



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JANUARY 20-21, 2011

The regular meeting of the Ohio Board of Nursing (Board) was held on January 20-21, 2011 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, January 20, 2011 at 8:30 a.m., President Lovelace called the Board meeting to order. On Friday, January 21, 2011 at 8:31 a.m., President Lovelace called the Board meeting to order. Vice-President Patricia Protopapa read the Board mission each day. President Lovelace recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Bertha Lovelace, RN, President
Patricia Protopapa, LPN, Vice-President
Janet Arwood, LPN
Rhonda Barkheimer, RN,
Judith Church, RN, Board Supervising Member for Disciplinary Matters
Delphenia Gilbert, RN (Absent Thursday and Friday)
Maryam Lyon, RN
Johnnie Maier, Consumer Member
J. Jane McFee, LPN
Melissa Meyer, LPN
Susan Morano, RN
Tracy Ruegg, RN
Roberta Stokes, RN (Absent Thursday and Friday)

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

On Thursday, the Board Reception was held at 8:00 a.m.; Open Forum was held at 10:00 a.m.; Elizabeth Collis, Esq., representing Miami Jacobs Career College Practical Nursing Program and Brandi Cottrell, Program Administrator, addressed the Board at 1:40 p.m.; Jennifer Morris, RN, and her representative Terri-Lynne Smile, Esq., addressed the Board at 2:00 p.m.; Executive Session

was held at 2:30 p.m.; Board deliberations followed Executive Session. On Friday, Board deliberations were also held and Open Forum was at 10:00 a.m.

Minutes of November 17-18-19, 2010 Board Meeting

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board accept the minutes of the November 17-19, 2010 Board meeting as amended. Motion adopted by unanimous vote of the Board members with Rhonda Barkheimer and Sue Morano abstaining.

Executive Director Report

Betsy Houchen highlighted the following from the Executive Director report:

- Ohio was one of three states selected for the NCSBN Transition to Practice study. To be eligible for the study, twenty-five hospitals had to agree to be sites for the study. The Ohio Organization of Nurse Executives (OONE) solicited hospitals across the state and achieved a commitment from 16 stand-alone hospitals, and 13 consortiums (hospitals agreeing to work together for the project). In total, there will be 68 hospitals and 327 newly licensed nurses participating in the study. The other two states selected were Illinois and North Carolina.
- Tom Dilling, Lisa Emrich, and Lesleigh Robinson attended the NCSBN APRN Summit. The purpose of the Summit was to promote uniformity and implementation of the APRN model legislative and rule language.
- The Board welcomed Karen Unver, JD, and Mike Wise, JD, as Adjudication Coordinators on December 20, 2010. Lisa Meyer, RN, joined the Board staff as a Monitoring Agent on January 3, 2011. Becky Green, JD, was promoted to a Supervising Attorney.
- The Board thanked staff for their generosity in donating \$8,120 for the 2010 State Combined Charitable Campaign.
- The initial redesign of the compliance databases was completed on schedule with implementation at the start of the year. Cary Dachtly and Eric Mays were recognized for the development of the new database.

Legislative Report

Tom Dilling reviewed the legislative activity anticipated for the beginning of the 129th General Assembly. Most work over the coming months will be focused on the next biennial budget. He also reported that he anticipates the Board's bill could be introduced early this year.

Fiscal Report

Kathy King presented the quarterly fiscal report and answered questions. Judith Church asked about the increase in costs for hearings and if use of the Board Hearing Committee has helped offset the costs. Board staff responded that using the Board Hearing Committee has expedited the progression of hearing cases and offset costs. The increase in costs is the result of more hearings and hearings that extend over several days.

APPROVALS

Nursing Education Programs – Approval of New Programs

ITT Technical Institute, School of Health Sciences, Nursing Program – Youngstown

Action: It was moved Maryam Lyon, seconded by Judith Church, that the Board grant Conditional approval in accordance with Rule 4723-5-08, OAC, to ITT Technical Institute, School of Health Sciences, Nursing Program in Youngstown. It was further moved that the Program submit progress reports to the Board on or before September 12, 2011, March 12, 2012, and January 14, 2013. Motion adopted by unanimous vote of the Board members.

ITT Technical Institute, School of Health Sciences, Nursing Program – Akron

Action: It was moved Melissa Meyer, seconded by J. Jane McFee, that the Board grant Conditional approval in accordance with Rule 4723-5-08, OAC, to ITT Technical Institute, School of Health Sciences, Nursing Program in Akron. It was further moved that the Program submit progress reports to the Board on or before September 12, 2011, March 12, 2012, and January 14, 2013. Motion adopted by unanimous vote of the Board members.

Fortis College Nursing Program

Action: It was moved by Janet Arwood, seconded by Judith Church, that the Board grant Conditional approval in accordance with Rule 4723-5-08, OAC, to Fortis College Nursing Program in Westerville. It was further moved that the Program submit progress reports to the Board on or before September 2, 2011, and January 2, 2012, and May 2, 2012. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Judith Church, that the Board grant Conditional approval in accordance with Rule 4723-5-08, OAC, to Fortis College Practical Nursing Program in Westerville. It was further moved that the Program submit progress reports to the Board on or before August 2, 2011, and January 2, 2012. Motion adopted by unanimous vote of the Board members.

Nursing Education Programs – Determination of Approval Status

Washington State Community College Practical Nursing Education

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Washington State Community College Practical Nursing Education in Marietta, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Tri-Rivers Center for Adult Education LPN to RN Diploma Program

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Tri-Rivers

Center for Adult Education LPN to RN Diploma Program in Marion, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

American Institute of Alternative Medicine Practical Nursing Education Program

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

Apollo School of Practical Nursing

Action: It was moved by Melissa Meyer, seconded by Janet Arwood, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Apollo School of Practical Nursing in Lima, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

ATS Institute of Technology Associate of Applied Science Degree in Nursing Program

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that, after consideration of the survey visit report and the Program's response to that report, the Board propose to deny Full approval to, and withdraw approval of, ATS Institute of Technology Associate of Applied Science Degree in Nursing Program in Highland Heights, in accordance with Rule 4723-5-04, OAC, and Section 4723.06 (A)(7), ORC, and the terms and conditions of the Board's January 22, 2010, Adjudication Order, based upon the Program's failure to meet or maintain the standards of education programs established in Chapter 4723-5, OAC, and the requirements of the January 22, 2010 Adjudication Order, and the Board issue a Notice of Opportunity for Hearing in accordance with Chapter 119, ORC. Motion adopted by unanimous vote of the Board members.

Case Western Reserve University BSN Program

Action: It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Case Western Reserve University BSN Program in Cleveland, for a period of five years effective January 20, 2011. It was further moved that the Program submit progress reports to the Board on or before July 18, 2011, and December 19, 2011. Motion adopted by unanimous vote of the Board members.

Cedarville University Baccalaureate Degree Program

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Cedarville University Baccalaureate Degree Program in Cedarville, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Columbus State Community College, Associate Degree Nursing Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Columbus State Community College, Associate Degree Nursing Program in Columbus, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Malone University School of Nursing BSN Program

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Malone University School of Nursing BSN Program in Canton, for a period of five years effective January 20, 2011. It was further moved that the Program submit a progress report to the Board on or before December 19, 2011. Motion adopted by unanimous vote of the Board members.

Ohio University, School of Nursing, Associate Degree Nursing Program

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Ohio University, School of Nursing, Associate Degree Nursing Program in Athens, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Owens Community College Registered Nursing Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Owens Community College Registered Nurse Program in Toledo, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Pickaway-Ross Joint Vocational School District Practical Nursing Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Pickaway-Ross Joint Vocational School District Practical Nursing Program in Chillicothe, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Sinclair Community College, Associate Degree Nursing Program

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board place Sinclair Community College, Associate Degree Nursing Program in Dayton, on Provisional approval, in accordance with Rule 4723-5-04(B)(2), OAC, for a period of eighteen months, effective January 20, 2011, after fully considering

the survey visit report and the response to the report, which demonstrate that the Program failed to meet or maintain the requirements established in Rules 4723-5-10(A); 4723-5-12(A)(7); 4723-5-13 (C) and (D); 4723-5-17(A); 4723-5-20(B); and 4723-5-21(D)(3), OAC. It was further moved that the Program submit progress reports to the Board on or before April 18, 2011; July 18, 2011; October 17, 2011; January 16, 2012; and April 16, 2012. Motion adopted by unanimous vote of the Board members.

Toledo School of Practical Nursing

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board continue the Provisional approval of Toledo School of Practical Nursing in Toledo, for a period of one year, in accordance with Rule 4723-5-04(B)(3), OAC, effective January 20, 2011, after fully considering the survey visit report and the response to the report, which demonstrate that the Program failed to meet or maintain the requirements established in Rules 4723-5-06(C); 4723-5-09(A) and (B); 4723-5-14(C) and (F); 4723-5-15 (B) and (C); and 4723-5-21(D), OAC. It was further moved that the Program submit progress reports to the Board on or before April 18, 2011; July 18, 2011; October 17, 2011; and January 2, 2012. It was noted that the Board initially placed this Program on Provisional approval in September 2008, and continued Provisional approval, for 18 months, in July 2009, for continued failure to meet or maintain the requirements of Chapter 4723-5, OAC. Motion adopted by unanimous vote of the Board members.

Upper Valley JVS School of Practical Nursing

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Upper Valley JVS School of Practical Nursing in Troy, for a period of five years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Programs

The Village at St. Edward Medication Aide Training Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve The Village at St. Edward in Fairlawn, as a Medication Aide Training Program in accordance with Rule 4723-27-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Arden Courts of Anderson Medication Aide Training Program

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board approve Arden Courts of Anderson Medication Aide Training Program in Cincinnati, in accordance with Rule 4723-27-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Dialysis Technician Training Programs

Innovative Dialysis Systems Technician Training Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board re-approve Innovative Dialysis Systems Technician Training Program in

Toledo, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Fresenius Medical Care-Ohio Dialysis Technician Training Program

Action: It was moved by Judith Church, seconded by Janet Arwood, that the Board re-approve Fresenius Medical Care-Ohio Dialysis Technician Training Program in Akron, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by majority vote of the Board members with Maryam Lyon abstaining.

D.C.I. Cincinnati Dialysis Training Program

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board re-approve D.C.I. Cincinnati Dialysis Training Program in Cincinnati, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

DCA of Bowling Green Certified Dialysis Technician Training Program

Action: It was moved by Melissa Meyer, seconded by Tracy Ruegg, that the Board re-approve DCA of Bowling Green Certified Dialysis Technician Training Program in Bowling Green, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Dayton Regional Dialysis, Inc. Dialysis Technician Training Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board re-approve Dayton Regional Dialysis, Inc. Dialysis Technician Training Program in Dayton, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by majority vote of the Board members with Maryam Lyon abstaining.

MVH/DCD Dialysis Technician Training Program

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board re-approve MVH/DCD Dialysis Technician Training Program in Dayton, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

DaVita Ohio Hemodialysis Technician Training Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board re-approve DaVita Ohio Hemodialysis Technician Training Program in Strongsville, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Hemodialysis Services Inc. (HIS) Dialysis Technician Training Program

Action: It was moved by Tracy Ruegg, seconded by Maryam Lyon, that the Board approve Hemodialysis Services Inc. (HIS) Dialysis Technician Training

Program in Beachwood, in accordance with Rule 4723-23-07, OAC, for a period of two years effective January 20, 2011. Motion adopted by unanimous vote of the Board members.

Nursing Education Program Requests

Ashland University, Dwight Schar College of Nursing

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board approve the curriculum revisions in accordance with Rule 4723-5-16, OAC, submitted by Ashland University, Dwight Schar College of Nursing in Mansfield. Motion adopted by unanimous vote of the Board members.

ITT Technical institute Associate of Applied Science in Nursing Program.

Action: It was moved by Melissa Meyer, seconded by Tracy Ruegg, that in accordance with Rule 4723-5-08, OAC, the Board grant an extension of ITT Technical Institute School of Health Sciences, Nursing Program in Norwood to March 14, 2011. Motion adopted by unanimous vote of the Board members.

Retroactive Approval for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board of Nursing November 1, 2010 through December 31, 2010, to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

EXECUTIVE SESSION

On Thursday, January 20, 2011:

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

ADJUDICATION AND COMPLIANCE

Elizabeth Collis, Esq., representing Miami Jacobs Career College and Brandi Cottrell, Program Administrator, addressed the Board on Thursday, January 20, 2011, at 1:40 p.m. regarding Miami Jacobs' Hearing Report and Recommendation pending before the Board. Melissa Wilburn, AAG, responded.

Jennifer Morris and her Legal Representative, Terri-Lynne Smiles, Esq., addressed the Board on Thursday January 20, 2011 at 2:00 p.m. regarding Ms.

Morris' Hearing Report and Recommendation pending before the Board. Melissa Wilburn, AAG, responded.

Board Actions

On Friday, January 21, 2011, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter. Rhonda Barkheimer and Susan Morano abstained from voting on disciplinary matters as they were newly appointed Board members and had not yet had time to review the materials.

NOTICES OF OPPORTUNITY FOR HEARING

On Friday, January 21, 2011, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

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

Sharpe, Cathy D., R.N. 327843, P.N. 107708 (CASE #10-4636); Slentz, Deborah M., P.N. NCLEX (CASE #10-4994); Hill, Edward F., R.N. NCLEX (CASE #10-5331); Knox, Kecia M., P.N. NCLEX (CASE #10-5262); Colter, Tina, P.N. 134812 (CASE #10-3437); Douglas, Sonja L., P.N. 109048 (CASE #10-1147); Countryman, Shirley L., R.N. 253666 (CASE #10-3081); Wehr, Jeremy R., R.N. 285203 (CASE #10-4549); Albillar, Brett M., R.N. Endorse (CASE #10-4996); Surface, Ingrid, TC1 applicant (CASE #10-5215); Middleton, Diane L., R.N. 272117 (CASE #10-3923); Manley, Charlotte, R.N. 195035 (CASE #10-0607); Johnson, Kimberly R., P.N. 124590 (CASE #10-4810); Robinson, Toni Y., P.N. 130499 (CASE #10-0494); Ramsey, James, P.N. 118677 (CASE #10-3750); Qualls, Robert W.C., R.N. 118658 (CASE #10-0639); Olmstead, Jeffrey J., R.N. 270077 (CASE #08-2483); Wolfgang, Lorene M., R.N. 316759 (CASE #10-5070); Gawell, Shannon E., P.N. 076693 (CASE #10-0212); Dunn, Christopher A., P.N. 110867 (CASE #10-1678).

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

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2011 Board Meeting.

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s): ATS Institute of Technology, Associate of Applied Science in Nursing Program (CASE #11-0054) and American Institute of Alternative Medicine, Practical Nursing Program (CASE #11-0055).

Motion adopted by majority vote of the Board members with Rhonda

Barkheimer, Judith Church, and Susan Morano abstaining.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

McCary, Candey S., R.N. 295182 (CASE #10-2976); Schaufele, Tiffany L., P.N. 123822 (CASE #10-5317); Lamb, Trisha M., P.N. 125704 (CASE #10-1160); Hass, Carla, R.N. 318834 (CASE #10-3640); Hamilton, William L., R.N. 323983 (CASE #10-4833); Griss, Amanda M., R.N. 339748 (CASE #09-6349); Garner, Hoyal J., R.N. 336053 (CASE #10-5623); Fulton, Sonja, R.N. 345123 (CASE #10-5119); Billups, Rose, P.N. 137730 (CASE #10-1934); Shields, Debra K., R.N. 128267 (CASE #10-1748); Rodriguez, Andrea D., R.N. 265716 (CASE #10-1920); Ringler, Maribeth, P.N. 032781 (CASE #10-1142); Pizzurro, Jane M., R.N. 342040 (CASE #10-4641); Nussbaum, Marcia L., R.N. 134936 (CASE #10-0807); Moss, Elisa M., P.N. 090105 (CASE #10-2298); and Mazey, Kent C., R.N. 247892, NA 06707 (CASE #10-2172).

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

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2011 Board Meeting.

POST IMMEDIATE SUSPENSION NOTICE AND OPPORTUNITY FOR HEARING

Action: It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board immediately suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC, for the following case(s):

Butts, Brenda S., P.N. 071728 (CASE #10-3439); Darrington, Mertes, P.N. 118571 (CASE #10-2821); Kilcorse, Michael, R.N. 316740 (CASE #10-4945); and Ramsey, Brandie S., P.N. 105891 (CASE #10-4999).

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

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

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2011 Board Meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

Action: It was moved by Janet Arwood, 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 the following case(s):

Lorenz, Robert M., R.N. 172172 (CASE #10-4950); Armstrong, Monique, P.N. 114115 (CASE #10-4539); Wiland, Chandler, R.N. 317640 (CASE #10-2471); Hart, Stacy J., P.N. 103370 (CASE #10-5041); Benford, Gwendolyn M., P.N. 125001 (CASE #10-3651); Foster, Diana, R.N. 243556 (CASE #10-4909); and Fackler, Kim M., P.N. 099636 (CASE #10-5040).

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

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2011 Board Meeting.

TEMPORARY SUSPENSIONS AND NOTICE OF OPPORTUNITY

Action: It was moved by Janet Arwood, seconded by Judith Church, that the Board issue a Notice of Temporary Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following:

Redman, Dawn, R.N. 326699 (CASE #10-5308);

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

A complete copy of the Temporary Suspension and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2011 Board Meeting.

SURRENDERS

Permanent Voluntary Surrender

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

Critchfield, Eileen K., R.N. 340395 (CASE #08-3012); Anderson, Arnal L., R.N. 190481 (CASE #10-2762); Peterson, Brenda M., R.N. 137909 (CASE #09-4560); Nicholson, Sheryl, R.N. 258412 (CASE #10-1543); Whitaker, Shannon L., P.N. 104805 (CASE #09-0803); and Warner, Nancy J., R.N. 283397, P.N. 066074 (CASE #10-5822).

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

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the January 2011 Board Meeting.

Voluntary Retirement

Action: It was moved Maryam Lyon, seconded by Janet Arwood, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the followings case(s):

Sankey, Phyllis M., P.N. 088183 (CASE #10-3450).

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

CONSENT AGREEMENTS

On Friday January 21, 2011, 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 Johnnie Maier, that the Board approve the Consent Agreements for violations of Chapter 4723. ORC entered into by and between the Board in the following case(s):

Silva, Carissa L., R.N. endorse (CASE #10-3686); South, Colleen, R.N. 168683 (CASE #09-3121); Burkey, Joseph R., R.N. 250953 (CASE #10-4928); Rose, Julienne, P.N. 114225 (CASE #10-4357); Frazier, Shindana N., P.N. NCLEX (CASE #10-3961); Herald, Darleen, P.N. 105417 (CASE #09-4531); Runkle, Laura B., P.N. 131829 (CASE #08-4234); Bennett, Teresa L., R.N. 227398 (CASE #08-0850); Dzik, Sandra A., R.N. 161088 (CASE #08-2131); Robb, Lisa M., P.N. 113582 (CASE #10-3707); Nation, Donna S., P.N. 071440 (CASE #10-3613); Durnell (aka Dixon), Angela S., R.N. 316387 (CASE #10-3676); Butler, David A., R.N. 233627 (CASE #10-2923); Sluss, Shelly L., P.N. 109180 (CASE #10-5063); Noel, Christy E., P.N. NCLEX (CASE #10-4962); Keen, Diana M., R.N. 285728 (CASE #10-4577); Mott, Mark A., R.N. 341283 (CASE #10-3272); Sutton, Carla, R.N. 297017 (CASE #10-3849); Williams, Shannon C., P.N. NCLEX (CASE #10-3346); Tusing, Tamara A., R.N. 287420 (CASE #09-0481); Cook, Tammy, R.N. 311255 (CASE #10-3507); Allen, Janet M., R.N. 201143 (CASE #10-5240); Abrokwa, Alex K., P.N. 129343 (CASE #08-2693); Agogbua, Obiageli H., P.N. 134615 (CASE #10-1314); Elifritz, Wendi L., P.N. NCLEX (CASE #10-3330); Ford, Pamela E., P.N. 103861 (CASE #10-5241); Olinger, Brandy L., R.N. 344318 (CASE #10-0784); Loggins, Teri D., R.N. 340032, P.N. 097544 (CASE #09-4823); McCoy, Kevin M., R.N. 351771 (CASE #10-1554); Moore, Jeri R., R.N. 277826 (CASE #10-1221); Noe, Megan R., P.N. 133220 (CASE #10-3115); Orue, Maria T., R.N. 327301 (CASE #09-4687); Rodgers, Lori, R.N. 259763 (CASE #09-6273); Schwartz, Barbara A., R.N. 306361 (CASE #10-0458); Soussana, Heather A., R.N. endorse (CASE

#10-5219); Turner, Kimberley L., R.N. 261177 (CASE #10-0142); Vilevac, Sarah R., R.N. 263597 (CASE #10-1873); Wells, Melanie L., P.N. 121717 (CASE #08-3810); Dill, Brian J., R.N. NCLEX (CASE #10-4413); Crane, Rachel E., P.N. NCLEX (CASE #10-4408); Hill, Tonia G., P.N. 120898 (CASE #10-2592); Allen, Darlene L., R.N. 328526 (CASE #10-4354); Johnson, Malkia J., P.N. NCLEX (CASE #10-1204); Semertzides, Nicholas (aka Nick) J., P.N. NCLEX (CASE #10-4106); Ellyson, Kelly, R.N. 309388 (CASE #10-3102); Anderson, Keena S., R.N. 340466 (CASE #09-1605); Renicker, Daniel L., R.N. NCLEX (CASE #10-4847); Pilarczyk, Jami N., R.N. 345247 (CASE #09-6356); Ahmed, Lucille M., R.N. 272898 (CASE #10-0242); Smith, Brenda L., R.N. 319034 (CASE #10-0386); Evans, Sherry L., P.N. 082075 (CASE #10-5319); Heestand, Dean E., R.N. NCLEX (CASE #10-5226); Kinds, Sarah K., R.N. NCLEX (CASE #10-2286); Carroll, Brenda L., R.N. 301641, P.N. 098514 (CASE #10-0602); Rice, Joseph D., R.N. 327302 (CASE #09-5305); Clark, Marilee A., R.N. NCLEX (CASE #10-5510); Rako, Laura L., R.N. 277663 (CASE #09-5785); Casey, Michael R., R.N. 320744 (CASE #10-5535); Doyle, Michael W., R.N. 297217 (CASE #10-5534); Specht, Barbara, P.N. 068755 (CASE #10-2980); Gill, Gurkiran K., R.N. 337034 (CASE #10-5439); Buckland, Julie A., R.N. 325671 (CASE #08-4098); Smith, Jonah S., R.N. endorse (CASE #10-4067); Haynes, Dawn M., R.N. 268110 (CASE #10-1095); Scolaro, Megan E., P.N. 131141 (CASE #10-0320); Krickovich, Carrie A., P.N. 111619 (CASE #09-6260); Erd, Leilani M., R.N. 231425 (CASE #10-4635); Harvey, Danielle C., P.N. NCLEX (CASE #10-5229); Lewis, Susan E., R.N. 247410 (CASE #10-5536); Burgemeir, Dora N., R.N. 295393 (CASE #10-5479); Slater, Annette M., D.T. 00352 (CASE #10-5415); Wisner, Kourtnie A., P.N. 137524 (CASE #10-1811); Erdely, Kathryn M., P.N. 073284 (CASE #09-5710); Keck, Sharon M., R.N. 309677 (CASE #10-1141).

Rhonda Barkheimer, Judith Church, and Susan Morano abstained from voting on all cases. J. Jane McFee, abstained from voting on Haynes, Dawn M., R.N. 268110 (CASE #10-1095) only. Maryam Lyon voted no on Herald, Darleen, P.N. 105417 (CASE #09-4531) and Sutton, Carla, R.N. 297017 (CASE #10-3849) only. J. Jane McFee voted no on the following cases only: Herald, Darleen, P.N. 105417 (CASE #09-4531); McCoy, Kevin M., R.N. 351771 (CASE #10-1554); Orue, Maria T., R.N. 327301 (CASE #09-4687); and Allen, Slater, Annette M., D.T. 00352 (CASE #10-5415). Melissa Meyer voted no on Herald, Darleen, P.N. 105417 (CASE #09-4531) only. Patricia Protopapa voted no on Lewis, Susan E., R.N. 247410 (CASE #10-5536) and Burgemeir, Dora N., R.N. 295393 (CASE #10-5479) only. Tracy Ruegg voted no on the following cases only: Herald, Darleen, P.N. 105417 (CASE #09-4531); McCoy, Kevin M., R.N. 351771 (CASE #10-1554); Slater, Annette M., D.T. 00352 (CASE #10-5415); and Keck, Sharon M., R.N. 309677 (CASE #10-1141).

The motion to approve the Consent Agreement for Herald, Darleen, P.N. 105417 (CASE #09-4531) failed. Motion adopted by majority vote of the Board members on all other cases.

Complete copies of the Consent Agreements shall be maintained in the exhibit

book for the January 2011 Board Meeting.

HEARING EXAMINER REPORT AND RECOMMENDATION

Morris , Jennifer L., R.N. 151463 (CASE #09-2249)

Action: It was moved by Tracy Ruegg, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of Law, modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ORDERED that **JENNIFER L. MORRIS's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time but not less than two (2) years and that the suspension is stayed subject to the probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below. Further, **MS. MORRIS** is not restricted from her current nursing position at Critchfield Specialty Infusions.

The rationale for the modification is that **MS. MORRIS** has been a nurse for thirty-three (33) years without any history of disciplinary action and **MS. MORRIS** did not intentionally violate the nursing law and rules.

MS. MORRIS's license to practice nursing as a registered nurse shall be subject to the following probationary terms, conditions, and limitations:

1. **MS. MORRIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MORRIS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MORRIS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MORRIS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MORRIS's** criminal records check reports to the Board. **MS. MORRIS's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**
4. **Within six (6) months of the effective date of this Order, MS. MORRIS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: twenty (20) hours of Documentation; ten (10) hours of Ethics; ten (10) hours of Critical Thinking; and a review course on cardiopulmonary resuscitation (CPR).

Employment Conditions

5. **MS. MORRIS** shall notify the Board, in writing, of the name and address of

any current employer **within fifteen (15) days of the effective date of this Order**, or any new employer prior to accepting employment.

6. **MS. MORRIS, within fifteen (15) days of the effective date of this Order**, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. MORRIS** 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. MORRIS** 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. **While working at Critchfield Specialty Infusions, the employer reports shall be submitted by Melinda Franko, R.N., or another registered nurse at Critchfield Specialty Infusions.** Further, **MS. MORRIS** 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. MORRIS

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

Permanent Practice Restrictions

Except for her current nursing position at Critchfield Specialty Infusions, MS. MORRIS shall be subject to the following PERMANENT PRACTICE RESTRICTIONS unless otherwise approved in advance by the Board:

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Susan Morano and Patricia Protopapa abstaining.

Boyd, Karen S., R.N. 144428 (CASE #09-3908)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ORDERED that **KAREN S. BOYD's** license to practice nursing as a registered nurse in the state of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KAREN S. BOYD** to surrender the frameable wall certificate for her registered nurse license, R.N. #144428, immediately.

The rationale for the modification is based upon **MS. BOYD's** disregard for safe nursing practice and patient dignity in a vulnerable population.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Miami-Jacobs Career College Licensed Practical Nurse Program (CASE #10-0719)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ORDERED that the conditional approval status of the **MIAMI-JACOBS CAREER COLLEGE PRACTICAL NURSING PROGRAM (PROGRAM)** is hereby withdrawn and full approval status is hereby denied, effective January 21, 2011.

The rationale for this modification is as follows:

The **PROGRAM** has been provided too many opportunities to correct the issues that resulted in the **PROGRAM's** failure to meet and maintain the minimum requirements established for licensed practical nursing education programs. The **PROGRAM** continued to provide misleading information to the Board, as is noted, for example, in Findings of Facts numbered 2 and 7. The **PROGRAM** exhibited a disregard for students, as is substantiated, for example, in Findings of Facts numbered 4 and 8. The **PROGRAM** and its legal counsel, in their appearance before the Board, did not persuade the Board with a mitigating argument in favor of continuing the **PROGRAM's** approval status.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

BOARD HEARING COMMITTEE

Norris, Matthew J., R.N. 259498 (CASE #09-4469)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and ORDERED that **MATTHEW JAMES NORRIS's** license to practice nursing as a registered nurse in the state of Ohio is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, the suspension shall be stayed and **MR. NORRIS's** license shall be subject to the probationary terms, conditions, and limitations and the permanent restrictions set forth below.

The rationale for the modification is the following: **MR. NORRIS** has no prior history of violations in his nursing practice for fifteen (15) years, and **MR. NORRIS** provided recommendations from previous employers and colleagues.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

5. **MR. NORRIS** 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. NORRIS's** license.

Reporting Requirements of MR. NORRIS

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

DURATION

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

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

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

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

11. **MR. NORRIS** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MR. NORRIS** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Direct Patient Care Restriction

MR. NORRIS shall not provide direct, hands-on patient care or management or supervision of direct, hands-on patient care. Such managerial or supervisory positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

Permanent Practice Restrictions

MR. NORRIS shall not practice nursing as a registered nurse (1) providing home care in the patient's residence through an agency; (2) providing hospice care in the patient's residence through a hospice care program; (3) 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 (4) for an individual or group of individuals who directly engage **MR. NORRIS** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

FAILURE TO COMPLY

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

fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Bertha Lovelace, Johnnie Maier, J. Jane McFee and Susan Morano abstaining.

McMunn, N. Darlene, R.N. 094304 (CASE #06-3429)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and ORDERED that **N. DARLENE MCMUNN's** license to practice nursing as a registered nurse in the state of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, the suspension shall be stayed and **MS. MCMUNN's** license shall be subject to the probationary terms, conditions, and limitations for a minimum period of two (2) years and PERMANENT PRACTICE RESTRICTIONS set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MCMUNN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCMUNN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. MCMUNN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCMUNN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCMUNN's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. MCMUNN** shall pay the fine of one thousand dollars (\$1,000.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

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

Reporting Requirements of MS. MCMUNN

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

DURATION

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

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

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

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Bertha Lovelace, Johnnie Maier, J. Jane McFee and Susan Morano abstaining.

Williams, Lynda S., R.N. 176380 (CASE #09-3845)

Action: It was moved Tracy Ruegg, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact, Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and ORDERED that **LYNDA S. WILLIAMS's** license to practice nursing as a registered nurse in the state of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, the suspension shall be stayed and **MS. WILLIAMS's** license shall be subject to the probationary terms, conditions, and limitations for a minimum period of three (3) years and the PERMANENT PRACTICE RESTRICTIONS set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

3. **Prior to requesting reinstatement by the Board, MS. WILLIAMS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WILLIAMS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WILLIAMS's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. WILLIAMS** shall successfully comply with all conditions imposed in Newton Falls Municipal Court Case No. TRC 0901436A, and shall submit satisfactory documentation of compliance.

Monitoring

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

- prior to requesting reinstatement, MS. WILLIAMS** 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. WILLIAMS'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. WILLIAMS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history.
10. Within thirty (30) days prior to **MS. WILLIAMS** initiating drug screening, **MS. WILLIAMS** 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. WILLIAMS**.
 11. After initiating drug screening, **MS. WILLIAMS** 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. WILLIAMS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. WILLIAMS** shall attend a minimum of two (2) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WILLIAMS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 13. **Prior to requesting reinstatement by the Board, MS. WILLIAMS** shall provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to her treating psychologist and shall cause her treating psychologist to submit to the Board a written statement that includes how frequently **MS. WILLIAMS** has seen the psychologist, whether **MS. WILLIAMS's** condition is stable, and whether **MS. WILLIAMS** is compliant with all prescribed medications. In the written statement, the treating psychologist shall also provide a written opinion to the Board that includes recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WILLIAMS's** license, and a statement as to whether **MS. WILLIAMS** is capable of

practicing nursing according to acceptable and prevailing standards of safe nursing care. Along with the written statement, the treating psychologist shall send documentation of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing.

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

Reporting Requirements of MS. WILLIAMS

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

DURATION

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

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

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

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

Monitoring

3. **MS. WILLIAMS** 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. WILLIAMS's** history. **MS. WILLIAMS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. WILLIAMS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. WILLIAMS** 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. WILLIAMS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history.
6. **MS. WILLIAMS** shall attend a minimum of two (2) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WILLIAMS** 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. WILLIAMS** 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. WILLIAMS** 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. WILLIAMS** 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. WILLIAMS** throughout the duration of this Order.
 9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WILLIAMS** 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. WILLIAMS** shall notify the Board.
11. **MS. WILLIAMS** 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. WILLIAMS** 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. WILLIAMS** 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. WILLIAMS

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Bertha Lovelace, Johnnie Maier, J. Jane McFee and Susan Morano abstaining.

NO REQUEST FOR HEARING

Jones, Juanita A., P.N. 108553 (CASE #10-2526)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **JUANITA LYNN JONES** in the July 30, 2010 Notice of Immediate 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 Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. JONES'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. JONES's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. JONES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JONES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. JONES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. JONES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause

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

Monitoring

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

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

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

Reporting Requirements of MS. JONES

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

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

DURATION

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

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

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

Monitoring

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

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

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

MS. JONES 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. JONES** to provide nursing services for fees,

compensation, or other consideration or as a volunteer.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Dia (Cox), Theresa A., R.N. 230112 (CASE #09-5906)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **THERESA ASHLEY DIA** in the September 24, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DIA** 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. DIA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DIA's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions,

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

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

Reporting Requirements of MS. DIA

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

DURATION

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

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

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

Monitoring

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

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

approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Wolfe, Dennis R., R.N. endorse (CASE #10-0942)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **DENNIS R. WOLFE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WOLFE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. WOLFE'S** application for licensure by endorsement to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Bonin, Angela, R.N. 337215, P.N. 117170 (CASE #10-2032)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **ANGELA KAY BONIN** in the July 30, 2010 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BONIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. BONIN'S** licenses to practice nursing as a registered nurse and as a licensed practical nurse are hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA KAY BONIN** to surrender her frameable wall certificates for her registered nurse license, R.N. #337215, and for her licensed practical nurse license, P.N. #117170 immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Nourian, Seid, P.N. 132959 (CASE #10-2229)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **SEID NOURIAN** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and

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

The Board further Orders **SEID NOURIAN** to surrender his frameable wall certificate for his licensed practical nurse license, P.N. #132959 immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Nowell, Kathleen R., P.N. 120476 (CASE #10-0112)

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that upon consideration of the charges stated against **KATHLEEN RAE NOWELL** in the July 30, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NOWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. NOWELL'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **KATHLEEN RAE NOWELL** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #120476, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Rosemeyer, Annette M., R.N. 304199 (CASE #10-3847)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **ANNETTE MARIE ROSEMEYER** in the September 24, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROSEMEYER** 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. ROSEMEYER'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. ROSEMEYER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

4. **MS. ROSEMEYER** 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. ROSEMEYER's** history. **MS. ROSEMEYER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. ROSEMEYER** shall abstain completely from the use of alcohol.
6. **Prior to requesting reinstatement by the Board, MS. ROSEMEYER** 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. ROSEMEYER** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ROSEMEYER** 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. ROSEMEYER's** license, and a statement as to whether **MS.**

ROSEMEYER is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

12. **Not less than one (1) year prior to requesting reinstatement by the Board, MS. ROSEMEYER** 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. ROSEMEYER** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing; the March 2010 Consent Agreement; the Board's August 5, 2009 Exam Order; and Dr. Bresler's December 1 and December 4, 2009 reports to the Board; 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. ROSEMEYER's** license, and a statement as to whether **MS. ROSEMEYER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MS. ROSEMEYER** 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. ROSEMEYER's** license.

Reporting Requirements of MS. ROSEMEYER

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

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

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

DURATION

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

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

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

Psychiatric Treatment and Monitoring

3. **MS. ROSEMEYER** shall, at her own expense, continue in psychiatric treatment with a psychiatrist approved in advance by the Board or its designee.
4. On a quarterly basis, or as otherwise requested by the Board or its designee, until released, **MS. ROSEMEYER** shall cause the Board-approved psychiatrist to submit written reports to the Board regarding: (i) All medications prescribed to **MS. ROSEMEYER**; (ii) compliance with treatment recommendations/plans, including but not limited to medications; (iii) all dates **MS. ROSEMEYER** was seen in the three (3) month period prior to the date of the report; and (iv) any concerns regarding **MS. ROSEMEYER's** ability to practice nursing in accordance with acceptable and prevailing standards of safe nursing care. Further, **MS. ROSEMEYER** agrees that the Board may utilize the Board-approved psychiatrist's recommendations during the course of treatment as a basis for additional terms, conditions, limitations on **MS. ROSEMEYER's** license and that the terms, conditions, and limitations may be incorporated in an addendum to this Order.

5. Within fifteen (15) days of beginning treatment, **MS. ROSEMEYER** shall provide the Board-approved psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing; the March 2010 Consent Agreement; the Board's August 5, 2009 Exam Order; and Dr. Bresler's December 1 and December 4, 2009 reports to the Board. **MS. ROSEMEYER** shall have the Board-approved psychiatrist send documentation to the Board, along with the first quarterly report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing; the March 2010 Consent Agreement; the Board's August 5, 2009 Exam Order; and Dr. Bresler's December 1 and December 4, 2009 reports to the Board; including the date they were received. In addition, **MS. ROSEMEYER** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for their treatment and evaluation of **MS. ROSEMEYER**.
6. **MS. ROSEMEYER** shall continue in treatment with the Board-approved psychiatrist until released, but for a period of not less than the duration of the probationary period.

Monitoring

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

Treating Practitioners and Reporting

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

Employment Conditions

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

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

19. **MS. ROSEMEYER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
20. **MS. ROSEMEYER** 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.
21. **MS. ROSEMEYER** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MS. ROSEMEYER** 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.
23. Prior to working as a nurse, if requested by the Board or its designee, **MS. ROSEMEYER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Smith, Monica V., P.N. 099300 (CASE #10-2711)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **MONICA V. SMITH** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SMITH** 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. SMITH's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SMITH's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. SMITH

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Thomas, Debra A., R.N. 308195 (CASE #10-2683)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **DEBRA ANN THOMAS** in the September 24, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. THOMAS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. THOMAS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DEBRA ANN THOMAS** to surrender her frameable wall certificate for her registered nurse license, R.N. #308195, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Ussery, Jennifer R., R.N. 339792 (CASE #09-3797)

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that upon consideration of the charges stated against **JENNIFER RAE USSERY** in the September 24, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. USSERY** 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. USSERY'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. USSERY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

2. **MS. USSERY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. USSERY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. USSERY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. USSERY's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. USSERY** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **MS. USSERY** shall successfully comply with the terms, conditions, and limitations imposed on **MS. USSERY's** nursing license by the Order of the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Pennsylvania Board"). **Prior to requesting reinstatement by the Board, MS. USSERY** shall submit satisfactory documentation from the Pennsylvania Board that **MS. USSERY** is in compliance with all terms, conditions, and limitations imposed on **MS. USSERY's** Pennsylvania nursing license.

Monitoring

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

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

Reporting Requirements of MS. USSERY

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

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Ware, Tonia Y., P.N. 073455 (CASE #10-0604)

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that upon consideration of the charges stated against **TONIA Y. WARE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WARE** 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. WARE'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. WARE's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. WARE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WARE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. WARE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WARE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WARE's** criminal records check reports to the Board.
A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. WARE** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to requesting reinstatement by the Board, MS. WARE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Ethics.
6. **Prior to requesting reinstatement by the Board, MS. WARE** shall successfully comply with all conditions imposed in Franklin County Common Pleas Court Case No. 10CR-1045 and shall submit satisfactory documentation of compliance.

Reporting Requirements of MS. WARE

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

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

DURATION

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

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

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

Employment Conditions

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

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Smith, Darlene, R.N. 203433 (CASE #10-1827)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **DARLENE SMITH** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SMITH** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. SMITH'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DARLENE SMITH** to surrender her frameable wall certificate for her registered nurse license, R.N. #203433, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Torbert, Deosha D., P.N. 119273 (CASE #10-1982)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **DEOSHA DESHAY TORBERT** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. TORBERT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. TORBERT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DEOSHA DESHAY TORBERT** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #119273, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Zuchegno, Lesli A., R.N. 259467 (CASE #10-1825)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **LESLI ANN ZUCHEGNO** in the July 30, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ZUCHEGNO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. ZUCHEGNO'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LESLI ANN ZUCHEGNO** to surrender her frameable wall certificate for her registered nurse license, R.N. #259467, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Mullen, Beverly Jo, P.N. 111420 (CASE #10-2671)

Action: It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **BEVERLY JO MULLEN** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MULLEN** 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. MULLEN's** license to practice nursing as a licensed practical nurse is hereby suspended and that the suspension is stayed subject to the probationary terms, conditions, and limitations for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below.

MS. MULLEN's license to practice nursing as a licensed practical nurse shall be subject to the following probationary terms, conditions, and limitations:

1. **MS. MULLEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MULLEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MULLEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MULLEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MULLEN's** criminal records check reports to the Board. **MS. MULLEN's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**
4. **Within six (6) months of the effective date of this Order, MS. MULLEN** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Within six (6) months of the effective date of this Order, MS. MULLEN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Professionalism and five (5) hours of Ethics.

Employment Conditions

6. **MS. MULLEN** shall notify the Board, in writing, of the name and address of any current employer **within fifteen (15) days of the effective date of this Order**, or any new employer prior to accepting employment.

7. **MS. MULLEN**, within fifteen (15) days of the effective date of this Order, if working in a position in which a nursing license is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. MULLEN** 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. MULLEN** 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. MULLEN** 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. MULLEN

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Moore, Robert W., R.N. 257684 (CASE #10-1301)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **ROBERT WILLIAM MOORE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting

the charges, the Board finds that **MR. MOORE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. MOORE's** application for renewal of his license to practice nursing as a registered nurse is hereby granted; **MR. MOORE'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, **MR. MOORE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. MOORE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MOORE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. MOORE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. MOORE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. MOORE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MR. MOORE** shall successfully comply with the terms, conditions, and limitations imposed on **MR. MOORE's** nursing license by the Decision and Order of the Department of Consumer Affairs State of California ("California Board"). **Prior to requesting reinstatement by the Board, MR. MOORE** shall submit satisfactory documentation from the California Board that **MR. MOORE** is in compliance with all terms, conditions, and limitations imposed on **MR. MOORE's** California nursing license.

Reporting Requirements of MR. MOORE

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

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

DURATION

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

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

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

Employment Conditions

3. Prior to accepting employment as a nurse, each time with every employer, **MR. MOORE** shall notify the Board.
4. **MR. MOORE** 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. MOORE** 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. MOORE** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. MOORE

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

FAILURE TO COMPLY

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

DURATION

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Durham, Toni J., P.N. 129737 (CASE #09-4879)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **TONI JO DURHAM** in the June 9, 2010 Notice of Immediate Suspension and Opportunity for Hearing and

in the July 30, 2010 Notice of Opportunity for Hearing (“Notices”) and evidence supporting the charges, the Board finds that **MS. DURHAM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. DURHAM’S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TONI JO DURHAM** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #129737, immediately.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Clark, Tara L., P.N. 138348 (CASE #10-2030)

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that upon consideration of the charges stated against **TARA LEE CLARK** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board dismisses the following factual allegations contained in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing: Item D, Page 2, and Item 5., Page 4, stating, “Despite this provision, to date, you failed to register with FirstLab.”

For the remaining allegations, the Board finds that **MS. CLARK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. CLARK’S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TARA LEE CLARK** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #138348, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Downing, Sharon L., P.N. 124457 (CASE #10-3405)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **SHARON LYNN DOWNING** in the September 24, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DOWNING** 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. DOWNING’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. DOWNING's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

7. **MS. DOWNING** 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. DOWNING's** license.

Reporting Requirements of MS. DOWNING

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

DURATION

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

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

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

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

Treating Practitioners and Reporting

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

Employment Conditions

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Guitard, Kathie S., P.N. 123879 (CASE #08-2694)

Action: It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **KATHIE SUE GUITARD** in the

March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GUITARD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. GUITARD'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KATHIE SUE GUITARD** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #123879, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Hambrick, Amanda N., P.N. 126880 (CASE #09-2778)

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

The Board further Orders **AMANDA NICOLE HAMBRICK** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #126880, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Kaucic, Jamie F., P.N. 114939 (CASE #09-3907)

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that upon consideration of the charges stated against **JAMIE FRANCES KAUCIC** in the April 12, 2010 Notice of Immediate Suspension and the May 21, 2010 Notice of Opportunity for Hearing ("Notices") and evidence supporting the charges, the Board finds that **MS. KAUCIC** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MS. KAUCIC'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. KAUCIC's**

license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. KAUCIC** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KAUCIC** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. KAUCIC** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KAUCIC**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KAUCIC's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. KAUCIC** shall successfully comply with all conditions imposed in Lake County Court of Common Pleas Case Number 09-CR-000632, and shall submit satisfactory documentation of compliance.

Monitoring

5. **MS. KAUCIC** 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. KAUCIC's** history. **MS. KAUCIC** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. KAUCIC** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. KAUCIC** 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. KAUCIC** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. KAUCIC** 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.**

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

Reporting Requirements of MS. KAUCIC

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

DURATION

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

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

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

Monitoring

3. **MS. KAUCIC** 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. KAUCIC's** history. **MS. KAUCIC** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KAUCIC** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. KAUCIC** 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. KAUCIC** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KAUCIC's** history.
6. **MS. KAUCIC** 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. KAUCIC** 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. KAUCIC** 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. KAUCIC** 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. KAUCIC** 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. KAUCIC** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. KAUCIC** 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. KAUCIC** shall notify the Board.
11. **MS. KAUCIC** 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. KAUCIC** shall provide her employer(s) with a copy of this Order and the 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 the Notices, including the date they were received. Further, **MS. KAUCIC** is under a continuing duty to provide a copy of this Order and the Notices to any new employer prior to accepting employment.

Reporting Requirements of MS. KAUCIC

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

McClure, Roxanne M., R.N. 315452 (CASE #10-1310)

Action: It was moved by Rhonda Barkheimer, seconded by Judith Church, that upon consideration of the charges stated against **ROXANNE M. MCCLURE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCCLURE** 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. MCCLURE's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MCCLURE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic and Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Professionalism and ten (10) hours of Chemical Dependency.

6. **MS. MCCLURE** shall successfully comply with the terms, conditions, and limitations imposed on **MS. MCCLURE's** nursing license by the Order of the State of Michigan, Department of Community Health, Bureau of Health Professions, Board of Nursing ("Michigan Board"). **Prior to requesting reinstatement by the Board, MS. MCCLURE** shall submit satisfactory documentation from the Michigan Board that **MS. MCCLURE** is in compliance with all terms, conditions, and limitations imposed on **MS. MCCLURE's** nursing license issued by the Michigan Board.

Monitoring

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

capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

16. **MS. MCCLURE** 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. MCCLURE's** license.

Reporting Requirements of MS. MCCLURE

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Temporary Practice Restrictions

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

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

Motley, Jessica, P.N. 112463 (CASE #10-2972)

Action: It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **JESSICA MOTLEY** in the September 24, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOTLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. MOTLEY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JESSICA MOTLEY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #112463, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Leasure, Catherine M., P.N. 103640 (CASE #10-1269)

Action: It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **CATHERINE M. LEASURE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LEASURE** 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. LEASURE'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. LEASURE's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Narcotic and Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

4. **MS. LEASURE** 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. LEASURE's** history. **MS. LEASURE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. LEASURE** shall abstain completely from the use of alcohol.
6. **Prior to requesting reinstatement by the Board, MS. LEASURE** 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. LEASURE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. LEASURE** 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. LEASURE's** license, and a statement as to whether **MS.**

LEASURE is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

Reporting Requirements of MS. LEASURE

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

DURATION

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

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

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

Monitoring

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

Board monitoring, based upon an interview with **MS. LEASURE** and review of the reports as required herein. Any period during which **MS. LEASURE** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Nastal, Miranda S., P.N. 119364 (CASE #10-0102)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **MIRANDA NASTAL** in the Notices and evidence supporting the charges, the Board finds that **MS. NASTAL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. NASTAL'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MIRANDA NASTAL** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #119364, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Constantino, William, P.N. 119595 (CASE #09-6012)

Action: It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **WILLIAM CHARLES CONSTANTINO II** in the August 10, 2010 Notice of Immediate Suspension and Opportunity for Hearing, and in the September 24, 2010 Notice of Opportunity for Hearing ("Notices") and evidence supporting the charges, the Board finds that **MR. CONSTANTINO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MR. CONSTANTINO's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. CONSTANTINO's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

5. **MR. CONSTANTINO** 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. CONSTANTINO's** history. **MR. CONSTANTINO** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. CONSTANTINO** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. CONSTANTINO** 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. CONSTANTINO** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MR. CONSTANTINO** 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. CONSTANTINO's** license, and a statement

as to whether **MR. CONSTANTINO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

13. **Prior to requesting reinstatement by the Board, MR. CONSTANTINO** 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. CONSTANTINO** shall provide the psychiatrist with a copy of this Order and the 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 **MR. CONSTANTINO's** license, and a statement as to whether **MR. CONSTANTINO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MR. CONSTANTINO** 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. CONSTANTINO's** license.

Reporting Requirements of MR. CONSTANTINO

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

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

DURATION

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

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

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

Monitoring

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

6. **MR. CONSTANTINO** 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. CONSTANTINO** 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. CONSTANTINO** 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. CONSTANTINO** 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. CONSTANTINO** 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. CONSTANTINO** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. CONSTANTINO** 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. CONSTANTINO** shall notify the Board.
11. **MR. CONSTANTINO** 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. CONSTANTINO** shall provide his employer(s) with a copy of this Order and the Notices 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 the Notices, including the date they were received. Further, **MR. CONSTANTINO** is under a continuing duty to provide a copy of this Order and the Notices to any new employer prior to accepting employment.

Reporting Requirements of MR. CONSTANTINO

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Susan Morano, and Patricia Protopapa abstaining.

DEFAULT ORDER

Bentz, Misty E., P.N. NCLEX (CASE #10-1111)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the allegations contained in the June 22, 2010 examination order and the findings contained in the November 2010 Default Order, the Board finds that **MS. BENTZ** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2010 Default Order, and the Board orders that **MS. BENTZ's** application for licensure to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, as of

November 19, 2010, with conditions for reapplication set forth in the November 2010 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

Holmes, Pamela, R.N. 286542 (CASE #08-2169)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the allegations contained in the October 26, 2009 examination order and the findings contained in the May 2010 Default Order, the Board finds that **MS. HOLMES** has committed acts in violation of the Nurse Practice Act, as set forth in the May 2010 Default Order, and the Board orders that **MS. HOLMES's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 21, 2010, with conditions for reinstatement set forth in the May 2010 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 21st day of January, 2011.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Bertha Lovelace and Susan Morano abstaining.

SUMMARY SUSPENSION

Worthington, Lisa M., R.N. 354454 (CASE #10-5064)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board Summarily Suspend the license and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC retroactive to January 18, 2011, to Worthington, Lisa M., R.N. 354454 (CASE #10-5064), due to the fact there is clear and convincing evidence that continued practice by Ms. Worthington presents a danger of immediate and serious harm to the public.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer and Susan Morano abstaining.

MONITORING

LIFTS OF SUSPENSION/PROBATION

Action: It was moved by Tracy Ruegg, seconded by Melissa Meyer, that the following, having met the terms and conditions of their Consent Agreement or Adjudication Order with the Board, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their Consent Agreements or Adjudication Orders:

Meyer, Daniela E., R.N. 363202, P.N. 095093 (CASE #10-1191); Winans, Shawna M., R.N. 354698 (CASE #09-3454); Lockhart, Lisa A., R.N. 322819 (CASE #09-3176); Kolling, Rene L., R.N. 346611 (CASE #08-1421); Osman, Courtney J., P.N. 112489 (CASE #06-2336); Maunz, Amy L., D.T. 02193 (CASE #09-1367); Umphries, Eddie L., R.N. 356009 (CASE #09-3153); Budrovic, Jeffrey J., R.N. 355999 (CASE #09-4135); and Tanji, Che S., P.N. 136332 (CASE #09-2932).

Maryam Lyon abstained from voting on Meyer, Daniela E., R.N. 363202, P.N. 095093 (CASE #10-1191) only. Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and Susan Morano abstaining.

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the following, having met the terms and conditions of their Consent Agreement or Adjudication Order with the Board, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from their Consent Agreements or Adjudication Orders:

Baldwin, Tharner D., P.N. 130754 (CASE #07-3911); Kleman, Brandon T., P.N. 136324 (CASE #09-4340); Brunelle, Timothy C., R.N. 346597 (CASE #07-3965); and Copley, Michelle L., R.N. 306814 (CASE #08-0065).

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

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

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

Roundtree, Sheila, R.N. 351844 (CASE #09-1998); Stec, Brian P., R.N. 296360 (CASE #07-1566); and Madaris, Yolanda K., P.N. 132958 (CASE #08-2062).

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

LIFT OF SUSPENSION/PROBATION ONLY – PERMANENT PRACTICE AND NARCOTIC RESTRICTION(S) REMAIN – EARLY RELEASE

Action: it was moved by Tracy Ruegg, seconded by Maryam Lyon, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their Consent Agreement with the exception of the permanent practice and narcotic restriction(s) that will remain in effect:

Constantino, Lisa, R.N. 332961 (CASE #08-1608).

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

LIFT OF TEMPORARY NARCOTIC RESTRICTION

Action: It was moved by Tracy Ruegg, seconded by Melissa Meyer, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restrictions within their respective Consent Agreements or Adjudication Orders:

Wright, Liguori, P.N. 086671 (CASE #10-1551); Sanzen (Lee), Jessica L., R.N. 315813 (CASE #09-5873); and Sidile, Florence S., R.N. 130070 (CASE #09-5006).

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

REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, having met the requirements for reinstatement contained within their Consent Agreement(s) with the Board be reinstated subject to the terms and conditions of probation contained within their Consent Agreement(s):

Ralston, David R., R.N. 338472 (CASE #09-3443) and Killian, Corie L., R.N. 311590 (CASE #09-5722).

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

REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER

Action: It was moved by Janet Arwood, seconded by Maryam Lyon, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, having met the requirements for reinstatement contained within their Adjudication Order(s) with the Board be reinstated subject to the terms and conditions of probation contained within their Adjudication Order(s):

Dabbelt, Beth A., R.N. 314248 (CASE #09-1267).

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

MOTION TO APPROVE

Action: it was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept the following approval made by Judith Church, Board Supervising Member for Disciplinary Matters:

Seawright, Theresa, R.N. 220039, P.N. 070707 (CASE #07-0820)- Approval to accept employment at Phoenix Healthcare Institute, teaching state tested nursing assistants and home health aides in the classroom only, with no clinical component or patient contact.

Leatherbarrow, Jennifer M., R.N. 275436 (CASE #09-5078)- Approval for a Quality Assurance position at Ideal Home Health Care only.

McGrady, Dawn R., R.N. 291264 (CASE #08-3347)- Approval to accept employment at Blossoms 24 hours, WeCare Center Inc., teaching state tested nursing assistants and home health aides in the classroom only, with no clinical component.

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

REPORTS TO THE BOARD

Open Forum, Thursday, January 20, 2011 and Friday, January 21, 2011

On Thursday, David Latanick, Esq. and Jan Lanier, Esq, representatives for ATS Institute of Technology addressed the Board regarding the approval status of ATS Institute of Technology Associate of Applied Science Degree in Nursing Program; Dr. Helen Grove, Senior Vice-President of Sinclair Community College addressed the Board regarding the approval status of Sinclair Community College, Associate Degree Nursing Program; and State Representative Clayton Luckie, Hayleigh Deck, Gevena Milbry, and Billy Joe Deck addressed the Board regarding Miami-Jacobs Career College Practical Nursing Program. On Friday, there were no speakers for Open Forum.

Board Committee Report – Committee on Education Program Rules Review

J. Church, Chair of the Committee, reported that because Chapter 4723-5, OAC, is being reviewed in 2011 for the Chapter 119. five-year review process, the Board convened a Committee to begin discussions about potential revisions and solicit public comment. The Committee reviewed a memorandum identifying proposed areas for revisions. There was also a discussion about reviewing the education program approval process and the rules and processes of the Ohio Board of Regents and the Ohio State Board of Career Colleges and Schools. J. Church reported there was a large number of nursing education programs attending and active discussion. The next Committee meeting is scheduled for March 17, 2011 at 11:45 a.m.

Other Reports

Ohio Patient Centered Medical Home Education Advisory Group

J. Church provided the Board an update regarding the Patient Centered Medical Home Education Advisory Group. The Advisory Group was created with the enactment of House Bill 198 (128th General Assembly). The Advisory Group is focusing on the education of advanced practice nursing students and medical students related to primary care, recruitment, and access to health care.

GENERAL INFORMATION (FYI)

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

BOARD GOVERNANCE

Board Policies

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board approve the Board Policies as submitted. Motion adopted by unanimous vote of the Board members.

Board Retreat

The Board reviewed proposed agenda topics and agreed by general consensus to hold the 2011 Retreat at the Drury Inn and Suites in Dublin, Ohio. Joseph Kirk will make the necessary arrangements and hotel reservations.

Financial Disclosure Statements

Board members were reminded that Financial Disclosure Statements (FDS) are due by April 15, 2011. Board members may file the FDS directly with the Ohio Ethics Commission, or may return their FDS to J. Kirk by April 5, 2011 and he will file the forms for them.

Board Member Attendance for NCSBN Mid-Year Meeting

The Board agreed by general consensus that President Bertha Lovelace and Vice-President Patricia Protopapa attend the NCSBN Mid-Year Meeting. L. Emrich and B. Houchen will also attend as members of the NCSBN Leadership Succession Team and Board of Directors respectively. NCSBN will cover the expenses of each person attending.

Board Governance Survey

Board members submitted their Governance Surveys. J. Kirk will compile the results for review at the 2011 Board Retreat.

Board Meetings and Retreat Dates for 2013

The Board agreed by general consensus to the 2013 Board meeting schedule as proposed. The schedule will be posted on the Board web site.

Joint Proposal for Future Planning

B. Houchen and T. Dilling discussed planning related to potential structural and process changes made necessary by Ohio's fiscal realities. In the past, consolidation, i.e., merging boards under a large agency or DAS, has been proposed. But this type of consolidation, without a fundamental change in the

way the boards conduct business will produce little gain in cost savings or efficiencies. Therefore, the Medical and Nursing Boards are discussing how to promote greater management flexibility and innovative approaches for lowering costs, standardizing regulatory services, building public-private partnerships, and creating timely processes. It builds upon the ideas set forth in "Redesigning Ohio: Transforming Government into a 21st Century Institution."

Expense Reports

J. Kirk reviewed the revised expense reporting forms and answered questions of the Board members.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on Friday, January 21, 2011 at 10:03 a.m.

Bertha Lovelace, RN, CRNA



Attest:

Betsy Houchen, RN, MS, JD
Executive Director

