licensed practical nurse license, P.N. #113194, 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 30th day of July, 2010.

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

Blevins, Deborah, L. R.N. 198222 (CASE #07-3350)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **DEBORAH L. BLEVINS** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BLEVINS** 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. BLEVINS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DEBORAH L. BLEVINS** to surrender her registered nurse license, R.N. #198222, 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 30th day of July, 2010.

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

Moore, Danielle, M. P.N. 128188 (CASE #09-5498)

Action: It was moved by Tracy Ruegg, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **DANIELLE M. MOORE** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOORE** 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. MOORE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOORE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MOORE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MOORE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. MOORE** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
4. **Prior to seeking reinstatement by the Board, MS. MOORE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Professionalism, ten (10) hours of Critical Thinking, and ten (10) hours of Ethics.
5. **Prior to seeking reinstatement by the Board, MS. MOORE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII)

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

Reporting Requirements of MS. MOORE

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

DURATION

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

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

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

rules governing the practice of nursing in Ohio.

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

Employment Conditions

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

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

Permanent Practice Restrictions

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

MS. MOORE 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. MOORE's suspension shall be lifted and MS. MOORE's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MOORE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MOORE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MOORE** 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. MOORE** has complied with all aspects of this Order; and (2) the Board determines that **MS. MOORE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MOORE** and review of the reports as required herein. Any period during which **MS. MOORE** 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 **DANIELLE M. MOORE** to surrender her licensed practical nurse license, P.N. #128188, 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 30th day of July, 2010.

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

Pedulla, Beth, M. P.N. 123708 (CASE #09-3980)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **BETH MARIE PEDULLA** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PEDULLA** 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. PEDULLA'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. PEDULLA** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

11. After initiating drug screening, **MS. PEDULLA** 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. PEDULLA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of two (2) years immediately prior to seeking reinstatement, MS. PEDULLA** 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. PEDULLA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. PEDULLA

13. **MS. PEDULLA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. PEDULLA** 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. PEDULLA** 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. PEDULLA** 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. PEDULLA** 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. PEDULLA** shall verify that the reports and documentation required by this Order are received in the Board office.

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

DURATION

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

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

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

Monitoring

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Speer, Diane, P. P.N. 097466 (CASE #10-0059)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that upon consideration of the charges stated against **DIANE P. SPEER** in the March 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SPEER** 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. SPEER'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. SPEER** shall be subject to a

stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year, with the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

4. **Prior to seeking reinstatement by the Board, MS. SPEER** 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. SPEER** 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. SPEER's** license, and a statement as to whether **MS. SPEER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. SPEER** 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. SPEER's** license.

Reporting Requirements of MS. SPEER

6. **MS. SPEER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation

or information directly to the Board.

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

DURATION

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

Following reinstatement, MS. SPEER shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.

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

Employment Conditions

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

4. **MS. SPEER** 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. SPEER** 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. SPEER** 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. SPEER

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Bates, Zipporah, K. R.N. 346466 (CASE #09-2730)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **ZIPPORAH KEZIA BATES** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BATES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. BATES'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **ZIPPORAH KEZIA BATES** to surrender her registered nurse license, R.N. #346466, 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 30th day of July, 2010.

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

Martin, Shaina, R. P.N. NCLEX (CASE #10-0297)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **SHAINA R. MARTIN** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARTIN** 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. MARTIN** shall be granted a license to practice nursing as a licensed practical nurse upon successful completion of the application process. After **MS. MARTIN** is granted a nursing license, **MS. MARTIN's** nursing license shall be suspended and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations for a minimum period of three (3) years and the **Temporary Practice Restrictions** set forth below. The Board abstains from taking disciplinary action against **MS. MARTIN** based on her violation of Section 4723.28(A), Ohio Revised Code.

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

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

Identification and Investigation (BCII) to conduct a criminal records check of **MS. MARTIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MARTIN's** criminal records check reports to the Board. **MS. MARTIN's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months after MS. MARTIN is granted a nursing license.**

4. **Within six (6) months after being granted a nursing license, MS. MARTIN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics, five (5) hours of Professionalism, and five (5) hours of Critical Thinking.

Employment Conditions

5. **MS. MARTIN** shall notify the Board, in writing, of the name and address of any new employer prior to accepting employment.
6. **MS. MARTIN** 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. MARTIN** 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. MARTIN** 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. MARTIN

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

Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Marshall, Jennifer, J. R.N. 231527 (CASE #08-2391)

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that upon consideration of the charges stated against **JENNIFER J. MARSHALL** in the November 20, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MARSHALL** 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. MARSHALL'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JENNIFER J. MARSHALL** to surrender her registered nurse license, R.N. #231527, 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 30th day of July, 2010.

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

Bartow, Jacqueline, A. P.N. 127888 (CASE #09-3001)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **JACQUELINE ANN BARTOW** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARTOW** 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. BARTOW's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BARTOW** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

8. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. BARTOW** 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. BARTOW'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. BARTOW** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BARTOW's** history.
9. Within thirty (30) days prior to **MS. BARTOW** initiating drug screening, **MS. BARTOW** 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. BARTOW**.
10. After initiating drug screening, **MS. BARTOW** 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. BARTOW** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. BARTOW** 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. BARTOW** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Prior to seeking reinstatement by the Board, MS. BARTOW** 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. BARTOW** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the

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

13. **MS. BARTOW** 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. BARTOW's** license.

Reporting Requirements of MS. BARTOW

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

DURATION

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

practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BARTOW** and review of the documentation specified in this Order.

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

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

Monitoring

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 30th day of July, 2010.

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

Rose, Jeannette, A. P.N. 104208 (CASE #09-3365)

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that upon consideration of the charges stated against **JEANNETTE ALANE ROSE** in the March 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROSE** 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. ROSE'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JEANNETTE ALANE ROSE** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #104208, 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 30th day of July, 2010.

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

Pemberton, Tina, L. P.N. 101445 (CASE #09-6028)

Action: It was moved by Maryam Lyon, seconded consideration of the charges stated against **TINA LOUISE PEMBERTON** in the November 20, 2009 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PEMBERTON** 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. PEMBERTON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TINA LOUISE PEMBERTON** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #101445, 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 30th day of July, 2010. by Roberta Stokes, that upon

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

MONITORING

LIFTS OF SUSPENSION/PROBATION

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudication orders:

Smith, Paige, L. R.N. 263458 (CASE #07-2163); Kessel, James, K. P.N. 135241 (CASE #09-1320); Dukes, Dawnelle, D. P.N. 133409 (CASE #08-2922); Rond, Christopher, J. R.N. 349864 (CASE #09-0770); Jindra, Daniel, N. P.N. 134769 (CASE #09-0986); Martin, Mona, R. R.N. 202243 (CASE #07-1339); Rumbaugh, Douglas, W. P.N. 134776 (CASE #09-0726); Dvorak, Matthew, A. R.N. 348864 (CASE #08-4684); Pawul, Jennifer, S. R.N. 271786 (CASE #07-0141); Johnson, Cynthia, L. P.N. 134174 (CASE #08-4559); Wilson, Leah, B. R.N. 347267 (CASE #08-1353); Ghast, Sarah, E. P.N. 134765 (CASE #08-4728); Tessaro III, Andrew, R.N. 340757 (CASE #09-2638); Coombs, Kristin, L. R.N. 349855 (CASE #09-0938); Perry, Saran, P.N. 134177 (CASE #08-2054); Hayes, Rose, M. R.N. 330474 (CASE #06-0902); Duskin, Sandra, A. R.N. 152840 (CASE #07-0042); Cobb, Heather, D. D.T. 02565

(CASE #07-3879); Walterman, Elizabeth, S. P.N. 129162 (CASE #08-3712); and Mulligan, Amber, R. P.N. 134176 (CASE #08-3721).

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

LIFT OF TEMPORARY NARCOTIC RESTRICTION

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restrictions within their respective consent agreements or adjudication orders:

Neff, Sandra, S. R.N. 252945 (CASE #08-1198); Armstrong, Monique, P.N. 114115 (CASE #08-2520); Svoboda, Karen, C. R.N. 190729 (CASE #09-3420); and Freeman, Melissa, S. P.N. 099540 (CASE #07-3399).

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

RETROACTIVE APPROVAL TO REACTIVATE LICENSE

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board accept the following the approval made by Anne Barnett, Supervising Member for Disciplinary matters

Cotterman, Jamie, R. P.N. 108703 (CASE #08-1199) – Approval to reactive license subject to the probationary terms contained within the July 18, 2008 Consent Agreement.

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

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

Action: it was moved by J. Jane McFee, seconded by Johnnie Maier, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreement with the exception of the permanent practice restriction(s) that will remain in effect:

Ferranti, Deborah, A. R.N. 253367 (CASE #06-3289) and Palmer, Cheryl, R. R.N. 270510 (CASE #07-3661).

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

REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT

Action: It was moved by Melissa Meyer, 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 Consent Agreements with the Board be reinstated subject to the terms and conditions of probation contained within their Consent Agreements:

Jacob, Susheela, R.N. 224468 (CASE #08-2932); Peugh, Christopher, R.N. 302645 (CASE #09-4792); Munn, Susan, P.N. 106305 (CASE #07-3486); and Kilcorse, Michael, R.N. 316740 (CASE #09-0913).

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 Roberta Stokes, seconded by Melissa Meyer 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 contained within their Adjudication Orders:

Kreager, Teresa, P.N. 116446 (CASE #06-3078); and Carroll, Lori, B. R.N. 319423 (CASE #08-0506).

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

MODIFICATION TO PERMANENT NARCOTIC RESTRICTIONS TO ACCEPT SPECIFIC EMPLOYMENT ONLY

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, modify the permanent narcotic restriction within the Consent Agreement for Reeves, Tina, P.N. 134775 (CASE #08-1371) specific only to employment as a staff nurse at Pickaway County Correctional Institute.

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

REPORTS TO THE BOARD

Open Forum, Friday July 30, 2010 – There were no speakers for Open Forum

Advisory Group Reports

Continuing Education

Lesleigh Robinson reported on the June 18, 2010 Continuing Education Advisory Group meeting. Pam Dickerson reported on the IOM and RWJ report, The Future of Nursing in Acute Care 2010. The final report with recommendations will be issued in October. The group discussed Chapter 4723-14 rules and also considered the question about whether precepting should be considered continuing education. The Advisory Group recommends that precepting not be considered continuing education, because it is a part of employment as a nurse, and it would be difficult to measure.

Dialysis

Melissa Meyer, Chair of the Dialysis Advisory Group, reported on June 15, 2010 meeting. She stated that the group discussed changes to the language regarding the role of LPNs related to dialysis care and IV therapy. The group also discussed federal regulations, now in effect, that impose specific requirements in facilities receiving federal funds and that are more stringent than Ohio law.

Other Reports

Practice Committee Report

Action: It was moved by Eric Yoon, seconded by Maryam Lyon, that the Board approve the Interpretive Guideline for Registered Nurse Filling and Unfilling a Client's Gastric Band, effective July 29, 2010 and that the Board review this Interpretive Guideline in one year. Motion adopted by unanimous vote of the Board members.

Report on Compact Licensure Meeting

B. Houchen provided a report on the compact licensure meeting. Joey Ridenour, Executive Director of the Arizona Board of Nursing and the Chair of the Nurse Licensure Compact Administrators (NLCA); Valerie Smith, Associate Director of the Arizona Board of Nursing; Laura Rhodes, Executive Director of the West Virginia Board of Nursing and the President of NCSBN; and Jim Puente, NCSBN staff administrator for the NLCA, visited Ohio for the meeting. Currently there are twenty-four multi-licensure states.

NCSBN continues to encourage both criminal record checks and absolute bars, however there are five compact states that do not require criminal record checks for licensure, and many states do not have absolute bars to licensure.

J. Jane McFee stated she believes the Board is and has been proactive in evaluating issues with compact licensure and also with working with

NCSBN and other states about the compact issues identified by the Board. She stated that she also believes Ohio maintains high standards important for public protection and patient safety. B. Lovelace commended B. Houchen and the staff for maintaining the high standards.

The Board reviewed the Statement on Multi-State Nurse Licensure and agreed by general consensus to adopt the revised version as presented. The revised statement will be placed on the Board website.

Patient Safety Initiative

The Board hosted a Just Culture presentation by Scott Griffith, Chief Operating Officer of Outcome Engineering. Guests included Representative John Carney, NCSBN, and other state agency, health system, and nursing organization representatives. The Board also received and reviewed the Patient Safety Initiative booklet that will be used to implement the Initiative.

APN Certification Requirements

Board staff were asked by credential staff at a statewide meeting, if the Board would consider requiring primary source verification for advanced practice nurse (APN) national recertification. Credential staff indicated that national certifying bodies require them to obtain primary source verification for their APNs. The fee to obtain this documentation directly from the national certifying organization may range from \$15 - \$40.

Board staff surveyed other jurisdictions regarding their recertification requirements. L. Robinson reviewed the survey results and options for verification requirements for APN certification. If the Board requires primary source verification, the individual APN would request that the national certifying organization notify the Board directly of national recertification and the individual APN would pay the cost which may range from \$15-\$40 every two years upon recertification. After discussion, the Board agreed by general consensus to require primary source verification. This will require an administrative rule change, and Board staff will prepare the rule revision for the Board's review this year.

Board members discussed the pharmacology course requirements for an APN who seeks authorization to prescribe drugs and therapeutic devices. Board staff surveyed other jurisdictions regarding their pharmacology course requirements. L. Robinson reviewed the survey results and noted a wide variation among states in the number of hours required. The Board did not recommend changing the number of hours required for the pharmacology course at this time.

Discipline Processes

A. Barnett and Lisa Ferguson-Ramos reviewed the changes recommended for the disciplinary processes. The current policy provides that the Board issue a Notice of Opportunity for Hearing for criminal

convictions. The Supervising Member is recommending that the Board expand the policy to include the following complaints for issuance of a Notice of Opportunity prior to case review: actions by another state licensing board or government agency; positive drug screens where there is evidence of impairment; and positive drug screens for Cocaine, Heroin, and Methamphetamine. With this policy revision, the Board can still resolve cases with a post-Notice Consent Agreement, and the Board continues to maintain its discretion to determine discipline on a case-by-case basis. The Board agreed by general consensus to the changes as outlined in the discipline processes.

NEGP Report

Lisa Emrich provided the Nurse Education Grant Program (NEGP) report and answered general questions.

GENERAL INFORMATION (FYI)

The Board reviewed the general information items and had no questions.

BOARD GOVERNANCE

The Board agreed to stay at the Doubletree Guest Suites beginning in 2011 and requested that Joseph Kirk make the necessary arrangements.

EVALUATION OF MEETING AND ADJOURNMENT

On Friday, July 30, 2010 at 10:05 a.m., the Board moved to the Vern Riffe Center for the Just Culture presentation.

Bertha Lovelace, RN, CRNA
President



Attest:

Betsy Houchen, RN, MS, JD
Executive Director

