



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### **REGULAR MEETING OF THE BOARD MARCH 19-20, 2009**

The regular meeting of the Ohio Board of Nursing (Board) was held on March 19-20, 2009 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, March 19, at 8:37 a.m., President Lisa Klenke called the Board meeting to order. On Friday, March 20, at 8:39 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

#### **BOARD MEMBERS**

Lisa Klenke, RN, President  
J. Jane McFee, LPN, Vice-President  
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters (Absent after 11:30 a.m. on Thursday only)  
Janet L. Boeckman, RN  
Patricia Burns, LPN  
Judith Church, RN (Absent)  
Kathleen Driscoll, RN  
Delphenia Gilbert, RN  
Bertha Lovelace, RN  
Johnnie Maier, Consumer Member  
Patricia Protopapa, LPN  
Eric Yoon, RN

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

#### **ADMINISTRATIVE MATTERS**

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

On Thursday, the Board Reception was held at 8:00 a.m. On Thursday, the Board Committee on Practice met at noon and Executive Session was held at 1:00 p.m. Open Forum was held on Thursday and Friday at 10:00 a.m. The Board deliberated on cases pending before the Board on Thursday and Friday.

President Lisa Klenke welcomed new member, Bertha Lovelace, RN, to the Board. She announced that Judith Church, RN has also been appointed to the Board and will be attending the April Board retreat. She also recognized

students, welcomed the gallery, and requested that Board Members introduce themselves.

### **Minutes of January 15-16, 2009 Board Meeting**

**Action:** It was moved by J. Jane McFee, seconded by Janet Boeckman to approve the minutes of the January 15-16, 2009 Board meeting as amended. Motion adopted by a majority vote of the Board members with Bertha Lovelace abstaining.

### **Executive Director Report**

B. Houchen reported the following:

- She recognized Tara Bowman, Rose Ferguson, Cindy Gossard, Cheryl Johnson, Joseph Kirk, Beth Lewis, and Lesleigh Robinson for their work on the CARE committee.
- The Ohio Department of Aging is re-convening the Healthcare Workforce Interagency Committee and Board staff will attend the meetings.
- Three employees were recognized for their state service: Lisa Emrich – 15 years; Carol Ellensohn; and Joyce Zurmehly – 10 years.
- RN renewal started in early March, and as of the Board meeting, over 10,000 individuals had renewed on-line.
- Staff is working on a web-based survey for program administrators to use when providing data to the Board for the Education Program Reports.
- She thanked the IT staff for solving a major problem very quickly and working with the Fiscal Unit when a vital piece of hardware failed over the holidays.
- NCSBN approved funds to complete the NURSUS Data Integrity Project. NCSBN will fund two temporary full-time employees for 12-13 months to complete the project.

### **Legislative Status Report**

Tom Dilling reviewed information pertaining to the next biennial budget, House Bill 1. Board members were e-mailed a copy of the written budget testimony provided in the House.

The Governor's office has proposed to outsource human resources, fiscal and procurement of approximately twenty-eight board and commissions, including the Board, the State Medical Board of Ohio, and the Ohio State Board of Pharmacy, to the Central Service Agency (CSA), a unit of the Department of Administrative Services. The proposal is described as a "plan to develop a plan" because the Board has received no details as to how the proposal will specifically be implemented and how it will impact the Board. B. Houchen, H. Fischer, and T. Dilling have attended numerous meetings with CSA, the Director of DAS, the Assistant Director of OBM, and the Governor's office. In the discussions, DAS/CSA has proposed, that in addition to human resources, fiscal and procurement, additional services may be outsourced in the future, such as IT, legal, legislative, license renewal, and administrative hearings. B. Houchen cited the Board's efficiencies, as presented in the testimony. Senate budget testimony

is scheduled for April 21, 2009. Language is now being considered that includes service level agreements.

Also contained in House Bill 1 is the language proposed by the Ohio Department of Job and Family Services regarding consumer directed care, as reviewed by the Board in May of 2008. The Ohio Nurses' Association (ONA) has recommended technical revisions, and Board staff agrees. H. Fischer noted that we recently became aware the Ohio Department of Aging (ODA) is proposing consumer directed care for their waiver programs and working for its inclusion in the budget bill. After discussions with ODA, Board staff and ONA voiced concerns to ODA regarding patient safety issues due to different processes and patient populations than ODJFS. The Board requested Board staff continue to work with ONA and ODA to resolve the concerns.

House Bill 1 also contains provisions for school nursing. T. Dilling summarized the issues for the Board. The language gives the Ohio Department of Education authority to establish standards, examinations, and best practices for nurses, which is in apparent conflict with the Board's statutory authority. Also, the language specifies that only RNs and LPNs could administer medications in schools; there should be a clear exception for others to administer medications in emergencies. T. Dilling noted that representatives from the Ohio Association of School Nurses would present comments regarding the language to the Board during Open Forum.

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

Other bills discussed were: House Bill 62 that addresses licensure and military service; House Bill 74 that would place limits on mandatory overtime, and provide tuition reimbursement and tax credits for nursing faculty; Senate Bill 78 that would require the posting of state employees' salaries on a government website; and Senate Bill 52 that would consolidate much of state government under a few cabinet agencies.

T. Dilling also reported that Senate Bill 3 passed the Senate. The bill is intended to address administrative rule barriers for small businesses, however, the concern is that, even though the Board regulates individuals and not entities such as small businesses, the bill would be applied to the Board's rulemaking process and add additional steps and layers of review that may be unnecessary.

### **Fiscal Report**

Kathy King reported on the status of the budget for fiscal year 2009 and provided the second quarter report. Staff continues to implement cost saving measures. Board members complimented K. King for the explanations provided in the quarterly report.

## **NEW BUSINESS**

### **APPROVALS**

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

##### Chamberlain College of Nursing

**Action:** It was moved by Kathleen Driscoll, seconded by Anne Barnett, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Chamberlain College of Nursing Associate Degree in Nursing Program for a period of five years effective March 19, 2009. Motion adopted by majority vote of the Board members with Bertha Lovelace abstaining.

#### **Retroactive Approvals for Licensees and Certificate Holders**

**Action:** It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board January 1, 2009 through February 28, 2009 to the following: registered nurses, licensed practical nurses, certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists, all certificates to prescribe (CTP and CTP-externship), community health workers, and Ohio certified dialysis technicians, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by majority vote of the Board members with J. Jane McFee abstaining on RN Kayla Tolles only.

#### **Executive Session**

On Thursday March 19, 2009:

**Action:** It was moved by J. Jane McFee that the Board go into executive session to discuss pending or imminent court action with legal counsel, and to consider the appointment, employment, dismissal, or compensation of a public employee or official. Following executive session the Board meeting will be adjourned and the board will deliberate on cases pending before the Board. Motion adopted by a unanimous roll call vote of the Board members.

### **ADJUDICATION AND COMPLIANCE**

#### **Board Actions**

On Friday, March 20, 2009, President Klenke requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

#### **NOTICES OF OPPORTUNITY FOR HEARINGS**

On Friday, March 20, 2009, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Tecco, Kara, K. P.N. 101110 (CASE #08-2425); Ratica, Donna, P.N. 042485 (CASE #08-2665); Robison, Donna, J. P.N. 073304 (CASE #08-2581); Ruffin, Christina, A. P.N. 103029 (CASE #08-2777); Edmonds, Carla, T. P.N. 110221 (CASE #08-4584); Shinaberry, Adrienne, N. R.N. 314598 (CASE #08-2746); Mullins, Larry, M. R.N. 183801, C.O.A. 07057 (CASE #08-4272); Mckinney, Deantay, F. R.N. 257185 (CASE #08-0067); Jones, Daria, D. R.N. 314729, C.O.A. 08118 (CASE #08-3331); Zeinner, Jennifer, J. R.N. 340485 (CASE #08-3270); Buttelwerth, Tina, M. P.N. 086967 (CASE #08-3816); Burke, Janaya, V. R.N. NCLEX (CASE #08-3576); Caldwell, Terry, R.N. 186452 (CASE #07-2727); Howard, Mark, W R.N. 332519 (CASE #08-2902); Testa, David, J. R.N. 254128 (CASE #08-3271); Bennett, Beth , A. R.N. 304190 (CASE #09-0039); Berry, Lori, A. R.N. 268904 (CASE #09-0664); Boniella, Joseph, M. P.N. 114496 (CASE #09-0883); Butler, Michelle, L. R.N. NCLEX (CASE #08-3896); Carlson, Mary, L. R.N. 267324 (CASE #09-0839); Devers, Kayleigh, A. P.N. NCLEX (CASE #08-0949); Doherty, Leia, A. R.N. 319991 (CASE #09-0097); Evans, Valerie, D. P.N. 042361 (CASE #09-0508); Gundling, Teresa, R.N. 253981, P.N. 076780 (CASE #08-3371); Romans, Dara, L. R.N. 192133 (CASE #07-2651); Fountain, Robin, M. P.N. NCLEX (CASE #08-4031); Reynolds, Linda, M. R.N. 240923 (CASE #08-0779); Metzler, David, E. R.N. 239218 (CASE #08-3669); and Oney, Tara, M. P.N. 103398 (CASE #07-1662).

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

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

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

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

Quarles, Marcia, D. P.N. 103566 (CASE #09-0184); Whitt, Lula, E. P.N. 116059 (CASE #07-2490); McGee, Tawnya, S. P.N. 112721 (CASE #08-2095); Holodnak, Tara, M. P.N. 117291 (CASE #08-0319); Hacker, Cindy, S. R.N. 285268 (CASE #08-4611); Fox, Paula, A. P.N. 089661 (CASE #08-1560); Copas, Bethany, D. P.N. 100786 (CASE #07-3075); and Helton, Karessa, K. P.N. 101123 (CASE #08-0977).

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

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

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

**Action:** It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board issue a Notice of Automatic Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for Riems, John, R. R.N. 198838 (CASE #08-0139) retroactive to January 1, 2009, the date the notice was issued.

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

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

Wells, Raymeka, R. P.N. 126671 (CASE #08-3476); Bauman, Ambrozine, C. R.N. 261090 (CASE #09-0304); Dibiasse, Heather, L. P.N. 102599 (CASE #09-0466); Hutton, Alicia, M. P.N. 107895 (CASE #09-0301); Scott, Ade, Y. TC2 02880 (CASE #09-0012); Arensberg, Mark, S. TC 1 03043 (CASE #09-0025); Ketterer, Crystal, L. P.N. 110795 (CASE #09-0306); Ellis, Terrell, P.N. 124123 (CASE #09-0300); Raupach, Brian, L. P.N. 098218 (CASE #09-0024); Rader, Krista, M. P.N. 106861 (CASE #09-0013); Faulkner, Stacy, R. R.N. 320806 (CASE #09-0023); McGroder, Danielle, S.M. P.N. 108018 (CASE #09-0799); and Whittington, Allen, J. R.N. 185848 (CASE #08-1060).

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

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

### **SURRENDERS**

#### **Voluntary Surrender**

**Action:** It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board accept the Voluntary Surrender of License for the following case(s):

Roberts, Andrea, M. R.N. 160917 (CASE #07-3708); Streets, Susan, K. R.N. 201463 (CASE #08-4332); Forrest, Tammy, S. P.N. 088160 (CASE #06-2119); Webber, Mary, J. P.N. 035483 (CASE #08-3390); Brakvill, Jennifer, B. P.N. 089799 (CASE #09-0155);

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

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit

book for the March 2009 Board meeting.

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

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

Chalmers, Allison, M P.N. NCLEX (CASE #08-4112).

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

Complete copies of the Voluntary Non-Permanent Withdrawal of Examination Application shall be maintained in the exhibit book for the March 2009 Board meeting.

### **CONSENT AGREEMENTS**

On Friday, March 20, 2009, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

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

Piercey, Jennifer, N. P.N. 125969 (CASE #08-1495); Cady, Stephanie, A. P.N. 104820 (CASE #06-2840); West, Geoffrey, W. R.N. 324004 (CASE #07-2915); Markiewicz, Melissa, D. P.N. 083375 (CASE #07-0511); Gumbert, Michelle, C. R.N. 288385 (CASE #08-2515); Fuller, Paul, J. D.T. 01132 (CASE #06-2187); Swanson, Betty, L. R.N. 279369 (CASE #06-3199); Thomas, Leah, B. P.N. 117671 (CASE #06-3267); Lord, Marie, R. P.N. 015835 (CASE #06-3271); Dirr, Angela, M. P.N. 108081 (CASE #08-2772); Smothers, Miriam, K. R.N. 210839 (CASE #08-2278); Jones, Trimika, L. P.N. 122688 (CASE #08-2627); Lindon, Tamre, C. R.N. 228184 (CASE #07-3460); Wardlaw, Kendra, A. R.N. 325429 (CASE #08-1080); Heck, Sindi, S. R.N. 282100 (CASE #08-3905); Snow, Louise, R.N. 122558 (CASE #08-2819); Mulligan, Amber, R. P.N. 134176 (CASE #08-3721); Howell, David, N. P.N. 100791 (CASE #07-0017); Flannery, Veronica, L. P.N. 090318 (CASE #06-2461); Koskey, Laura, R. R.N. 348972 (CASE #09-0372); Nwabunike, Janice, H. P.N. 080081 (CASE #06-0721); Johns, Tina, E. R.N. 299788 (CASE #08-2091); McGrady, Dawn, R. R.N. 291264 (CASE #08-3347); Yetter, Cathy, L. P.N. 096752 (CASE #07-0153); Stephens, Jill, C. P.N. 107811 (CASE #06-1867); Modro, Jennifer, M. R.N. 294728 (CASE #06-2721); King, Fatima, L. P.N. 123731 (CASE #08-1987); Ryan, Jane, M. R.N. 223184 (CASE #08-2525); Rochester, Tamara, M. P.N. 117898 (CASE #08-2888); Etzler, Lowayne, E. P.N. 095286 (CASE #06-2013); Tovanche, Nadia, A. P.N. 128519 (CASE #08-1870); Day, Jessica, L. R.N. 315932 (CASE #08-1062); Race, Kathryn, R.N. 303987 (CASE #06-3370); Six-Likens, Kimberly, A. R.N. 285180 (CASE #08-1334); Hudak, Susan, L. R.N.

249266 (CASE #06-1271); Sidile, Florence, S. R.N. 130070 (CASE #08-2262); Noftz, Ju Ju, R.N. 310745 (CASE #06-2468); Kiraly, Carmen, Y. R.N. 348867 (CASE #08-4560); Caster, Sheila, R. P.N. 126919 (CASE #08-1441); Maxwell, Jenny, S. P.N. 111411 (CASE #07-3493); Ellis, Angella, D. R.N. 325574 (CASE #08-0601); Reynolds, Jackie, S. P.N. 090469 (CASE #08-3087); Schneider, Kelly, J. R.N. NCLEX (CASE #08-0707); Reisert, Marsha, P.N. endorse (CASE #08-2093); Mitchell, Carmella, S. R.N. 348868 (CASE #08-4551); Tefera, Henok, R.N. 348869 (CASE #07-2209); Tackett, Thomas, E. R.N. 270001 (CASE #06-0447); Yingling, Kristian, D. R.N. 322765 (CASE #08-3741); Havran, Mary, A R.N. 166967 (CASE #09-0464); Brewer, Maureen, R.N. 215965 (CASE #08-2150); Hutchison, Frances, V. R.N. 307068 (CASE #04-0819); Johnson, Cynthia, L. P.N. 134174 (CASE #08-4559); Steele, Marlene, T. R.N. 303704 (CASE #09-0011); Brown, Lori, A. R.N. 216268 (CASE #09-0680); Eloshway, Amy, C. P.N. 113135 (CASE #06-2003); Halbert, Karen, L. P.N. 108115 (CASE #08-2931); Damron, Madonna, L. P.N. 098987 (CASE #08-2309); Sutton, Kimberly, L. R.N. NCLEX, P.N. 113792 (CASE #08-3921); Starr, Debra, L. P.N. endorse (CASE #09-0334); Clark, Marilee, A. P.N. 134173 (CASE #08-4633); Koteff, Brenda, L. P.N. 047151 (CASE #08-3902); Kieser, David, E. R.N. 300316 (CASE #08-2831); Haber, Yvette, R. R.N. 348866 (CASE #08-4326); Goodall, Coquocia, M. R.N. 348871 (CASE #08-3503); Ball, Jr., Arnest, L. R.N. 348870 (CASE #08-4796); Hurd, Erika, R.N. 288901 (CASE #07-2119); St. Clair, Porsha, R. P.N. 134178 (CASE #08-0274); Perry, Saran, P.N. 134177 (CASE #08-2054); Johnson, Anita, D. R.N. NCLEX, D.T. 01370 (CASE #08-4621); Epp, Henry, C R.N. 348865 (CASE #09-0486); Brooks, Leora, A. P.N. 104817 (CASE #04-2323); Manchester, Kristyn, L P.N. 108338 (CASE #07-1481); Bivens, Stephanie, J R.N. 328853 (CASE #08-2741); Corbin, Lisa, M R.N. 311557 (CASE #07-2955); Dvorak, Matthew, A R.N. 348864 (CASE #08-4684); Linhart, Nicole, M P.N. 134175 (CASE #08-3139); Gresh, Jo Ann, P.N. 126952 (CASE #08-0133); Williams, Kimberly, S P.N. 093267 (CASE #08-0919); Baxter, Melissa, A. R.N. 322185, C.O.A. 08617 (CASE #07-2397); Andriot, Rebecca, A TC 1 01874 (CASE #09-0731); Haselman, Brittani, L R.N. 340765 (CASE #08-4602); Delap, Victoria, M. R.N. 299836 (CASE #06-0406); and Taylor, Stanley, R P.N. 113801 (CASE #09-0844).

Anne Barnett and Bertha Lovelace abstained from voting on all cases. Delphenia Gilbert abstained from voting on the following cases only: Markiewicz, Melissa, D. P.N. 083375 (CASE #07-0511); Gumbert, Michelle, C. R.N. 288385 (CASE #08-2515); Fuller, Paul, J. D.T. 01132 (CASE #06-2187); Swanson, Betty, L. R.N. 279369 (CASE #06-3199); Thomas, Leah, B. P.N. 117671 (CASE #06-3267); Lord, Marie, R. P.N. 015835 (CASE #06-3271); Dirr, Angela, M. P.N. 108081 (CASE #08-2772); Smothers, Miriam, K. R.N. 210839 (CASE #08-2278); Jones, Trimika, L. P.N. 122688 (CASE #08-2627); and Lindon, Tamre, C. R.N. 228184 (CASE #07-3460). Patricia Protopapa abstained from voting on the following cases only: King, Fatima, L. P.N. 123731 (CASE #08-1987); Caster, Sheila, R. P.N. 126919 (CASE #08-1441); Maxwell, Jenny, S. P.N. 111411 (CASE #07-3493); Ellis, Angella, D. R.N. 325574 (CASE #08-0601); Reynolds, Jackie, S. P.N. 090469 (CASE #08-3087); Schneider, Kelly,

J. R.N. NCLEX (CASE #08-0707); Reisert, Marsha, P.N. endorse (CASE #08-2093); Mitchell, Carmella, S. R.N. NCLEX (CASE #08-4551); Tefera, Henok, R.N. NCLEX (CASE #07-2209); Tackett, Thomas, E. R.N. 270001 (CASE #06-0447); Yingling, Kristian, D. R.N. 322765 (CASE #08-3741); Havran, Mary, A. R.N. 166967 (CASE #09-0464); Brewer, Maureen, R.N. 215965 (CASE #08-2150); Hutchison, Frances, V. R.N. 307068 (CASE #04-0819); Johnson, Cynthia, L. P.N. 134174 (CASE #08-4559); Steele, Marlene, T R.N. 303704 (CASE #09-0011); Brown, Lori, A. R.N. 216268 (CASE #09-0680); Eloshway, Amy, C. P.N. 113135 (CASE #06-2003); Halbert, Karen, L. P.N. 108115 (CASE #08-2931); and Damron, Madonna, L. P.N. 098987 (CASE #08-2309). Janet Boeckman voted no on the following case only: Race, Kathryn R.N. 303987 (CASE #06-3370). Patricia Burns voted no on the following cases only: Piercey, Jennifer, N. P.N. 125969 (CASE #08-1495) and Race, Kathryn, R.N. 303987 (CASE #06-3370). Kathleen Driscoll voted no on the following cases only: Gumbert, Michelle, C R.N. 288385 (CASE #08-2515); Rochester, Tamara, M P.N. 117898 (CASE #08-2888); and Race, Kathryn, R.N. 303987 (CASE #06-3370). Delphenia Gilbert voted no on the following case only: Race, Kathryn R.N. 303987 (CASE #06-3370). Lisa Klenke voted noon the following case only: Race, Kathryn R.N. 303987 (CASE #06-3370). Johnnie Maier Jr. voted no on the following cases only: Race, Kathryn, R.N. 303987 (CASE #06-3370) and Six-Likens, Kimberly, A. R.N. 285180 (CASE #08-1334). J. Jane McFee voted no on the following cases only: Jones, Trimika, L. P.N. 122688 (CASE #08-2627); Race, Kathryn, R.N. 303987 (CASE #06-3370); Schneider, Kelly, J. R.N. NCLEX (CASE #08-0707); and Haber, Yvette, R. R.N. NCLEX (CASE #08-4326). Patricia Protopapa vote no on the following case only: Race, Kathryn, R.N. 303987 (CASE #06-3370). Eric Yoon voted no on the following cases only: Race, Kathryn, R.N. 303987 (CASE #06-3370) and Jones, Trimika, L. P.N. 122688 (CASE #08-2627).

The Consent Agreement Proposal for Race, Kathryn, R.N. 303987 (CASE #06-3370) failed as all voting Board opposed it. Motion adopted by majority vote of the Board members for all other cases.

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

Cleveland Job Corps, c/o Rachel Freeman, Educ. Program (CASE #08-4724) and Miami-Jacobs, Career College PN Program, (CASE #09-0849).

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

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board approve the consent agreement for the violations of Chapter 4723. ORC entered into by and between and between the Board and the following case:

Brown, Colleen, S. P.N. 065108 (CASE #09-0005)

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

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

#### **WITHDRAWAL OF NOTICE**

**Action:** It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on September 28, 2007 for Black, Lorraine, L. R.N. 263619 (CASE #07-1735). Ms. Black is not responding to the Board. Ms. Black's license has been inactive since June 28, 2007. Motion adopted by majority vote of the Board members with Anne Barnett and Bertha Lovelace abstaining.

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board withdraw the notice of Immediate Suspension and Opportunity or Hearing that was issued by the Board on February 3, 2009 for Helton, Karessa, K. P.N. 101123 (CASE #08-1030). The Board issued a notice of immediate suspension and Opportunity for Hearing for Ms. Helton at this Board meeting.

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

#### **DEFAULT ORDERS**

Gambol, Carla, J. P.N. 082453 (CASE #06-0818)

**Action:** It was moved by J. Jane McFee, seconded by Delphenia Gilbert, that the Board make the following findings:

By certified mail letter, dated February 26, 2008, Carla Jean Gambol, PN # 082453 (**MS. GAMBOL**), was ordered to submit to an examination pursuant to Section 4723.28(G) ORC. **MS. GAMBOL** has failed to schedule an appointment for the examination and the Board has not received information that **MS. GAMBOL's** failure to schedule the examination was due to circumstances beyond her control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MS. GAMBOL** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section

4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. GAMBOL** has admitted the truth of the allegations set forth in the February 26, 2008, letter to **MS. GAMBOL** and Orders that **MS. GAMBOL's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. GAMBOL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GAMBOL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. GAMBOL** shall enter into a Consent Agreement with the Board for probationary terms, conditions, and limitations determined by the Board for a minimum period of time determined by the Board. If the Board and **MS. GAMBOL** are unable to agree to terms, conditions, and limitations in a Consent Agreement, the terms, conditions, and limitations shall be determined after a hearing is held.
4. **MS. GAMBOL** shall, at her own expense, obtain a chemical dependency examination with University Hospital East Department of Addiction Medicine – Talbot Hall (OSU), or another evaluator approved in advance by the Board and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. GAMBOL** shall provide the evaluator with a copy of the Board Order and all public documents concerning **MS. GAMBOL**, and shall execute releases to permit the evaluator to obtain any information deemed appropriate and necessary for the evaluation. The evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. GAMBOL's** practice. The evaluator shall submit a statement to the Board that **MS. GAMBOL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

#### **Reporting Requirements of MS. GAMBOL**

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

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

#### **Nurse refresher course**

12. **MS. GAMBOL** shall complete a nursing refresher course approved in advance by the Board.

**MS. GAMBOL** shall surrender to the Board her Ohio licensed practical nurse license, P.N. # 082453, immediately.

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

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

Should you choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to Lisa Ferguson-Ramos, Compliance Unit manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Darby, Mary, L. R.N. 203280 (CASE #07-2798)

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll that that the Board deny Ms. Darby's request to admit additional evidence. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modified the recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **MARY L. DARBY'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. DARBY** shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below. The rationale for the modification is based on **MS. DARBY's** history of drug abuse and psychiatric illness.

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

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

#### **Monitoring**

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

to reinstatement.

11. Prior to seeking reinstatement by the Board, **MS. DARBY** 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. DARBY** 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. DARBY's** license, and a statement as to whether **MS. DARBY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. DARBY** 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. DARBY's** license.
13. Prior to requesting reinstatement by the Board, **MS. DARBY** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. DARBY's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. DARBY's** comprehensive physical examination and with a comprehensive assessment regarding **MS. DARBY's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. DARBY** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. DARBY** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DARBY's** license to practice, and stating whether **MS. DARBY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. DARBY's** license.

### **Reporting Requirements of MS. DARBY**

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

### **DURATION**

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

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

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

### **Employment Conditions**

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

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

**DARBY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. DARBY** 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. DARBY's** suspension shall be lifted and **MS. DARBY's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DARBY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DARBY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DARBY** 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. DARBY** has complied with all aspects of this Order; and (2) the Board determines that **MS. DARBY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DARBY** and review of the reports as required herein. Any period during which **MS. DARBY** 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 **MARY L. DARBY** to surrender her registered nurse license #R.N. 203280 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Anderson, Tammy, A. R.N. 206805 (CASE #06-1430)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that the Board accept all of the Findings of Fact, Conclusions of Law, and modified the recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **TAMMY ANN ANDERSON's** license to practice nursing as a registered nurse in the State of Ohio is hereby REPRIMANDED and suspended for one (1) year and that the suspension shall be stayed for a minimum period of three (3) years and subject to the Temporary Practice Restrictions, set forth below. The rationale for the modification is that, although **MS. ANDERSON** failed to employ basic nursing duties, such as documentation and boundary setting, the Board believes that this is an isolated incident where additional education and monitoring of her nursing practice can prevent further violations.

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

1. **MS. ANDERSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ANDERSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Within three (3) months of the effective date of this Order, MS. ANDERSON** shall pay the fine of one thousand, five hundred dollars (\$1,500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
4. **Within six (6) months of the effective date of this Order, MS. ANDERSON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken

subsequent to the effective date of this Order: two (2) hours of Ethics; ten (10) hours on Prescriptive Authority; and ten (10) hours on Professional Boundaries.

### **Educational Needs Assessment and Learning Plan**

5. **Within six (6) months of the effective date of this Order, MS. ANDERSON** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program. **Also, within six (6) months of the effective date of this Order, MS. ANDERSON** shall have the educator provide the Board with a written report of an assessment of **MS. ANDERSON**, which identifies **MS. ANDERSON's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. ANDERSON** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. ANDERSON** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. ANDERSON's** employer(s), former employers, and Board staff. Following the assessment, **MS. ANDERSON** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. ANDERSON** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. ANDERSON** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. ANDERSON** shall complete such learning plan. **MS. ANDERSON** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. ANDERSON** has successfully completed the learning plan, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. ANDERSON's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. ANDERSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. ANDERSON** shall be responsible for all costs associated with meeting this requirement.
6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. ANDERSON's** license.

### **Employment Conditions**

7. **MS. ANDERSON** shall have her employer(s) and collaborating physician(s), if working in a position where a nursing license is required,

submit written reports regarding job performance on a quarterly basis. **MS. ANDERSON** shall provide her employer(s) and collaborating physician(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) and collaborating physician(s) send documentation to the Board, along with the first quarterly report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. ANDERSON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer and collaborating physician prior to accepting employment.

### **Reporting Requirements of MS. ANDERSON**

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

### **Workplace Monitor**

When working as a nurse, **MS. ANDERSON** shall only work in settings in which a registered nurse supervisor is present on-site at all times. **MS. ANDERSON** shall have a work site registered nurse (“Workplace Monitor”) who supervises **MS. ANDERSON**, agrees to monitor **MS. ANDERSON’s** work performance and

progress, and agrees to be in contact with the Board or its designee.

**Within thirty (30) days of the effective date of this Order, MS. ANDERSON** shall provide the Workplace Monitor with a copy of this Order and Notice of Opportunity for Hearing and have the Workplace Monitor contact the Board or its designee. **MS. ANDERSON** shall have the Workplace Monitor maintain contact with the Board or its designee and provide written progress reports at intervals requested by the Board or its designee.

In the event that the Workplace Monitor becomes unable or unwilling to serve in this capacity, **MS. ANDERSON** must notify the Board, in writing, within three (3) business days, and make arrangements acceptable to the Board or its designee for another Workplace Monitor to monitor **MS. ANDERSON's** performance and progress as soon as practicable. Upon approval in advance by the Board or its designee, workplace monitoring may cease after the Board or its designee determines that **MS. ANDERSON** has successfully demonstrated that she has consistently practiced in accordance with the standards of safe nursing care.

#### **Temporary Practice Restrictions**

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Bartoe, Carmen, P.N. 117319 (CASE #06-1078)

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the Board accept all of the Findings of Fact, Conclusions of Law, and modified the recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **CARMEN L. BARTOE'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 nine (9) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BARTOE** shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Practice Restrictions set forth below. The rationale for the modification is based upon the circumstances surrounding the death of **MS. BARTOE's** child.

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

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

### **Monitoring**

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

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

10. **For a minimum, continuous period of nine (9) months immediately prior to seeking reinstatement, MS. BARTOE** 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. BARTOE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. BARTOE** 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. BARTOE** shall provide the psychiatrist with a copy of this Order and Notices 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. BARTOE's** license, and a statement as to whether **MS. BARTOE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. BARTOE** 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. BARTOE's** license.

#### **Reporting Requirements of MS. BARTOE**

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

### **DURATION**

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

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

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. BARTOE** shall notify the Board.
4. **MS. BARTOE** 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. BARTOE** shall provide her employer(s) with a copy of this Order and Notices 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 Notices, including the date they were received. Further, **MS. BARTOE** is under a continuing

duty to provide a copy of this Order and Notices to any new employer prior to accepting employment.

### **Reporting Requirements of MS. BARTOE**

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

### **Temporary Practice Restrictions**

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

**MS. BARTOE** 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. BARTOE's suspension shall be lifted and MS. BARTOE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BARTOE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BARTOE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BARTOE** 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. BARTOE** has complied with all aspects of this Order; and (2) the Board determines that **MS. BARTOE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BARTOE** and review of the reports as required herein. Any period during which **MS. BARTOE** 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 **CARMEN L. BARTOE** to surrender her licensed practical nurse license #P.N. 117319 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnet and Bertha Lovelace abstaining.

### **NO REQUEST FOR HEARING**

Abrams Jr, Benjamin, P.N. 110843 (CASE #08-3111)

**Action:** It was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **BENJAMIN ABRAMS, JR.** in the November 24, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ABRAMS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR.**

**ABRAMS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **BENJAMIN ABRAMS, JR.** to surrender his licensed practical nurse license #P.N. 110843 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 20th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnet and Bertha Lovelace abstaining.

Cunningham, Michelle, M. R.N. 283210 (CASE #08-2004)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **MICHELLE M. CUNNINGHAM** in the September 22, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CUNNINGHAM** 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. CUNNINGHAM's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CUNNINGHAM** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

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

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

#### **Monitoring**

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

5. Prior to seeking reinstatement by the Board, **MS. CUNNINGHAM** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist, who is certified by the American Board of Medical Specialties (ABMS) in Addiction Psychiatry and who is approved in advance by the Board. Further, prior to seeking reinstatement by the Board, **MS. CUNNINGHAM** shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. CUNNINGHAM** shall provide the evaluating psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. CUNNINGHAM** shall execute releases to permit the evaluating 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. CUNNINGHAM's** license, and an opinion as to whether **MS. CUNNINGHAM** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. CUNNINGHAM** shall provide the Board with satisfactory documentation of compliance with all recommendations of the psychiatrist described above until released. Further, the Board may utilize the psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. CUNNINGHAM's** license.
7. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. CUNNINGHAM** 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. CUNNINGHAM'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. CUNNINGHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CUNNINGHAM's** history.
8. Within thirty (30) days prior to **MS. CUNNINGHAM** initiating drug screening, **MS. CUNNINGHAM** 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. CUNNINGHAM**.

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

#### **Reporting Requirements of MS. CUNNINGHAM**

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

The Board further Orders **MICHELLE M. CUNNINGHAM** to surrender her registered nurse license #R.N. 283210 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Booher, Jody, R.N. 161739 (CASE #08-2211)

**Action:** It was moved by Eric Yoon, seconded by Patricia Protopapa, that upon consideration of the charges stated against **JODY BOOHER** in the September 22, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOOHER** 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. BOOHER'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. BOOHER** 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 Practice Restrictions set forth below.

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

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

### **Monitoring**

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

according to acceptable and prevailing standards of safe nursing care.

12. **If an evaluation is requested, MS. BOOHER** 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. BOOHER's** license.

### **Reporting Requirements of MS. BOOHER**

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

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

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

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

### **Temporary Practice Restrictions**

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

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

Board monitoring, based upon an interview with **MS. BOOHER** and review of the reports as required herein. Any period during which **MS. BOOHER** 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 **JODY BOOHER** to surrender her registered nurse license #R.N. 161739 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Mankey, Carole, A. R.N. 332048 (CASE #08-1855)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **CAROLE MANKEY** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MANKEY** 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. MANKEY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than three (3) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MANKEY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MANKEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MANKEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MANKEY** shall comply with the terms, conditions, and limitations set forth in the May 22, 2008 Consent Agreement between the Nevada Board of Nursing and **MS. MANKEY**. Prior to seeking reinstatement by the Board, **MS. MANKEY** shall submit satisfactory documentation from the Nevada Board of Nursing that **MS. MANKEY** has complied with all terms, conditions, and limitations set forth in the May 2008 Consent Agreement.

**Monitoring**

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

#### **Reporting Requirements of MS. MANKEY**

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

19. **MS. MANKEY** shall submit to a BCI criminal records check.

### **DURATION**

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

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

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

### **Monitoring**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

**MS. MANKEY** 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. MANKEY's suspension shall be lifted and MS. MANKEY's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MANKEY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MANKEY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MANKEY** 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. MANKEY** has complied with all aspects of this Order; and (2) the Board determines that **MS. MANKEY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MANKEY** and review of the reports as required herein. Any period during which **MS. MANKEY** 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 **CAROLE MANKEY** to surrender her registered nurse license #R.N. 332048 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Eric Yoon opposed the motion. Motion adopted by majority vote of the Board members with Anne Barnett and Bertha Lovelace abstaining.

Stitt, Angela, M. P.N. 128567 (CASE #08-1331)

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **ANGELA M. STITT** in the July 21, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STITT** 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. STITT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA M. STITT** to surrender her licensed practical nurse license #P.N. 128567 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 20th day of March, 2009.

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

Sharp, Brandy, S. P.N. 113420 (CASE #08-1619)

**Action:** It was moved by Johnnie Maier Jr., seconded by J. Jane McFee, that upon consideration of the charges stated against **BRANDY S. SHARP** in the July 21, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SHARP** 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. SHARP'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **BRANDY S. SHARP** to surrender her licensed practical nurse license #P.N. 113420 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 20th day of March, 2009.

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

Meese, Gwen, M. P.N. 117825 (CASE #08-1709)

**Action:** It was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **GWEN MARIE LINTON MEESE** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MEESE** 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. MEESE'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.

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

1. **MS. MEESE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MEESE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MEESE** shall comply with the terms, conditions, and limitations imposed by Kentucky Board of Nursing on **MS. MEESE's** nursing license in the state of Kentucky. Prior to seeking reinstatement by the Board, **MS. MEESE** shall submit satisfactory documentation from the Kentucky Board of Nursing that **MS. MEESE** has complied with all terms, conditions, and limitations imposed on **MS. MEESE's** Kentucky nursing license.

#### **Reporting Requirements of MS. MEESE**

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

#### **DURATION**

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

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

The Board further Orders **GWEN MARIE LINTON MEESE** to surrender her licensed practical nurse license #P.N. 117825 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Kotnik, Michael, J. R.N. 247158 (CASE #08-1752)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **MICHAEL JOHN KOTNIK** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. KOTNIK** 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. KOTNIK'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, **MR. KOTNIK** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Permanent Narcotic and Temporary Practice Restrictions set forth below.

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

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

#### **Monitoring**

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

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

#### **Reporting Requirements of MR. KOTNIK**

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

required by this Order shall be made to the Compliance Unit of the Board.

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

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

### **Permanent Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

**MR. KOTNIK** 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. KOTNIK's suspension shall be lifted and MR. KOTNIK's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. KOTNIK** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. KOTNIK** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. KOTNIK** 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. KOTNIK** has complied with all aspects of this Order; and (2) the Board determines that **MR. KOTNIK** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. KOTNIK** and review of the reports as required herein. Any period during which **MR. KOTNIK** 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 **MICHAEL JOHN KOTNIK** to surrender his registered nurse license #R.N. 247158 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Lord-Vanderveer, Rose, M. R.N. 174052 (CASE #08-0382)

**Action:** It was moved by Eric Yoon, seconded by Delphenia Gilbert, that upon

consideration of the charges stated against **ROSE LORD-VANDERVEER** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LORD-VANDERVEER** 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. LORD-VANDERVEER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ROSE LORD-VANDERVEER** to surrender her registered nurse license #R.N. 174052 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 20th day of March, 2009.

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

Ward, Jamie, L. P.N. 118031 (CASE #08-0293)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **JAMIE WARD** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WARD** 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. WARD'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. WARD** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

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

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

#### **Monitoring**

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

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

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

#### **Reporting Requirements of MS. WARD**

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

## **DURATION**

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

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

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

## **Monitoring**

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. WARD** 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. WARD's suspension shall be lifted and MS. WARD's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. WARD** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. WARD** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. WARD** 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. WARD** has complied with all aspects of this Order; and (2) the Board determines that **MS. WARD** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WARD** and review of the reports as required herein. Any period during which **MS. WARD** 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 **JAMIE WARD** to surrender her licensed practical nurse license #P.N. 118031 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Eric Yoon opposed the motion. Motion adopted by majority vote of the Board members with Anne Barnett and Bertha Lovelace abstaining.

### **Beesler, Penelope, A. P.N. 089327 (CASE #07-3595)**

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **PENELOPE A. BEESLER** in the November 24, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BEESLER** 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. BEESLER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **PENELOPE A. BEESLER** to surrender her licensed practical nurse license #P.N. 089327 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 20th day of March, 2009.

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

Noles (Givens), Teresa, M. P.N. 077266 (CASE #07-0210)

**Action:** It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **TERESA (GIVENS) NOLES** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NOLES** 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. NOLES'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TERESA (GIVENS) NOLES** to surrender her licensed practical nurse license #P.N. 077266 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 20th day of March, 2009.

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

Urich, Lisa, A. P.N. 081098 (CASE #08-0074)

**Action:** It was moved by Delphenia Gilbert, seconded by J. Jane McFee, that upon consideration of the charges stated against **LISA ANN URICH** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. URICH** 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. URICH'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. URICH** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

### **Monitoring**

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

#### **Reporting Requirements of MS. URICH**

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

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. URICH** 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. URICH's suspension shall be lifted and MS. URICH's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. URICH** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. URICH** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. URICH** 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. URICH** has complied with all aspects of this Order; and (2) the Board determines that **MS. URICH** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. URICH** and review of the reports as required herein. Any period during which **MS. URICH** 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 ANN URICH** to surrender her licensed practical nurse license #P.N. 081098 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett, Janet Boeckman and Bertha Lovelace abstaining.

Taylor, Lori, R.N. 238798 (CASE #07-1634)

**Action:** It was moved by Eric Yoon, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **LORI TAYLOR** in the July 21, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TAYLOR** 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. TAYLOR'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.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. TAYLOR** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TAYLOR** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. TAYLOR** shall comply with the terms, conditions, and limitations imposed in the June 15, 2007 Agreed Order between the Kentucky Board of Nursing and **MS. TAYLOR**. Prior to seeking reinstatement by the Board, **MS. TAYLOR** shall submit satisfactory documentation from the Kentucky Board of Nursing that **MS. TAYLOR** has fully complied with all terms, conditions, and limitations imposed on **MS. TAYLOR's** Nevada nursing license in the June 2007 Agreed Order.

**Reporting Requirements of MS. TAYLOR**

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

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

### **DURATION**

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

The Board further Orders **LORI TAYLOR** to surrender her registered nurse license #R.N. 238798 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Ruiz, Nichole, L. P.N. 110286 (CASE #08-3342)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **NICHOLE L. RUIZ** in the November 24, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RUIZ** 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. RUIZ'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **NICHOLE L. RUIZ** to surrender her licensed practical nurse license #P.N. 110286 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 20th day of March, 2009.

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

Bertha Lovelace abstaining.

Palmer, Jessica, A. P.N. 117374 (CASE #08-2492)

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **JESSICA ANNE PALMER** in the November 24, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PALMER** 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. PALMER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JESSICA ANNE PALMER** to surrender her licensed practical nurse license #P.N. 117374 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 20th day of March, 2009.

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

Barrett, Kellie, A. P.N. 068710 (CASE #08-1649)

**Action:** It was moved by Johnnie Maier Jr., seconded by J. Jane McFee, that upon consideration of the charges stated against **KELLIE ANN BARRETT** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARRETT** 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. BARRETT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KELLIE ANN BARRETT** to surrender her licensed practical nurse license #P.N. 068710 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 20th day of March, 2009.

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

Lewis, Matthew, A. P.N. NCLEX (CASE #08-1491)

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **MATTHEW A. LEWIS** in the September 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LEWIS** 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. LEWIS'S** application for licensure to practice nursing as a licensed practical nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Pearsall, Christina, L. R.N. 280991 (CASE #07-2553)

**Action:** it was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **CHRISTINA LEE PEARSALL** in the November 24, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PEARSALL** 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. PEARSALL'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHRISTINA LEE PEARSALL** to surrender her registered nurse license #R.N. 280991 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 20th day of March, 2009.

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

Lightle, Kenneth, T. P.N. 101601 (CASE #08-3436)

**Action:** It was moved by Delphenia Gilbert, seconded by Janet Boeckman, that upon consideration of the charges stated against **KENNETH T. LIGHTLE** in the November 24, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LIGHTLE** 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. LIGHTLE'S** license to practice nursing as a licensed practical nurse is

hereby **PERMANENTLY REVOKED.**

The Board further Orders **KENNETH T. LIGHTLE** to surrender his licensed practical nurse license #P.N. 101601 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 20th day of March, 2009.

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

Murawski, Diana, L. R.N. 268504 (CASE #08-2736)

**Action:** It was moved by Eric Yoon, seconded by Janet Boeckman, that upon consideration of the charges stated against **DIANA LYNN MURAWSKI** in the September 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MURAWSKI** 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. MURAWSKI'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **DIANA LYNN MURAWSKI** to surrender her registered nurse license #R.N. 268504 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 20th day of March, 2009.

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

Gundling, Teresa, R.N. 253981 (CASE #08-3112)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **TERESA GUNDLING** in the November 24, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GUNDLING** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. GUNDLING'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. GUNDLING** 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. GUNDLING** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GUNDLING** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

3. **MS. GUNDLING** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GUNDLING's** history. **MS. GUNDLING** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. GUNDLING** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. GUNDLING** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. GUNDLING** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. GUNDLING** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GUNDLING's** license, and a statement as to whether **MS. GUNDLING** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. GUNDLING** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. GUNDLING's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. GUNDLING** shall submit, at her expense and on the day selected, blood or urine specimens for drug

- and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. GUNDLING's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GUNDLING** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GUNDLING's** history.
8. Within thirty (30) days prior to **MS. GUNDLING** initiating drug screening, **MS. GUNDLING** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. GUNDLING**.
  9. After initiating drug screening, **MS. GUNDLING** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. GUNDLING** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  10. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. GUNDLING** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GUNDLING** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. GUNDLING**

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

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

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. GUNDLING** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GUNDLING's** history. **MS. GUNDLING** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GUNDLING** shall abstain completely from the use of alcohol.

5. During the probationary period, **MS. GUNDLING** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GUNDLING** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GUNDLING's** history.
6. **MS. GUNDLING** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GUNDLING** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. GUNDLING** shall notify the Board.
11. **MS. GUNDLING** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. GUNDLING** shall provide her employer(s) with a copy of this Order and Notice of 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. GUNDLING** 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. GUNDLING**

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

### **Permanent Practice Restrictions**

**MS. GUNDLING** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides

nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. GUNDLING** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

The Board further Orders **TERESA GUNDLING** to surrender her registered nurse license #R.N. 253981 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett, Janet Boeckman and Bertha Lovelace abstaining.

Swain-Pollard, Mary, E. P.N. 121676 (CASE #08-0527)

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **MARY E. SWAIN-POLLARD** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for

Hearing and evidence supporting the charges, the Board finds that **MS. SWAIN-POLLARD** 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. SWAIN-POLLARD'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MARY E. SWAIN-POLLARD** to surrender her licensed practical nurse license #P.N. 121676 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 20th day of March, 2009.

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

Baucom , Kelly, M. R.N. 285906 (CASE #08-3386)

**Action:** It was moved by Johnnie Maier Jr., seconded by Janet Boeckman, that upon consideration of the charges stated against **KELLY M. BAUCOM** in the November 24, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BAUCOM** 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. BAUCOM's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BAUCOM** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

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

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

#### **Monitoring**

3. **MS. BAUCOM** 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.**

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

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

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

#### **Reporting Requirements of MS. BAUCOM**

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

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

### **Temporary Narcotic Restriction**

**MS. BAUCOM** shall not administer, have access to, or possess (except as

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

### **Permanent Practice Restrictions**

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

**MS. BAUCOM** 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. BAUCOM** shall not function in a nursing position, which would require **MS. BAUCOM** 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. BAUCOM's suspension shall be lifted and MS. BAUCOM's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that automatic suspension, the Board shall notify **MS. BAUCOM** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BAUCOM** 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. BAUCOM** has complied with all aspects of this Order; and (2) the Board determines that **MS. BAUCOM** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BAUCOM** and review of the reports as required herein. Any period during which **MS. BAUCOM** 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 **KELLY M. BAUCOM** to surrender her registered nurse license #R.N. 285906 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

Motion adopted by majority vote of the Board members with Anne Barnett, Kathleen Driscoll and Bertha Lovelace abstaining.

Twiss, Kathaleen, M. P.N. 112603 (CASE #08-2258)

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that upon consideration of the charges stated against **KATHALEEN M. TWISS** in the September 22, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TWISS** 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. TWISS'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. TWISS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

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

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

#### **Monitoring**

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

and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. TWISS** 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. TWISS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. Prior to seeking reinstatement by the Board, **MS. TWISS** 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. TWISS** 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. TWISS's** license, and a statement as to whether **MS. TWISS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
12. **MS. TWISS** 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. TWISS's** license.

#### **Reporting Requirements of MS. TWISS**

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

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

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. TWISS** 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. TWISS's suspension shall be lifted and MS. TWISS's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. TWISS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. TWISS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. TWISS** 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. TWISS** has complied with all aspects of this Order; and (2) the Board determines that **MS. TWISS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. TWISS** and review of the reports as required herein. Any period during which **MS. TWISS** 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 **KATHALEEN M. TWISS** to surrender her licensed practical nurse license #P.N. 112603 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Boothe, Judy, D. P.N. 103105 (CASE #08-2386)

**Action:** It was moved by Patricia Protopapa, seconded by Janet Boeckman, that upon consideration of the charges stated against **JUDY DIANNE BOOTHE** in the November 24, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOOTHE** 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. BOOTHE'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. BOOTHE** 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.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. BOOTHE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOOTHE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. BOOTHE** 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 Documentation and ten (10) hours of IV Therapy.

**Monitoring**

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

#### **Reporting Requirements of MS. BOOTHE**

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

or information directly to the Board.

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

### **DURATION**

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

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

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

### **Monitoring**

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

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

11. **MS. BOOTHE** 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. BOOTHE** 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. BOOTHE** 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. BOOTHE**

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

### **FAILURE TO COMPLY**

**The stay of MS. BOOTHE's suspension shall be lifted and MS. BOOTHE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BOOTHE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BOOTHE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BOOTHE** 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. BOOTHE** has complied with all aspects of this Order; and (2) the Board determines that **MS. BOOTHE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BOOTHE** and review of the reports as required herein. Any period during which **MS. BOOTHE** 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 **JUDY DIANNE BOOTHE** to surrender her licensed practical nurse license #P.N. 103105 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

Jones, Tava, J. R.N. 300845 (CASE #08-2531)

**Action:** It was moved by Eric Yoon, seconded by Janet Boeckman, that upon consideration of the charges stated against **TAVA JO JONES** in the September 22, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JONES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. JONES'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **TAVA JO JONES** to surrender her registered nurse license #R.N. 300845 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 20th day of March, 2009.

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

Edmonds, Carla, T. P.N. 110221 (CASE #07-1316)

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that upon consideration of the charges stated against **CARLA T. EDMONDS** in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. EDMONDS** 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. EDMONDS'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. EDMONDS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

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

1. **MS. 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.

#### **Monitoring**

3. **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.
4. **MS. EDMONDS** shall abstain completely from the use of alcohol.
5. 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.
6. **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.
  7. **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.
  8. 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**.
  9. 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.
  10. **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**

11. **MS. EDMONDS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **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.
13. **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.
14. **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.
15. **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.
16. **MS. EDMONDS** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. EDMONDS** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. EDMONDS** shall submit to a BCI criminal records check.

### **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 two (2) 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.

### **Monitoring**

3. **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.
4. **MS. EDMONDS** shall abstain completely from the use of alcohol.
5. 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.
6. **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**

7. 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.
8. **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.

9. 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**

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

12. **MS. EDMONDS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **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.
14. **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.
15. **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.
16. **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.
17. **MS. EDMONDS** shall verify that the reports and documentation required by this Order are received in the Board office.

18. **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.

19. If requested by the Board or its designee, prior to working as a nurse, **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.

The Board further Orders **CARLA T. EDMONDS** to surrender her licensed practical nurse license #P.N. 110221 immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 20th day of March, 2009.

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

## **MONITORING**

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

**Action:** It was moved by Janet Boeckman, seconded by Kathleen Driscoll, 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:

Archer, Muriel, A. P.N. 124118 (CASE #06-1493); Freeman, David, M. R.N. 277995 (CASE #03-1389); Herron, Heath, A. R.N. 337139 (CASE #07-1342); Prucnal, Amy, E. R.N. 338621 (CASE #07-0789); Armbruster, Yvonne, G. P.N. 076989 (CASE #06-1991); Grinblat, Irina, A. R.N. 330475 (CASE #06-2037); Siebert, Michelle, M. P.N. 113026 (CASE #07-0217); Thomas, Ella, B. P.N. 108583 (CASE #06-1032); Chambliss, Casey, L. P.N. 129617 (CASE #07-1814); Gibbs, Melissa, A. P.N. 102878 (CASE #01-0071); Parks, Lisa, S. R.N. 167394, R.X. 00194, N.P. 00194 (CASE #05-2871); Menes, Erin, M. R.N. 339750 (CASE #07-3028); Lilly-Beall, Sehoni, R. P.N. 127498 (CASE #07-3563); Kreider, Brandy, L. P.N. 127959 (CASE #07-1395); Soeder, Maureen, L. R.N. 339752 (CASE #07-3936); and Cotterman, Teresa, M. R.N. 243870 (CASE #03-1865).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

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

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

McGough, Shaun, H. R.N. 330511 (CASE #06-2804); and Glenn, Micah, E. R.N. 280079 (CASE #06-3299).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

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

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

Little, Julianne, R.N. 174658 (CASE #04-1133); Smith, Mary, J. P.N. 125673 (CASE #07-0100); Homa, James , A. R.N. 253436 (CASE #02-0199); and Robbins, Jodi, L. R.N. 195000 (CASE #07-0016).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**LIFTS OF SUSPENSION/PROBATION – TEMPORARY PRACTICE RESTRICTION(S) REMAINS**

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

Young, Carolyn, R. P.N. 085167 (CASE #06-2303); Clay, Beverly, A. P.N. 121878 (CASE #05-2993).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

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

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

Heaton, Samantha, A. P.N. 111740 (CASE #06-2374); Clark, Belinda, L P.N. 126668 (CASE #07-1001);

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**LIFT OF NARCOTIC RESTRICTION**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their narcotic restrictions within their respective consent agreement or adjudication orders:

Scott, Mary Jane, P.N. 042428 (CASE #08-0270); Nutter, Tracey, L. R.N. 298299 (CASE #08-1081); Pickens, David, F. R.N. 300983 (CASE #07-3326); and Fannin, Linda, C. R.N. 142774 (CASE #06-3396).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**EARLY LIFT OF NARCOTIC RESTRICTION**

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their narcotic restrictions within their respective consent agreement or adjudication order:

Thompson, Berry, J. R.N. 211158 (CASE #07-1815).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**LIFT OF PRACTICE RESTRICTION**

**Action:** It was moved by Kathleen Driscoll, seconded by Patricia Burns, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their practice restrictions within their respective consent agreements or adjudication orders:

Jennings, Monique, P.N. 121428 (CASE #05-3264); and Hicks, Deborah, L. P.N. 067948 (CASE #05-0652).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**LIFT TEMPORARY PRACTICE RESTRICTION – PERMANENT PRACTICE RESTRICTION REMAINS**

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their temporary practice restrictions within their consent agreements, with the exception of the permanent practice restrictions that will remain in effect:

Gibson, Marla, K. P.N. 091736 (CASE #04-2543); and Siehl, Tamara, L. R.N. 201297 (CASE #07-2280).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**LIFE SUSPENSION ONLY – PERMANENT PRACTICE AND NARCOTIC RESTRICTIONS REMAIN**

**Action:** It was moved by Patricia Burns, seconded by Kathleen Driscoll, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, having met the terms and conditions of their consent agreement or adjudication order, be released from the terms and conditions of the consent agreement or adjudication order with the exception of the permanent practice and narcotic restrictions that will remain in effect:

Stansfield, Patricia, A. R.N. 168010 (CASE #06-0261).

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

**MOTION TO DECREASE NUMBER OF MEETINGS**

**Action:** It was moved by Janet Boeckman, seconded by Patricia Protopapa, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, have the number of meetings reduced from three times a week to one time a week within their respective consent agreement or adjudication order:

Foulke, Correan, E. R.N. 198865 (CASE #07-2869);

Motion adopted by majority vote of the Board members with Anne Barnett, and Bertha Lovelace abstaining.

## **REPORTS TO THE BOARD**

### **Board Committee Reports**

#### **Practice Committee**

J. Jane McFee, Chair, reported on the Board Committee on Practice meeting held on March 19, 2009. She stated a large number of interested parties attended and participated in the discussion. The committee is reviewing the administrative rules for LPN IV therapy. J. Jane McFee stated the group has received suggestions to consider the age of clients, length of catheters, administration of blood products, and terminology. The Practice Committee will meet on May 14, 2009 at noon.

#### **Open Forum – Thursday, March 19, 2009**

Renee Besecker and Lauren Brown, of the Ohio Association of School Nurses (OASN) distributed written comments regarding the school nurse provisions in House Bill 1. OASN presented information and answered questions of the Board. L. Klenke stated that the Board is concerned that the bill would grant authority to the Ohio Department of Education to establish nursing standards and would create a new scope of nursing for LPNs. The Board members stated it would be a dangerous precedent for non-nursing state agencies to establish nursing standards, and would be in conflict with the Nurse Practice Act. The Board clarified that the Board is not opposed to LPNs working in the school setting. The Board agreed by general consensus to provide written communication, as an interested party, regarding the position of the Board about these provisions.

#### **Open Forum – Friday, March 20, 2009 – No Participants**

### **Advisory Group Reports**

#### **Continuing Education Advisory Group**

Delphenia Gilbert, Chair, reported on the February 20, 2009 Continuing Education meeting. The group is comparing IV courses available in other states to those available to LPNs in Ohio. States having similar requirements to Ohio include Arizona, Colorado, Florida and Kansas. The Advisory Group also discussed rule language regarding educational activities that do and do not meet the continuing education requirements. The annual reports from OBN Approvers are due March 31, 2009. D. Gilbert thanked staff for their presentations about PIIP, Board Orders and Consent Agreements. There have been numerous questions regarding Category A and the new requirement. Board staff will clarify the new rule requirement in the next *Momentum*. The Advisory Group will meet again on June 12 and October 9, 2009.

#### **Dialysis Advisory Group**

Patricia Protopapa, Chair, reported on the February 10, 2009 Dialysis

Advisory Group meeting. There was a discussion about what actions constitute setting up a dialysis machine. The specific question involved opening and attaching tubing to the machine, but not flushing the tubing. The Board agreed by general consensus to review a rule change regarding this issue. L. Emrich noted that dialysis training programs are now federally regulated under the revised Code of Federal Regulations.

**Action:** It was moved by Anne Barnett, seconded by Bertha Lovelace that in accordance with Section 4723.71, ORC, the Board appoint Diane Wish, RN, and Lisa Fisher, RN, to the Advisory Group on Dialysis for a term from March 19, 2009 to December 31, 2010, as the representatives of the Ohio Renal Network and the Ohio Hospital Association respectively.

## **Other Reports**

### **Nurse Education Grant Program (NEGP) Process**

L. Emrich reported that the Board is beginning its third NEGP grant cycle and Information is available on the web. NEGP will be discussed at the Board Retreat and Board members will be asked to serve on the review teams.

### **Strategic Plan Review**

B. Houchen presented the Strategic Plan review and answered questions. The Board reviewed the strategic plan, and the Board complimented staff about the amount of progress and the comprehensiveness of the plan.

### **Review of Interpretive Guidelines**

L. Emrich presented interested party comments regarding the three Interpretive Guidelines being reviewed by the Board: Registered Nurse Performance of Conservative Sharp Wound Debridement; Role of the Registered Nurse in Administering, Managing, and Monitoring Patients Receiving Epidural Infusion, Excluding Obstetrical Patients; Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Epidural Infusions. The Board reviewed and discussed each of the three Interpretive Guidelines and agreed by general consensus that no revisions are needed at this time.

### **NCLEX Pass Rates**

L. Emrich explained that, according to the administrative rules, education programs must maintain a 95% pass rate of the national NCLEX pass rate. She reviewed the report and answered questions. L. Emrich complimented the Education Consultants for their hard work and Board members complimented them on their thorough reports to the Board.

## **GENERAL INFORMATION (FYI)**

L. Klenke reviewed the General Information items and asked if Board members had questions. L. Emrich recognized Eric Mays and Michelle Hubbard for their work to streamline the education program annual report data by enabling

programs to submit the data electronically. The Board complimented staff on this project noting the data would be more readily available as a database and for reviewing trends.

## **BOARD GOVERNANCE**

### **Board Retreat Agenda**

The Board reviewed the Retreat agenda for April 16 and 17, 2009 at the Drury Inn in Dublin, Ohio. J. Kirk distributed directions. The meeting will begin at 8:30 a.m. both days. P. Burns indicated she would not be able to attend the Retreat.

### **Reminder Regarding Financial Disclosure Statements**

L. Klenke reminded Board Members that Financial Disclosure Statements must be filed with the Ohio Ethics Commission by April 15, 2009. If Board Members submit them to J. Kirk, staff will file them for each Board Member, or Board Members can file the form themselves.

### **Ethics Training/Questionnaire**

Board members were asked to complete the Affiliation Reporting Form and return it to Holly Fischer no later than the Board Retreat. L. Klenke asked that the form be provided annually for Board members to complete the form because it serves as a reminder about possible conflicts that can occur.

### **Schedule Board Meetings and Retreat for 2011**

The Board approved, by general consensus, the Board meeting schedule for 2011: January 20-21; March 17-18; April 11-12 (Retreat); May 19-20; July 21-22; September 22-23; and November 17-18 with a public rules hearing on November 16.

### **Report on NCSBN Mid-Year Meeting**

J. Jane McFee summarized the information discussed at the NCSBN Mid-Year meeting. There was a NCSBN Committee report regarding Transition to Practice. The Committee is recommending there be a six-month preceptorship, followed by six months of observation of the new nurse. P. Protopapa stated she believes this would be beneficial, because of the level of responsibility given to new nurses. The Board discussed that state costs to implement and monitor a transitions program could be an obstacle. E. Yoon suggested that as an incentive for individuals to volunteer as preceptors for a transitions program, the Board could consider waiving continuing education requirements. Board members agreed with the suggestion.

A. Barnett asked if there was further discussion on continuing competency. L. Klenke stated that no discussion took place at this meeting, but an NCSBN Committee continues to discuss it.

### **Emergency Notification System**

Board members agreed to provide contact information to establish an emergency notification system for the Board members. J. Kirk will collect the needed information from Board members.

**Mentors for Board Members**

L. Klenke volunteered to serve as mentor to J. Church. D. Gilbert and B. Lovelace will work together since they live in the same vicinity.

**EVALUATION OF MEETING AND ADJOURNMENT**

L. Klenke noted that there was no Assistant Attorney General present at any time during the two days of the public meeting.

The meeting adjourned on March 20, 2009 at 11:50 a.m.

Lisa Klenke, MBA, RN, CNAA  
President

Handwritten signature of Lisa R. Klenke in cursive script.

Attest:

Betsy Houchen, RN, MS, JD  
Secretary

Handwritten signature of Betsy J. Houchen in cursive script.