



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD JANUARY 22-23, 2015

The regular meeting of the Ohio Board of Nursing (Board) was held on January 22-23, 2015 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 22, 2015 at 8:30 a.m., President Maryam Lyon called the Board meeting to order, recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves. On Friday, January 23, 2015 at 8:30 a.m., President Maryam Lyon called the Board meeting to order. Vice-President Janet Arwood read the Board mission each day.

#### **BOARD MEMBERS**

Maryam Lyon, RN, President  
Janet Arwood, LPN, Vice-President  
Judith Church, RN (Absent Friday)  
Brenda Boggs, LPN  
Nancy Fellows, RN (Absent Thursday and Friday)  
Janet Fuchs, RN  
Lisa Klenke, RN  
J. Jane McFee, LPN  
Susan Morano, RN  
Patricia Sharpnack, RN  
Sheryl Warner, Consumer Member

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.; Executive Session was at 10:00 a.m.; The Board Committee on Practice was at 12:00 p.m.; Board President Maryam Lyon called upon Janet Koblitz and Attorney Elizabeth Collis at 1:00 p.m., and neither Ms. Koblitz nor Ms. Collis were in attendance; Attorney James McGovern on behalf of client Ietha Phillips, and Henry Appel, AAG, addressed the Board at 1:10 p.m.; Victoria Meyer and Attorney James McGovern, and Emily Pelphrey, AAG, addressed the Board at 1:20 p.m.; Attorney James McGovern on behalf of client Jocelyn Stacklin, and Emily Pelphrey, AAG, addressed the Board at 1:30 p.m.; Attorney James McGovern on behalf of client Karen Mullen, and Henry Appel, AAG, addressed the Board at

1:40 p.m.; Attorney James McGovern on behalf of client Allen Honeycutt, and Emily Pelphrey, AAG, addressed the Board at 1:50 p.m. On Friday, Open Forum was held at 10:00 a.m.

### **Approval of Minutes of the November 2014 Meeting**

**Action:** It was moved by Patricia Sharpnack, seconded by Judith Church, that the Board approve the minutes from the November 2014 Board meeting as submitted. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomed Amanda Bunner, Esq., as a staff Hearing Examiner, and two paralegals, Ashley Baas and Samantha Hopkins-Spears.
- The Board announced that Kathy King is assuming a supervisor role over initial licensure, in conjunction with her job as Fiscal Officer and congratulated Karen Scott, licensing supervisor, on her retirement after 30 years of state service at the Board.
- The Ohio Youth Sports Concussion and Head Injury Return to Play Guidelines Committee, convened by the Ohio Department of Health, is developing guidelines regarding head injuries sustained by youth participating in interscholastic sporting events. The Committee heard testimony from health care professionals and licensing boards. Tom Dilling provided testimony for the Board.
- The Opiates and Other Controlled Substances Reforming Practices Committee for Prescribing Guidelines in Acute Care Settings met to review information regarding management of acute pain and identify next steps. T. Dilling is participating in these meetings.
- Using Ohio's nursing workforce data from 2013 and 2014 and the national data released by HRSA, Board staff developed the "Nursing Workforce Data Report: Comparison of State and National Data."
- The Board is implementing a process for nursing education programs to submit program completion letters electronically. Full implementation will begin February 1, 2015 and will be required as of March 30, 2015.
- The Board is identifying a temporary staff person, funded through the Data Integrity Project to begin uploading disciplinary action documents into Nursys.

### **Legislative Report**

T. Dilling reported that HB 519 and HB 412, both of which included revisions to the Nurse Practice Act (NPA) did not pass. The NPA provisions will be re-introduced in 2015 in a new bill. The Board has been informed that a bill for

independent advanced registered nurse practice will be introduced this year. HB 341 that passed in the 130<sup>th</sup> General Assembly imposed new legal requirements for CTP holders. There are key requirements, effective in January and April 2015, regarding OARRS when prescribing opioid analgesics or benzodiazepines. The Board will continue to notify CTP holders of the requirements.

### **Fiscal Report**

Kathy King reported that mid-way through the fiscal year, the Board has 52% of its funds remaining for the fiscal year. The Board complimented staff for management of the budget and the clarity of the fiscal report.

### **EXECUTIVE SESSION**

On Thursday, January 22, 2015:

**Action:** It was moved by Janet Arwood that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. A roll call vote was taken. The Board entered Executive Session at 10:00 a.m. and reported out of Executive Session at 10:50 a.m.

### **APPROVALS**

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

##### University of Cincinnati Blue Ash College

**Action:** It was moved by Judith Church, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to University of Cincinnati Blue Ash College for a period of two years effective January 22, 2015. It was further moved that the Program submit progress reports to the Board on or before May 27, 2015, November 18, 2015, and May 25, 2016. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

##### Richard Medical Academy

**Action:** It was moved by Patricia Sharpnack, seconded by Susan Morano, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Richard Medical Academy for a period of two years effective January 22, 2015. It was further moved that the Program submit progress reports to the Board on or before February 18, 2015, May 20, 2015, August 19, 2015, November 18, 2015, February 17, 2016, May 18, 2016, August 24, 2016, and November 23, 2016. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

##### Practical Nurse Program, Canton City School District

**Action:** It was moved by Susan Morano, seconded by Brenda Boggs, that the Board continue Full approval, in accordance with Rule 4723-5-04, OAC, of the Practical Nurse Program, Canton City School District that expires in September 2017. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

Ohio Medical Career College Practical Nursing Education Program

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Ohio Medical Career College Practical Nursing Education Program for a period of five years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

Ohio Institute of Allied Health, Inc., Nursing Education Program

**Action:** It was moved by Sheryl Warner, seconded by Susan Morano, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Ohio Institute of Allied Health, Inc., Nursing Education Program for a period of two years effective January 22, 2015. It was further moved that the Program submit progress reports to the Board on or before February 18, 2015, May 20, 2015, August 19, 2015, November 18, 2015, February 17, 2016, May 18, 2016, August 24, 2016, and November 23, 2016. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

MDT College of Health Sciences Practical Nursing Program, aka ATS Institute of Technology Practical Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to MDT College of Health Sciences Practical Nursing Program, fka ATS Institute of Technology Practical Nursing Program for a period of five years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

The Cincinnati State Bethesda School of Nursing

**Action:** It was moved by Judith Church, seconded by Patricia Sharpnack, that the Board continue Full approval, in accordance with Rule 4723-5-04, OAC, of The Cincinnati State Bethesda School of Nursing that expires in May 2017. It was further moved that the Program submit progress reports to the Board on or before March 25, 2015, November 18, 2015, and March 23, 2016. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

Chamberlain College of Nursing, Baccalaureate Degree in Nursing Program

**Action:** It was moved by Patricia Sharpnack, seconded by Judith Church, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Chamberlain College of Nursing, Baccalaureate Degree in Nursing Program for a period of five years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Hilliard

**Action:** It was moved by Susan Morano, seconded by Brenda Boggs, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Hilliard for a period of two years effective January 22, 2015. It was further moved that the Program submit progress reports to the Board on or before March 25,

2015 and November 18, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

### **Nursing Education Program Requests**

#### Beckfield College Practical Nursing Program

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board approve the curriculum revision request submitted by Beckfield College Practical Nursing Program in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

#### Owens Community College Nursing Programs

**Action:** It was moved by Sheryl Warner, seconded by Brenda Boggs, that the Board approve the curriculum revision request submitted by Owens Community College Nursing Programs in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

#### The University of Toledo College of Nursing BSN Program

**Action:** It was moved by J. Jane McFee, seconded by Judith Church, that the Board approve the curriculum revision request submitted by The University of Toledo College of Nursing BSN Program in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Janet Fuchs and Lisa Klenke abstaining.

### **Training Programs**

#### Cuyahoga Community College's Community Health Worker Program

**Action:** It was moved by Judith Church, seconded by Patricia Sharpnack, that the Board approve, in accordance with Rule 4723-26-14, OAC, Cuyahoga Community College's Community Health Worker Program for a period of two years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

#### Care Coordination Systems' Community Health Worker I Program

**Action:** It was moved by Patricia Sharpnack, seconded by Susan Morano, that the Board approve, in accordance with Rule 4723-26-14, OAC, Care Coordination Systems' Community Health Worker I Program for a period of two years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

#### Companions Certified Medication Aide Training Program

**Action:** It was moved by Susan Morano, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-27-07, OAC, Companions Certified Medication Aide Training Program for a period of two years effective January 22, 2015. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

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

**Action:** It was moved Brenda Boggs, seconded by Sheryl Warner, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board November 1, 2014 through December 31, 2014 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; dialysis technician interns; community health workers; and 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.

### **ADJUDICATION AND COMPLIANCE**

On Friday, January 23, 2015, Maryam Lyon requested that each Board member verify they reviewed all materials in depth 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. All Board Members responded by saying "yes." Janet Fuchs abstained from voting on disciplinary matters as she was newly appointed and had not yet had time to review the materials.

### **Board Actions**

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

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

Branham, Shari, P.N. 115413 (CASE #14-2963); Lyons, Susan, R.N. 317037 (CASE #14-5979); Berkemeier, Jacob, R.N. 365586 (CASE #14-2673); Eller, Deanna, R.N. 385020 (CASE #14-5699); Buhring, Diana, R.N. 243639 (CASE #14-1806); Brown, Charlene, R.N. 130646 (CASE #14-1374); Schoeck, Vanessa, R.N. 265030 (CASE #13-4945); Hecker, Kimberly, R.N. 225694 (CASE #13-2503); Powell, Carol, P.N. 094661 (CASE #14-1723); Green, Danielle, R.N. 364672 (CASE #14-5569); Gard, Heidi, R.N. 334272 (CASE #14-5573); Hooks, Andrew, P.N. 111521 (CASE #14-5570); Friend, Jane, R.N. 227273 (CASE #14-2543); Jackson, Ashley, P.N. 150103 (CASE #14-1849); Miller, Wendy, P.N. 089764 (CASE #14-3388); Jacobs, Vera, R.N. 283154 (CASE #13-1285); Ferreira, Jaclyn, P.N. 122745 (CASE #14-1880); Cullison, Lisa, R.N. 287591 (CASE #14-4941); Saikaly, Ssrelle, P.N. 139280 (CASE #14-5219); Slanaker, Elsie, R.N. 275952 (CASE #14-6289); Jones, Robert, R.N. 329378 (CASE #14-5911); Pickens, David, R.N. 300983 (CASE #14-4535); Hermiller, Lisa, P.N. 143222 (CASE #14-5397); Goodrich, Anne, P.N. 126951 (CASE #14-3458); Gillis, Gretchen, R.N. 283997 (CASE #14-5969); Novak, Kim, R.N. 163247 (CASE #14-6480); Rainey, Ruth, R.N. 387696 (CASE #14-5792); Copley, Sarah, P.N. 120022 (CASE #14-3738); Freeman, Cheryl, R.N. 173037 (CASE #14-4458); Huls, Joni, R.N. 208188 (CASE #14-1177); Patel, Stephanie, R.N. 289392, NP 11960 (CASE #14-6187); Owens,

Larry, R.N. 314543 (CASE #14-6145); Arthur, Deborah, P.N. 111006 (CASE #14-2886); Stawicki, Amanda, P.N. 150273 (CASE #14-3906); Leitschuh, Andrea, R.N. 369681, P.N. 138346 (CASE #14-5967); Rajczyk, John, R.N. 378242 (CASE #14-6083); Frame, Joann, R.N. 213869, P.N. 070357 (CASE #14-6340); Hensley, Brenda, R.N. 177116 (CASE #13-0901); Cover, Nanci, R.N. 318525 (CASE #14-1752); Grooms, Jennifer, R.N. 301736 (CASE #14-6208); Werner, Heather, P.N. 139180 (CASE #14-4498); Turner, Christine, P.N. 130804 (CASE #14-2923); Brunger, Robin, P.N. 151868 (CASE #14-4760); Granson, Angela, R.N. 252986, NP 09775, RX 09775 (CASE #14-2469); Kilpatrick, Marguerite, R.N. NCLEX, P.N. 147935 (CASE #14-2032); Thornhill II, Matthew, R.N. 214298 (CASE #14-2401); Payne, Valerie, R.N. NCLEX, P.N. 138097 (CASE #14-6219); Thompson, Therina, P.N. 119540 (CASE #14-2144); Johnson, Lisa, P.N. 120066 (CASE #13-1425); Hofmeister, Judith, R.N. 307608 (CASE #13-6468); Butler, Emily, P.N. 121996 (CASE #14-3804); Wessel, Cynthia, P.N. 138390 (CASE #13-6480); Dangelo, Stephanie, P.N. 118218 (CASE #14-3480); Nyamor, Helen, R.N. 249158 (CASE #14-0809); Ford-Bowen, Sonya, R.N. 394048 (CASE #14-3321); Harper, Heidi, R.N. 325921 (CASE #14-5572); and Hennessy, Christina, R.N. 326402 (CASE #14-5571).

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

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the January 2015 Board Meeting.

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

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

Rohe, Heather, P.N. 122561 (CASE #13-8292); Kershner, Melissa, P.N. 120604 (CASE #14-1059); Funkhouser, Sheena, R.N. 390734 (CASE #14-3854); Dodge, Ashley, R.N. 371584 (CASE #14-1693); Rayer, Peggy, R.N. 190653 (CASE #14-6253); Bruender, Christopher, R.N. 380378 (CASE #14-5959); Brasko, Benjamin, R.N. 314937 (CASE #14-1429); Osborne, Claire, R.N. 378435 (CASE #14-1827); Alexander, Teresa, P.N. 135566 (CASE #14-4618); Caringi, Racheal, R.N. 328230 (CASE #14-6386); and Christensen, Kelli, R.N. 291350, P.N. 095950 (CASE #14-5935).

Motion adopted by majority vote of the Board members with Janet Fuchs 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 2015 Board Meeting.

### **AUTOMATIC SUSPENSIONS AND NOTICES OF OPPORTUNITY FOR HEARING**

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

Manzano, Ronald, R.N. 178946 (CASE #14-4801); Yokley, Susan, R.N. 252417 (CASE #14-4889); Jackson, Patricia, P.N. 114525 (CASE #14-4813); Kilcorse, Michael, R.N. 316740 (CASE #14-6046); Massey, Laurie, R.N. 276203 (CASE #14-5463); Genter, Mary, P.N. 137519 (CASE #14-5329); Williams, Crystal, R.N. 279667 (CASE #14-4083); DeAngelis, Amanda, R.N. 374108 (CASE #14-5108); Sonney, Traci, R.N. 327482 (CASE #14-6310); Leonard, Donielle, P.N. 144243 (CASE #14-6313); Letterly, Elizabeth, R.N. 338603 (CASE #14-6673); Emler, Jeffrey, R.N. 228366 (CASE #14-6923); Hale, Carol, P.N. 091133 (CASE #14-6460); Cohee, Bobby, P.N. 083868 (CASE #14-6050); Pflager, Kirk, R.N. 314303 (CASE #14-5859); Kiddoo, Diana, P.N. 096038 (CASE #14-5689); Meadows, Heather, P.N. 108344 (CASE #14-6249); and Green, Mary, P.N. 120683 (CASE #14-6479).

Motion adopted by majority vote of the Board members with Janet Fuchs 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 2015 Board Meeting.

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

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, 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):

Ceo, Michelle, P.N. 131455 (CASE #14-0869); Jacobs, Heidi, R.N. 289533 (CASE #14-5620); Ziegler, John, R.N. 382750, P.N. 136106 (CASE #14-3435); Drapola, Kristin, R.N. 242459 (CASE #14-2343); Hardy, Katie, R.N. 338862 (CASE #14-1205); Welch, Angela, P.N. 129872 (CASE #14-1306); and Sawyer, Anna, R.N. 342702 (CASE #13-7006).

Motion adopted by majority vote of the Board members with Janet Fuchs 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 2015 Board Meeting.

## **SURRENDERS/WITHDRAWALS**

### **Permanent Voluntary Surrender**

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

Jones, Paul, P.N. 096534 (CASE #14-5753); Myers, Sheri, R.N. 284111 (CASE #12-7256); Wise, Joseph, R.N. 364478 (CASE #13-8414a); Cook, Katie, P.N. 138306 (CASE #14-5826); Gulley, Lorraine, R.N. 295828 (CASE #14-3146); Pay, Lynette, P.N. 132818 (CASE #14-2472); Diener, Betty, R.N. 208001 (CASE #13-5406); Dixon, Nancy, R.N. 257446 (CASE #14-6826); and Everhart, Joshua, R.N. 387628 (CASE #14-1406).

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

Complete copies of the Permanent Voluntary Surrenders Of License shall be maintained in the exhibit book for the January 2015 Board Meeting.

## **CONSENT AGREEMENTS**

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board approve the Consent Agreements for violations of Chapter 4723., ORC entered into by and between the Board in the following case(s):

Vaughn, Melissa, R.N. 321620 (CASE #13-6479); Holenchick, Heather, R.N. 352101 (CASE #13-1556); Seay, Porsha, P.N. NCLEX (CASE #14-1575); Styzej, Shelley, P.N. NCLEX (CASE #14-4568); Blevins, Natalie, R.N. 339671 (CASE #13-5414); High, Joan, P.N. 023770 (CASE #14-4497); Rademachir, Mary, R.N. NCLEX, P.N. 144674 (CASE #14-4190); Kovacs, Jessica, P.N. 137206 (CASE #13-5797); Them, Jennifer, R.N. 309109 (CASE #13-6822); Sarkiewicz, Jody, P.N. 092605 (CASE #12-6333); Caroppoli, Janette, R.N. 312622, P.N. 093839 (CASE #14-1562); Bourgeois, Sheryl, P.N. 058932 (CASE #13-1983); Bowman, Ginger, R.N. 329008 (CASE #14-1666); Finnical, Mindi, P.N. 108241 (CASE #14-2689); Risner, Bridget, R.N. 288866 (CASE #14-1922); Prince, Sherry, P.N. 152620 (CASE #14-0741); Kesley, Keith, R.N. 294251 (CASE #14-0969); Wright, Debra, P.N. 104537 (CASE #14-5668); Belknap, George, R.N. 380398 (CASE #13-6076); McAfee, Alfreda, R.N. 373605 (CASE #14-5798); Benjamin, Marinda, R.N. 299617, NP 15118, RX 15118 (CASE #14-6013); Cochern, Teniele, R.N. 312496, NP 14629, RX

14629 (CASE #14-5046); Rutkowski, Barbara, R.N. 230961 (CASE #13-4143); Ball, Georgette, R.N. 266154 (CASE #13-2682); Cononico, Lisa, R.N. 312225 (CASE #14-1038); Johnson, Amanda, P.N. 149605 (CASE #14-1492); Nix, Shiyla, R.N. 354879 (CASE #14-0360); Wick, Angie, R.N. 340389, P.N. 076688 (CASE #14-0835); Weddle, Jeffrey, R.N. 344082 (CASE #13-4481); Alvarado, Tiffney, R.N. 283960 (CASE #13-8141); Walker, James, R.N. 266496, NA 08120 (CASE #14-5547); Durham, Joy, R.N. NCLEX (CASE #14-2723); Fahner, Hannah, R.N. 359375 (CASE #14-3053); Grieves, Miranda, R.N. 343179 (CASE #14-3056); Pawlowicz, Erin, R.N. 296978 (CASE #14-4685); Morris, Maggie, P.N. 120108 (CASE #12-6349); Sulka, Kelly, R.N. 283180 (CASE #14-0447); Lake-Meiser, Melissa, R.N. 324209 (CASE #13-7542); Derrington, Elizabeth, P.N. 152127 (CASE #14-4257); Bjorneberg, Diana, R.N. Endorse (CASE #14-4713); Spencer, Tiffany, P.N. 146579 (CASE #13-2145); Griffin, Shimetia, R.N. Endorse (CASE #14-6215); Miller, Tad, R.N. NCLEX (CASE #14-5392); Hotz, Renee, R.N. 259385 (CASE #14-5912); Kisilewicz, Rachel, R.N. 358115, P.N. 128240 (CASE #13-8236); Green, Dannielle, R.N. NCLEX (CASE #14-4142); Denton, Deandra, P.N. NCLEX (CASE #14-5594); Uppole, Timothy, P.N. 102962 (CASE #14-4469); Weedman, Katherine, P.N. 119541 (CASE #13-7332); English, Crystal, P.N. 145351 (CASE #13-2144); Williamson, Siobhan, DTI applicant (CASE #14-5168); Stewart, Samantha, P.N. 112948 (CASE #12-3592); Brewer, Alisha, R.N. 326202 (CASE #14-6066); Harp, Jessica, R.N. 340242 (CASE #14-2915); Bastardo, Angel, P.N. 156020 (CASE #14-6094); Bickerstaff, Alayna, P.N. NCLEX (CASE #14-5718); Ellyson, Kelly, R.N. 309388 (CASE #14-6143); Zolensky, Jenna, R.N. 372514 (CASE #14-3380); Dagani, Matthew, R.N. 356942 (CASE #14-1016); Wiercinski, Elizabeth, R.N. 269947 (CASE #13-6702); Richards, Sara, P.N. 148892 (CASE #13-5632); Strnad, Rachel, R.N. 350887, NP 14782, RX 14782 (CASE #14-6381); Casella, Dellora, R.N. Endorse (CASE #14-6341); Wargo, Nancy, R.N. 341376 (CASE #13-4326); Thompson, Teresa, R.N. 192648 (CASE #14-2992); Turvey, Shelby, R.N. 274196, NP 14796, RX 14796 (CASE #14-6383); Stevens, Lisa, R.N. 334407, NP 14783, RX 14783 (CASE #14-6606); Smith, Jamie, P.N. 141726 (CASE #14-3143); Goldrick, Kristy, R.N. 331789 (CASE #13-5672); Tyzzer, Loretta, R.N. 349835 (CASE #14-1901); Snitzer, Jeffrey, R.N. 378920 (CASE #14-3376); Green, Rebecca, P.N. 129953 (CASE #12-5247); Ison, Melissa, R.N. NCLEX (CASE #14-4993); Derian, Raquel, R.N. 301711 (CASE #14-5874); Dunn, Meggan, R.N. 273015, NP 15038, RX 15038 (CASE #14-6702); Weber, Sue, R.N. 148727 (CASE #14-6288); Scales, Shimmaine, R.N. NCLEX (CASE #14-5239); Gamble, Myra, R.N. 377392 (CASE #13-3414); Hoskins, Laron, P.N. NCLEX (CASE #14-4199); Jenkins, Kerry, P.N. 120512 (CASE #12-4429); Dalton, Teri, R.N. 366020 (CASE #14-2405); Hays, Kellie, R.N. 311561, NP 14861, RX 14861 (CASE #14-6450); Ball, Deborah, R.N. 181214 (CASE #14-5709); Godsey, Kimberly, R.N. 305388, NP 14778, RX 14778 (CASE #14-5814); Cousino, Jaquelyn, P.N. 138122 (CASE #14-0557); Marsh, Rebecca, R.N. 314908 (CASE #14-5862); Key, Katherine, R.N. 372984 (CASE #14-2145); Myers, Angela, R.N. 379992 (CASE #13-6931); Phillis, Marcia, R.N. 268173, P.N. 091290 (CASE #13-7685); Potter, Kimberly, R.N. 327548, NP 14718, RX 14718 (CASE #14-6799); Tallarida, Bruno, P.N. Endorse (CASE #14-5313); Taylor, Jane, R.N. 109954 (CASE #14-

5408); Beasley, Lisa, P.N. NCLEX (CASE #14-5092); Kumpf, Melissa, R.N. 341088 (CASE #13-2358); Kemp, Ryan, R.N. 374461 (CASE #14-2034); Moses, Shondea, D.T. applicant (CASE #14-6372); Smith, Michelle, R.N. 351456 (CASE #14-5109); Robson, Aimee, R.N. NCLEX (CASE #14-4663); Watson, Karla, R.N. Endorse (CASE #14-6056); Rhodus, Vicki, R.N. 348504 (CASE #14-3623); Williams, Katie, R.N. 334504, NP 13017, RX 13017 (CASE #14-6578); Menasian, Carey, R.N. 253056 (CASE #13-4007); Miller, Desiree, R.N. 314882 (CASE #13-4779); Warfel, Arianna, R.N. 241902, NP 14699, RX 14699 (CASE #14-4146); Gladish, Anne, R.N. 210169 (CASE #15-0097).

Brenda Boggs abstained from voting on Wick, Angie, R.N. 340389, P.N. 076688 (CASE #14-0835) only. Janet Fuchs abstained from voting on all cases. Susan Morano abstained from voting on all cases. Patricia Sharpnack abstained from voting on Snitzer, Jeffrey, R.N. 378920 (CASE #14-3376) only.

Janet Arwood voted no on the following cases only: Hoskins, Laron, P.N. NCLEX (CASE #14-4199); Beasley, Lisa, P.N. NCLEX (CASE #14-5092); and Robson, Aimee, R.N. NCLEX (CASE #14-4663). Brenda Boggs voted no on Hoskins, Laron, P.N. NCLEX (CASE #14-4199) and Robson, Aimee, R.N. NCLEX (CASE #14-4663) only. Maryam Lyon voted no on Beasley, Lisa, P.N. NCLEX (CASE #14-5092) only. Patricia Sharpnack voted no on Hoskins, Laron, P.N. NCLEX (CASE #14-4199) and Beasley, Lisa, P.N. NCLEX (CASE #14-5092) only. Sheryl Warner voted no on Hoskins, Laron, P.N. NCLEX (CASE #14-4199) only.

The motion for Hoskins, Laron, P.N. NCLEX (CASE #14-4199) failed.

Motion for all other cases adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the January 2015 Board Meeting.

#### **HEARING EXAMINER'S REPORT AND RECOMMENDATION**

Phillips, Ietha, P.N. 100508 (CASE #13-2029)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **IETHA LOUISE PHILLIPS's** reinstatement application to practice nursing as a licensed practical nurse in the State of Ohio be denied for an **indefinite period of time but not less than two (2) years from the date of this Order**, with the conditions for reapplication for reinstatement set forth below, and following reinstatement, **MS. PHILLIPS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of six (6) years, including the **Permanent Practice and Permanent Narcotic Restrictions** set forth below.

The rationale for the modification is the following: The Board has determined in its expertise that with the permanent restrictions imposed, in addition to a minimum probationary monitoring period of six (6) years including prior approval by the Board for any employment as a nurse; monthly reports from a Board-approved psychiatrist, quarterly reports from employers, and a two-year period prior to reapplication, rather than a four-year period for reapplication, as recommended by the Hearing Examiner, will be adequate to protect the public. The rationale for imposing a six (6) year probationary period is that **MS. PHILLIPS's** practice needs to be directly monitored by the Board through submission of reports from her employer in addition to monitoring by a nurse peer as recommended by the Hearing Examiner.

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

1. **MS. PHILLIPS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PHILLIPS** 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 applying for reinstatement by the Board, MS. PHILLIPS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PHILLIPS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PHILLIPS'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 applying for reinstatement by the Board, MS. PHILLIPS** shall submit documentation of her full compliance with the terms and conditions imposed by the Cuyahoga County Court of Common Pleas and/or the Cuyahoga County Probate Court arising out of the January 2011 verdict of Not Guilty by Reason of Insanity.
5. **Prior to applying for reinstatement by the Board, MS. PHILLIPS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules.

### **Monitoring**

6. **Within ninety (90) days prior to applying for reinstatement by the Board, MS. PHILLIPS** shall, at her 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. PHILLIPS** shall provide the psychiatrist with a copy of this Order and the 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. PHILLIPS's** license, and a statement as to whether **MS. PHILLIPS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. PHILLIPS** 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. PHILLIPS's** license.
  8. **For six (6) months immediately prior to applying for reinstatement, MS. PHILLIPS** shall, at her expense, participate in continuing individual psychiatric treatment that includes supportive therapy and pharmacologic management with a psychiatrist who is approved in advance by the Board or its designee at intervals deemed appropriate by the psychiatrist until released. **MS. PHILLIPS** shall cause the psychiatrist to submit monthly written reports to the Board regarding: (i) **MS. PHILLIPS's** current diagnosis; (ii) **MS. PHILLIPS's** compliance with treatment recommendations/plans, including but not limited to appropriate use of prescribed medications; (iii) all dates **MS. PHILLIPS** was seen during the month prior to the date of the report; and (iv) any concerns regarding **MS. PHILLIPS's** ability to practice nursing in accordance with acceptable and prevailing standards of safe nursing care. **MS. PHILLIPS** shall provide her psychiatrist(s) with a copy of this Order and the attachments. **MS. PHILLIPS** shall cause the psychiatrist(s) to send documentation to the Board of receipt of a copy of this Order and the attachments, along with the first treatment report. Further, **MS. PHILLIPS** agrees that the Board may use the psychiatrist's recommendations during the course of treatment as a basis for additional terms and restrictions on **MS. PHILLIPS's** license. **MS. PHILLIPS** shall inform the Board, in writing, within five (5) business days of discontinuing participation in psychiatric treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.
  9. **Within ninety (90) days prior to applying for reinstatement by the Board, MS. PHILLIPS** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. PHILLIPS's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall

provide the Board with complete documentation of **MS. PHILLIPS's** comprehensive physical examination and with a comprehensive assessment regarding **MS. PHILLIPS's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. PHILLIPS** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. PHILLIPS** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. PHILLIPS's** license to practice, and stating whether **MS. PHILLIPS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

10. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms and restrictions on **MS. PHILLIPS's** license.

#### **Reporting Requirements of MS. PHILLIPS**

11. **MS. PHILLIPS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. PHILLIPS** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. PHILLIPS** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. PHILLIPS** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. PHILLIPS** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. PHILLIPS** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. PHILLIPS** shall inform the Board within five (5) business days, in

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

### **DURATION**

The Board may only alter the two-year period of application denial if: (1) **MS. PHILLIPS** submits an application for reinstatement; (2) the Board determines that **MS. PHILLIPS** has complied with all conditions of reapplication for reinstatement; and (3) the Board determines that **MS. PHILLIPS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PHILLIPS** and review of the documentation specified in this Order.

**Upon meeting all of the requirements to reinstate her license to practice nursing as a licensed practical nurse, MS. PHILLIPS's license shall be reinstated and suspended, and the suspension shall be stayed; and MS. PHILLIP's license shall be subject to the following probationary terms and restrictions for a minimum period of six (6) years:**

1. **MS. PHILLIPS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PHILLIPS** 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. PHILLIPS** 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. PHILLIPS's** history. **MS. PHILLIPS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PHILLIPS** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. PHILLIPS** shall submit, at her expense and on the day selected, blood, breath, hair 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. PHILLIPS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PHILLIPS's** history.

6. **MS. PHILLIPS** 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. PHILLIPS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Throughout the probationary period, MS. PHILLIPS** shall, at her expense, participate in continuing individual psychiatric treatment that includes supportive therapy and pharmacologic management with a psychiatrist who is approved in advance by the Board or its designee at intervals deemed appropriate by the psychiatrist until released. **MS. PHILLIPS** shall cause the psychiatrist to submit monthly written reports to the Board regarding: (i) **MS. PHILLIPS's** current diagnosis; (ii) **MS. PHILLIPS's** compliance with treatment recommendations/plans, including but not limited to appropriate use of prescribed medications; (iii) all dates **MS. PHILLIPS** was seen in the month prior to the date of the report; and (iv) any concerns regarding **MS. PHILLIPS's** ability to practice nursing in accordance with acceptable and prevailing standards of safe nursing care. **MS. PHILLIPS** shall provide her psychiatrist(s) with a copy of this Order and the attachments. **MS. PHILLIPS** shall cause the psychiatrist(s) to send documentation to the Board of receipt of a copy of this Order and the attachments, along with the first treatment report for treatment that occurred under this Item 7. Further, **MS. PHILLIPS** agrees that the Board may use the psychiatrist's recommendations during the course of treatment as a basis for additional terms and restrictions on **MS. PHILLIPS's** license. **MS. PHILLIPS** shall inform the Board, in writing, within five (5) business days of discontinuing participation in psychiatric treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.

### **Treating Practitioners and Reporting**

8. Within sixty (60) days of the execution of the probationary period, **MS. PHILLIPS** 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. PHILLIPS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
9. **MS. PHILLIPS** 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. PHILLIPS** throughout the duration of this Order.

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

### **Employment Conditions**

11. Prior to accepting employment as a nurse, each time with every employer, **MS. PHILLIPS** shall **notify the Board, in writing, and obtain the Board's permission to accept the nursing employment.**
12. **MS. PHILLIPS** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. PHILLIPS** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. PHILLIPS** 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.
13. **MS. PHILLIPS** shall establish contact with a licensed practical nurse or registered nurse approved in advance by the Board or its designee, to monitor **MS. PHILLIPS's** practice and activities as a licensed practical nurse. **MS. PHILLIPS** shall cause the licensed practical nurse or registered nurse to submit quarterly written reports regarding **MS. PHILLIPS's** practice as a licensed practical nurse to the Board.
14. **MS. PHILLIPS** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. PHILLIPS**

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

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

21. **MS. PHILLIPS** 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 Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

**MS. PHILLIPS** shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered for her use by another so authorized by law who has full knowledge of **MS. PHILLIPS's** history of mental conditions or disability.

**MS. PHILLIPS** shall abstain completely from the use of alcohol.

For as long as **MS. PHILLIPS** may be licensed by the Board, her physicians or psychiatrists who treat her medical condition or disability shall voluntarily submit to the Board documentation that certifies that **MS. PHILLIPS** is properly taking all medication prescribed by her physicians and psychiatrists to treat her mental condition or disability; and that, despite her mental condition or disability, she remains able to practice according to acceptable and prevailing standards of safe nursing care. Such health care providers shall provide written reports certifying **MS. PHILLIPS's** medication compliance on a quarterly basis or any other interval requested by the Board.

Prior to accepting employment as a nurse, each time with every employer, **MS. PHILLIPS** shall **notify the Board, in writing, and obtain the Board's permission to accept the nursing employment.**

**MS. PHILLIPS** shall establish contact with a licensed practical nurse or registered nurse approved in advance by the Board or its designee, to monitor **MS. PHILLIPS's** practice and activities as a licensed practical nurse. **MS. PHILLIPS** shall cause the licensed practical nurse or registered nurse to submit quarterly written reports regarding **MS. PHILLIPS's** practice as a licensed practical nurse to the Board.

**MS. PHILLIPS** shall appear before the Board or its designee as requested by the Board.

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

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Koblitz, Janet, R.N. 257274 (CASE #13-6549)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JANET ANN KOBLITZ's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. KOBLITZ's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions** set forth below.

The rationale for the modification is the following: The Board has determined in its expertise that given the length of **MS. KOBLITZ's** substance use disorder and prior Board actions a longer period of suspension with demonstrated sobriety is necessary for **MS. KOBLITZ** to demonstrate that her practice is not a danger to public safety.

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

1. **MS. KOBLITZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KOBLITZ** 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. KOBLITZ** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KOBLITZ**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KOBLITZ'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. KOBLITZ** 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. KOBLITZ** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Alcohol Abuse.

### Monitoring

6. **MS. KOBLITZ** 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. KOBLITZ's** history. **MS. KOBLITZ** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. KOBLITZ** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. KOBLITZ** shall, at her 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. KOBLITZ** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. KOBLITZ** 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. KOBLITZ's** license, and a statement as to whether **MS. KOBLITZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. KOBLITZ** 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. KOBLITZ's** license.
10. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. KOBLITZ** shall submit, at her expense and on the day selected, blood, breath, hair 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. KOBLITZ'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. KOBLITZ** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KOBLITZ's** history.
11. Within thirty (30) days prior to **MS. KOBLITZ** initiating drug screening, **MS. KOBLITZ** 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. KOBLITZ**.
  12. After initiating drug screening, **MS. KOBLITZ** 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. KOBLITZ** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. KOBLITZ** 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. KOBLITZ** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. **Prior to requesting reinstatement by the Board, MS. KOBLITZ** shall, at her 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. KOBLITZ** shall provide the psychiatrist with a copy of this Order and the 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. KOBLITZ's** license, and a statement as to whether **MS. KOBLITZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  15. **MS. KOBLITZ** 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. KOBLITZ's** license.

### **Reporting Requirements of MS. KOBLITZ**

16. **MS. KOBLITZ** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MS. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MS. KOBLITZ** shall inform the Board within five (5) 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. KOBLITZ** submits a written request for reinstatement; (2) the Board determines that **MS. KOBLITZ** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. KOBLITZ** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. KOBLITZ** and review of the documentation specified in this Order.

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

1. **MS. KOBLITZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ's** history. **MS. KOBLITZ** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KOBLITZ** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. KOBLITZ** shall submit, at her expense and on the day selected, blood, breath, hair 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. KOBLITZ** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KOBLITZ's** history.
6. **MS. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. KOBLITZ** 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. KOBLITZ** shall **notify the Board, in writing**.
11. **MS. KOBLITZ** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MS. KOBLITZ** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. KOBLITZ** 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 Notice of Opportunity for Hearing, including the date they were received.
12. **MS. KOBLITZ** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. KOBLITZ**

13. **MS. KOBLITZ** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** 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. KOBLITZ** shall submit the reports and documentation required by this

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

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

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Smith, Heather, P.N. 129339 (CASE #13-2356)

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **HEATHER DEETTE SMITH's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. SMITH's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions**, unless otherwise approved in advance by the Board or its designee, 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, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Documentation, and five (5) hours of Wound Care.

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

5. **Prior to requesting reinstatement by the Board, MS. SMITH** shall

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

6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. SMITH's** license.
7. In the event that the educator's recommendations require **MS. SMITH** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. SMITH** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. SMITH's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. SMITH's** license shall be terminated. **MS. SMITH** shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for

reinstatement, set forth in this Order, and the Board has reinstated her license.

### **Reporting Requirements of MS. SMITH**

8. **MS. SMITH** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
9. **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.
10. **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.
11. **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.
12. **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.
13. **MS. SMITH** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **MS. SMITH** shall inform the Board within five (5) 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 and restrictions 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.

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. SMITH shall notify the Board, in writing.**
4. **MS. SMITH** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **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 **beginning within thirty (30) days of accepting nursing employment.** **MS. SMITH** 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 Notice of Opportunity for Hearing, including the date they were received.
5. **Upon request of the Board or its designee, MS. SMITH shall, prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. SMITH**

6. **MS. SMITH** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **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.
8. **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.
9. **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.
10. **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.

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

12. **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.

### **Permanent Practice Restrictions**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. SMITH** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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.

Motion adopted by majority vote of the Board members with Janet Fuchs and

Susan Morano abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Lowery-Hardrick, Geraldine, R.N. 216947 (CASE #14-0488)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that Respondent's Exhibit A be redacted to remove a social security number in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **GERALDINE LOWERY-HARDRICK's** license to practice nursing as a registered nurse in the State of Ohio be reinstated and suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. LOWERY-HARDRICK's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Permanent Narcotic Restrictions** unless otherwise approved in advance by the Board or its designee, set forth below.

The rationale for the modification is the following: The Board has determined in its expertise that **MS. LOWERY-HARDRICK** should complete a nurse refresher course rather than an education needs assessment because a more extensive training is required prior to **MS. LOWERY-HARDRICK** returning to nursing practice.

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

1. **MS. LOWERY-HARDRICK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LOWERY-HARDRICK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LOWERY-HARDRICK'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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's** history. **MS. LOWERY-HARDRICK** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. LOWERY-HARDRICK** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. LOWERY-HARDRICK** shall, at her 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. LOWERY-HARDRICK** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's** license, and a statement as to whether **MS. LOWERY-HARDRICK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. LOWERY-HARDRICK** shall submit, at her expense and on the day selected, blood, breath, hair 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. LOWERY-HARDRICK'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. LOWERY-HARDRICK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LOWERY-HARDRICK's** history.

9. Within thirty (30) days prior to **MS. LOWERY-HARDRICK** initiating drug screening, **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK**.
10. After initiating drug screening, **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Prior to requesting reinstatement by the Board, MS. LOWERY-HARDRICK** shall, at her 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. LOWERY-HARDRICK** shall provide the psychiatrist with a copy of this Order and the 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. LOWERY-HARDRICK's** license, and a statement as to whether **MS. LOWERY-HARDRICK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's** license.

#### **Reporting Requirements of MS. LOWERY-HARDRICK**

14. **MS. LOWERY-HARDRICK** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. LOWERY-HARDRICK** shall inform the Board within five (5) 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. LOWERY-HARDRICK** submits a written request for reinstatement; (2) the Board determines that **MS. LOWERY-HARDRICK** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LOWERY-HARDRICK** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LOWERY-HARDRICK** and review of the documentation specified in this Order.

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

1. **MS. LOWERY-HARDRICK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's** history. **MS. LOWERY-HARDRICK** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. LOWERY-HARDRICK** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. LOWERY-HARDRICK** shall submit, at her expense and on the day selected, blood, breath, hair 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. LOWERY-HARDRICK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LOWERY-HARDRICK's** history.
6. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** shall **notify the Board, in writing**.
11. **MS. LOWERY-HARDRICK** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MS. LOWERY-HARDRICK** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. LOWERY-HARDRICK** 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 Notice of Opportunity for Hearing, including the date they were received.
12. **MS. LOWERY-HARDRICK** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. LOWERY-HARDRICK**

13. **MS. LOWERY-HARDRICK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** shall submit the reports and documentation

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

18. **MS. LOWERY-HARDRICK** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. LOWERY-HARDRICK** 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 Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. LOWERY-HARDRICK** 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. LOWERY-HARDRICK's suspension shall be lifted and MS. LOWERY-HARDRICK's** license to practice nursing as a registered nurse will

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Kemp, Corey, R.N. 329169 (CASE #12-1779)

**Action:** It was moved by Janet Arwood, seconded by Brenda Boggs, the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **COREY KEMP's** license to practice nursing as a registered nurse be suspended and that the suspension be stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions**, unless otherwise approved in advance by the Board or its designee, set forth below.

**MR. KEMP's license to practice nursing as a registered nurse shall be subject to the following probationary terms and restrictions:**

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

- reports to the Board. **MR. KEMP'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. **MR. KEMP** shall submit documentation of his full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas in Case Number 12 CR-04-1937.
  5. **Within six (6) months of the effective date of this Order, MR. KEMP** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, three (3) hours of Professional Boundaries, three (3) hours of Documentation, five (5) hours of Ethics and Professionalism, and five (5) hours of Professional Accountability.

#### **Employment Conditions**

1. **MR. KEMP** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment.
2. **MR. KEMP, 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. Further, **MR. KEMP** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment. MR. KEMP** 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 beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position. MR. KEMP** 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 Notice of Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MR. KEMP**

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

10. **MR. KEMP** 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. **MR. KEMP** 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. **MR. KEMP** 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. **MR. KEMP** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **MR. KEMP** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. KEMP** 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. KEMP** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Yelley, Robert, R.N. 205279 (CASE #13-1571)

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **ROBERT ALLEN YELLEY's** license to practice nursing as a registered nurse in the State of Ohio be reinstated and suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. YELLEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions**, unless otherwise approved in advance by the Board or its designee, set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. YELLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. YELLEY** 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. YELLEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. YELLEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. YELLEY's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has

been received by the Board.

### **Monitoring**

4. **MR. YELLEY** 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. YELLEY's** history. **MR. YELLEY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. YELLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MR. YELLEY** shall, at his 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. YELLEY** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. YELLEY** 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. YELLEY's** license, and a statement as to whether **MR. YELLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. YELLEY** 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. YELLEY's** license.
8. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MR. YELLEY** shall submit, at his expense and on the day selected, blood, breath, hair 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. YELLEY'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. YELLEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who

- has full knowledge of **MR. YELLEY's** history.
9. Within thirty (30) days prior to **MR. YELLEY** initiating drug screening, **MR. YELLEY** 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. YELLEY**.
  10. After initiating drug screening, **MR. YELLEY** 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. YELLEY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MR. YELLEY** 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 **MR. YELLEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **Prior to requesting reinstatement by the Board, MR. YELLEY** shall, at his 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. YELLEY** shall provide the psychiatrist with a copy of this Order and the 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. YELLEY's** license, and a statement as to whether **MR. YELLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  13. **MR. YELLEY** 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. YELLEY's** license.

#### **Reporting Requirements of MR. YELLEY**

14. **MR. YELLEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MR. YELLEY** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MR. YELLEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. YELLEY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. YELLEY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MR. YELLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. YELLEY** shall inform the Board within five (5) 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. YELLEY** submits a written request for reinstatement; (2) the Board determines that **MR. YELLEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. YELLEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. YELLEY** and review of the documentation specified in this Order.

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

1. **MR. YELLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. YELLEY** 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. YELLEY** 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. YELLEY's** history. **MR. YELLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. YELLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
  5. During the probationary period, **MR. YELLEY** shall submit, at his expense and on the day selected, blood, breath, hair 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. YELLEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. YELLEY's** history.
  6. **MR. YELLEY** 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 **MR. YELLEY** 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. YELLEY** 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. YELLEY** 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. YELLEY** 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. YELLEY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. YELLEY** 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. YELLEY shall notify the Board, in writing.**
11. **MR. YELLEY** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. YELLEY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. YELLEY** 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 Notice of Opportunity for Hearing, including the date they were received.
12. **MR. YELLEY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MR. YELLEY**

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

**Unless otherwise approved in advance, in writing by the Board or its designee, MR. YELLEY** 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. YELLEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Meyer, Victoria, R.N. 221465 (CASE #12-5807)

**Action:** It was moved by Sheryl Warner, seconded by J. Jane McFee, that the Board accept the redactions of social security numbers made by the Hearing Examiner to State's Exhibit 5, 6, and 8, according to the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that no discipline be imposed on **VICTORIA SUSAN MEYER's** license to practice nursing as a registered nurse in the State of Ohio

The rationale for the modification is based on the mitigating factors in this case presented at the hearing and as identified by the Hearing Examiner.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Kriesen, Nicholas, P.N. 141426 (CASE #14-1093)

**Action:** It was moved by Lisa Klenke, seconded by Sheryl Warner, that the Board redact social security numbers from Respondent's Exhibit J in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **NICHOLAS GEORGE KRIESEN's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years retroactive to March 21, 2014, with the conditions for reinstatement set forth below, and following reinstatement, **MR. KRIESEN's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Practice Restrictions**, unless otherwise approved in advance by the Board or its designee, and the **Permanent Narcotic Restrictions** set forth below.

The rationale for the modification is the following: The rationale for a shorter probationary period is that since **MR. KRIESEN** will be permanently prohibited from access to narcotics and administering narcotics, a three-year probationary period is a sufficient period to monitor **MR. KRIESEN's** nursing practice.

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

1. **MR. KRIESEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. KRIESEN** 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. KRIESEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. KRIESEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. KRIESEN'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. KRIESEN** shall submit documentation of his successful completion of the Intervention Plan as established by the Lake County Court of Common Pleas in Case Number 13-CR-000357.
5. **Prior to requesting reinstatement by the Board, MR. KRIESEN** shall submit documentation of the drug and alcohol assessment conducted by William T. Elwood on or about January 17, 2014.

### **Monitoring**

6. **MR. KRIESEN** 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. KRIESEN's** history. **MR. KRIESEN** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MR. KRIESEN** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MR. KRIESEN** shall, at his 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. KRIESEN** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. KRIESEN** 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. KRIESEN's** license, and a statement as to whether **MR. KRIESEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

9. If a chemical dependency evaluation is requested, **MR. KRIESEN** 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. KRIESEN's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. KRIESEN** shall submit, at his expense and on the day selected, blood, breath, hair 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. KRIESEN'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. KRIESEN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. KRIESEN's** history.
11. Within thirty (30) days prior to **MR. KRIESEN** initiating drug screening, **MR. KRIESEN** 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. KRIESEN**.
12. After initiating drug screening, **MR. KRIESEN** 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. KRIESEN** 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, MR. KRIESEN** 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 **MR. KRIESEN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. KRIESEN**

14. **MR. KRIESEN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MR. KRIESEN** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MR. KRIESEN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. KRIESEN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. KRIESEN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MR. KRIESEN** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. KRIESEN** shall inform the Board within five (5) 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. KRIESEN** submits a written request for reinstatement; (2) the Board determines that **MR. KRIESEN** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. KRIESEN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. KRIESEN** and review of the documentation specified in this Order.

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

1. **MR. KRIESEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. KRIESEN** 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. KRIESEN** 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. KRIESEN's** history. **MR. KRIESEN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. KRIESEN** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, MR. KRIESEN** shall, at his 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. KRIESEN** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. KRIESEN** 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. KRIESEN's** license, and a statement as to whether **MR. KRIESEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MR. KRIESEN** 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. KRIESEN's** license.
7. During the probationary period, **MR. KRIESEN** shall submit, at his expense and on the day selected, blood, breath, hair 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. KRIESEN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. KRIESEN's** history.
8. **MR. KRIESEN** 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 **MR. KRIESEN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MR. KRIESEN** shall **notify the Board, in writing.**
13. **MR. KRIESEN** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. KRIESEN** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. KRIESEN** 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 Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.
14. **Upon request of the Board or its designee, MR. KRIESEN** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. KRIESEN**

15. **MR. KRIESEN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. **MR. KRIESEN** 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. KRIESEN** 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. KRIESEN** 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. KRIESEN** 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.
20. **MR. KRIESEN** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MR. KRIESEN** 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 Narcotic Restriction**

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

### **Temporary Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. KRIESEN** 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. KRIESEN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. KRIESEN** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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. KRIESEN's suspension shall be lifted and MR. KRIESEN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. KRIESEN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. KRIESEN** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. KRIESEN** 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. KRIESEN** has complied with all aspects of this Order; and (2) the Board determines that **MR. KRIESEN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. KRIESEN** and review of the reports as required herein. Any period during which **MR. KRIESEN** 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.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Belmont (aka Fletcher), Beverly, R.N. 188650 (CASE #13-5263)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that the allegations in Item 5., page 2 of the March 21, 2014 Notice of Opportunity for Hearing be dismissed, and that **BEVERLY K. BELMONT's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Mason, Amanda, R.N. 279213, P.N. 094630 (CASE #12-7427)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **AMANDA LYNN MASON's** licenses to practice nursing as a registered nurse and as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. MASON's** licenses to practice nursing as a registered nurse and as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice** and **Temporary Narcotic Restrictions** set forth below.

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

1. **MS. MASON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MASON** 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. MASON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MASON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MASON'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. MASON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, two (2) hours of Medication Administration, five (5) hours of Documentation, five (5) hours of Scope of Practice, and five (5) hours of Professional Accountability and Legal Liability for Nurses.

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

5. **Prior to requesting reinstatement by the Board, MS. MASON** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. MASON** shall have the educator provide the Board with a written report of an assessment of **MS. MASON**, which identifies **MS. MASON's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. MASON** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. MASON** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. MASON's** employer(s), former employers, and Board staff. Following the assessment, **MS. MASON** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. MASON** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. MASON** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. MASON** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. MASON** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. MASON** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. MASON's** licenses to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. MASON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. MASON** shall be responsible for all costs associated with meeting this requirement.
6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. MASON's** licenses.
7. In the event that the educator's recommendations require **MS. MASON** to have an active nursing license, the Board, prior to reinstatement of her licenses, may issue **MS. MASON** a license to practice nursing as a registered nurse and/or licensed practical nurse that is/are restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. MASON's** licenses shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. MASON's** license(s) shall be terminated. **MS. MASON** shall not gain or attempt to gain employment as

a registered nurse or as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her licenses.

### **Monitoring**

8. **MS. MASON** 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. MASON's** history. **MS. MASON** shall self-administer the prescribed drugs only in the manner prescribed.
9. **MS. MASON** shall abstain completely from the use of alcohol or any products containing alcohol.
10. **Prior to requesting reinstatement by the Board, MS. MASON** shall, at her 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. MASON** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. MASON** 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. MASON's** licenses, and a statement as to whether **MS. MASON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
11. **MS. MASON** 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. MASON's** licenses.
12. **If recommended by the chemical dependency professional, and for the period of time prior to requesting reinstatement as recommended by the chemical dependency professional, MS. MASON** shall submit, at her expense and on the day selected, blood, breath, hair 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. MASON'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. MASON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MASON's** history.
13. Within thirty (30) days prior to **MS. MASON** initiating drug screening, **MS. MASON** 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. MASON**.
  14. After initiating drug screening, **MS. MASON** 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. MASON** 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.
  15. **If recommended by the chemical dependency professional, and for the period of time prior to requesting reinstatement as recommended by the chemical dependency professional, MS. MASON** 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. MASON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MASON**

16. **MS. MASON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MS. MASON** 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. MASON** 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. MASON** 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. MASON** 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. MASON** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MS. MASON** shall inform the Board within five (5) 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. MASON** submits a written request for reinstatement; (2) the Board determines that **MS. MASON** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MASON** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MASON** and review of the documentation specified in this Order.

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

1. **MS. MASON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MASON** 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. MASON** 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. MASON's** history. **MS. MASON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MASON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **If recommended by the chemical dependency professional**, during the probationary period, **MS. MASON** shall submit, at her expense and on the day selected, blood, breath, hair 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. MASON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MASON's** history.
6. **If recommended by the chemical dependency professional, MS. MASON** 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. MASON** 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. MASON** 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. MASON** 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. MASON** 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. MASON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MASON** 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. MASON** shall **notify the Board, in writing.**
11. **MS. MASON** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. MASON** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. MASON** 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 Notice of Opportunity for Hearing, including the date they were received.

12. **Upon request of the Board or its designee, MS. MASON shall, prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. MASON**

13. **MS. MASON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. MASON** 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. MASON** 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. MASON** 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. MASON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. MASON** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. MASON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Coleman, Marilyn, P.N. 113294 (CASE #13-2116)

**Action:** It was moved by Patricia Sharpnack, seconded by Sheryl Warner, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that the allegation in Item 2., page 1 of the

September 20, 2013 Notice of Opportunity for Hearing related to Section 4723.28(A), ORC, be dismissed; and that **MARILYN ELIZABETH COLEMAN's** license to practice nursing as a licensed practical nurse in the State of Ohio be **Reprimanded**.

The rationale for this modification is the following: Based on the testimony provided at the hearing and the length of time **MS. COLEMAN** has been practicing as a nurse, the Board has determined that a reprimand is an appropriate sanction and Board monitoring in the form of probation is not necessary to protect the public.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Helton, II, Jeston, R.N. 195144 (CASE #12-2379)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **JESTON B. HELTON, II's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Fenderbosch, Jessica, R.N. 340844 (CASE #12-5168)

**Action:** It was moved by Janet Arwood, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JESSICA ANNE FENDERBOSCH's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. FENDERBOSCH's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions**, unless otherwise approved in advance by the Board or its designee, set forth below.

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

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

2. **MS. FENDERBOSCH** 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. FENDERBOSCH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. FENDERBOSCH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. FENDERBOSCH'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.

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

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

- MS. FENDERBOSCH** shall be responsible for all costs associated with meeting this requirement.
5. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. FENDERBOSCH's** license.
  6. In the event that the educator's recommendations require **MS. FENDERBOSCH** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. FENDERBOSCH** a license to practice nursing as a registered nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. FENDERBOSCH's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. FENDERBOSCH's** license shall be terminated. **MS. FENDERBOSCH** shall not gain or attempt to gain employment as a registered nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

### **Monitoring**

7. **MS. FENDERBOSCH** 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. FENDERBOSCH's** history. **MS. FENDERBOSCH** shall self-administer the prescribed drugs only in the manner prescribed.
8. **MS. FENDERBOSCH** shall abstain completely from the use of alcohol or any products containing alcohol.
9. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MS. FENDERBOSCH** shall, at her 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. FENDERBOSCH** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. FENDERBOSCH** 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. FENDERBOSCH's** license, and a statement as to whether **MS. FENDERBOSCH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

10. If a chemical dependency evaluation is requested, **MS. FENDERBOSCH** 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. FENDERBOSCH's** license.
11. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. FENDERBOSCH** shall submit, at her expense and on the day selected, blood, breath, hair 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. FENDERBOSCH'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. FENDERBOSCH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. FENDERBOSCH's** history.
12. Within thirty (30) days prior to **MS. FENDERBOSCH** initiating drug screening, **MS. FENDERBOSCH** 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. FENDERBOSCH**.
13. After initiating drug screening, **MS. FENDERBOSCH** 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. FENDERBOSCH** 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 three (3) months immediately prior to requesting reinstatement, MS. FENDERBOSCH** 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. FENDERBOSCH** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

15. **Prior to requesting reinstatement by the Board, MS. FENDERBOSCH** shall, at her 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. FENDERBOSCH** shall provide the psychiatrist with a copy of this Order and the 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. FENDERBOSCH's** license, and a statement as to whether **MS. FENDERBOSCH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
16. **MS. FENDERBOSCH** 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. FENDERBOSCH's** license.

#### **Reporting Requirements of MS. FENDERBOSCH**

17. **MS. FENDERBOSCH** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
18. **MS. FENDERBOSCH** 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. FENDERBOSCH** 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. FENDERBOSCH** 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. FENDERBOSCH** 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. FENDERBOSCH** shall verify that the reports and documentation required by this Order are received in the Board office.
23. **MS. FENDERBOSCH** shall inform the Board within five (5) 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. FENDERBOSCH** submits a written request for reinstatement; (2) the Board determines that **MS. FENDERBOSCH** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. FENDERBOSCH** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. FENDERBOSCH** and review of the documentation specified in this Order.

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

1. **MS. FENDERBOSCH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FENDERBOSCH** 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. FENDERBOSCH** 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. FENDERBOSCH's** history. **MS. FENDERBOSCH** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. FENDERBOSCH** shall abstain completely from the use of alcohol or any products containing alcohol.
5. For at least the first year of the probationary period, **MS. FENDERBOSCH** shall submit, at her expense and on the day selected, blood, breath, hair 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. FENDERBOSCH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. FENDERBOSCH's** history.

6. For at least the first year of the probationary period, **MS. FENDERBOSCH** 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. FENDERBOSCH** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. The Board may release **MS. FENDERBOSCH** from the drug/alcohol screening and meeting requirements if: (1) **MS. FENDERBOSCH** submits a written request for release; (2) the Board determines that **MS. FENDERBOSCH** has complied with all conditions of drug/alcohol screening program; and (3) the Board determines that **MS. FENDERBOSCH** is able to practice according to acceptable and prevailing standards of safe nursing care without drug/alcohol screening.

### **Treating Practitioners and Reporting**

8. Within sixty (60) days of the execution of the probationary period, **MS. FENDERBOSCH** 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. FENDERBOSCH** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
9. **MS. FENDERBOSCH** 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. FENDERBOSCH** throughout the duration of this Order.
10. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. FENDERBOSCH** shall notify the Board of any and all medication(s) or prescription(s) received.
11. **Continuing throughout the probationary period, MS. FENDERBOSCH** shall, at her expense, participate in continuing individual psychiatric treatment that includes supportive therapy and pharmacologic management with a psychiatrist who is approved in advance by the Board or its designee at intervals deemed appropriate by the psychiatrist until released. **MS. FENDERBOSCH** shall cause the psychiatrist to submit quarterly written reports to the Board regarding: (i) **MS. FENDERBOSCH's** current diagnosis; (ii) **MS. FENDERBOSCH's** compliance with treatment recommendations/plans, including but not limited to appropriate use of prescribed medications; (iii) all dates **MS. FENDERBOSCH** was seen in the three (3) month period prior to the date of the report; and (iv) any concerns regarding **MS. FENDERBOSCH's** ability to practice nursing in accordance with acceptable and prevailing

standards of safe nursing care. **MS. FENDERBOSCH** shall provide her psychiatrist(s) with a copy of this Order and the attachments. **MS. FENDERBOSCH** shall cause the psychiatrist(s) to send documentation to the Board of receipt of a copy of this Order and the attachments, along with the first treatment report. Further, **MS. FENDERBOSCH** agrees that the Board may use the psychiatrist's recommendations during the course of treatment as a basis for additional terms and restrictions on **MS. FENDERBOSCH's** license. **MS. FENDERBOSCH** shall inform the Board, in writing, within five (5) business days of discontinuing participation in psychiatric treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MS. FENDERBOSCH** shall **notify the Board, in writing.**
13. **MS. FENDERBOSCH** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. FENDERBOSCH** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. FENDERBOSCH** 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 Notice of Opportunity for Hearing, including the date they were received.
14. **Upon request of the Board or its designee, MS. FENDERBOSCH** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. FENDERBOSCH**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. FENDERBOSCH** 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. FENDERBOSCH** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Tipton, Heather, R.N. 376958 (CASE #13-7444)

**Action:** It was moved by Brenda Boggs, seconded by Janet Arwood, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **HEATHER KATHLEEN TIPTON's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Murphy, Hope, R.N. 308244 (CASE #13-7114)

**Action:** It was moved by Sheryl Warner, seconded by Lisa Klenke, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **HOPE ANN MURPHY's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Mullen, Karen, R.N. 259485 (CASE #14-0975)

**Action:** It was moved by Lisa Klenke, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and

that **KAREN ELISE MULLEN's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The rationale for the modification is the following: **MS. MULLEN** has had multiple Board actions and has failed to comply with opportunities provided by the Board including admission to the alternative program for chemical dependency in 2010, and a reinstatement Consent Agreement which **MS. MULLEN** violated. The Board has determined in its expertise that in order to protect the public **MS. MULLEN's** license must be permanently revoked.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Honeycutt, Allen, R.N. 353300 (CASE #14-0569)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board grant an extension of time according to Section 119.09, ORC to Respondent with respect to late-filed "Corrected Objections", and that Respondent's Corrected Objections be considered by the Board. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **ALLEN DWIGHT HONEYCUTT's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Bracy, Jami, R.N. 344027 (CASE #12-7435)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board, in accordance with Section 119.09, ORC, **REMAND JAMI BRACY's** case to Chief Hearing Examiner Beth A. Hogon for additional evidence to be taken regarding the following factual allegation in the November 22, 2013 Notice of Opportunity for Hearing: "On or about September 7, 2011, you told a Board Compliance Agent that you smoked Marijuana on two (2) occasions."

The rationale for remanding to Ms. Hogon rather than to Mr. Forbes is that Mr. Forbes is no longer employed as a hearing examiner.

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

This ORDER shall become effective immediately and is hereby entered upon

the Journal of the Board for the 23rd day of January, 2015.

Putnam, Cindy, P.N. 091618 (CASE #12-7129)

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board accept all of the Findings of Fact, Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation, and find that **MS. PUTNAM** committed acts in violation of the Nurse Practice Act as set forth in the March 21, 2014 Default Order issued by the Board, and that **MS. PUTNAM's** failure to attend the examination ordered by the Board was not due to circumstances beyond her control. It was further moved that **CINDY LEE PUTNAM's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time effective March 21, 2014, with the conditions for reinstatement set forth below.

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

1. **MS. PUTNAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PUTNAM** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **MS. PUTNAM** shall, at her own expenses, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Craig T. Pratt, 1144 Dublin Rd., Columbus, Ohio 43215, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. PUTNAM** shall provide the Examiner with a copy of this Order and the November 14, 2013 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. PUTNAM's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. PUTNAM** is capable of practicing nursing according to the acceptable and prevailing standards of nursing care.
4. **MS. PUTNAM** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitation, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. PUTNAM** are unable to agree to terms, conditions, limitations, and restrictions in a

Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of MS. PUTNAM**

5. **MS. PUTNAM** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. PUTNAM** 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. PUTNAM** 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. PUTNAM** 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. PUTNAM** 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. **MS. PUTNAM** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. PUTNAM** shall inform the Board within five (5) 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. PUTNAM** submits a written request for reinstatement; (2) the Board determines that **MS. PUTNAM** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. PUTNAM** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PUTNAM** and review of the documentation specified in this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Clark, Noel, R.N. 346645 (CASE #11-5279)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board deny Respondent's request for leave to file objections beyond the time frame specified in Section 119.09, ORC. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **MS. CLARK's** license to practice nursing as a registered nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below **for a minimum period of six (6) months**, including the **Temporary Practice Restrictions** set forth below.

It was finally moved that the Board's Order reflect that, as a matter of public policy and in furtherance of the Board's mission to safeguard the health of the public through the effective regulation of nursing care, when a nurse reports for nursing duty under the influence of alcohol the nurse is impaired in the ability to conform with acceptable and prevailing standards of safe nursing care.

**MS. CLARK's license to practice nursing as a registered nurse shall be subject to the following probationary terms and restrictions:**

1. **MS. CLARK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CLARK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. CLARK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CLARK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CLARK's** criminal records check reports to the Board. **MS. CLARK's** completed criminal records check, including the FBI check, **must be received by the Board within three (3) months of effective date of this Order.**

### **Monitoring**

4. **Within sixty (60) days of the effective date of the Order, MS. CLARK** shall, at her 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. CLARK** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. CLARK** 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. CLARK's** license, and a

statement as to whether **MS. CLARK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care

5. **MS. CLARK** 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. CLARK** license.
6. **MS. CLARK** 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. CLARK's** history. **MS. CLARK** shall self-administer prescribed drugs only in the manner prescribed.
7. **MS. CLARK** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Within forty-five (45) days of the effective date of this Order**, and continuing for a period of not less than six (6) months, **MS. CLARK** shall submit, at her expense and on the day selected, blood, breath, hair 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. CLARK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CLARK's** history.

### **Treating Practitioners and Reporting**

9. Prior to initiating screens, **MS. CLARK** 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. CLARK** 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.
10. **MS. CLARK** 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. CLARK** throughout the duration of this Order.

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

### **Employment Conditions**

12. **MS. CLARK** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment.
13. **MS. CLARK, 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. Further, **MS. CLARK** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MS. CLARK** 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 beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position**. **MS. CLARK** 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 Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MS. CLARK**

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

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

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

### **Temporary Practice Restrictions**

The following Temporary Practice Restrictions shall be in effect for the duration of the probationary period, with the exception of **MS. CLARK's** current employment with Maxim Staffing Solutions:

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Stacklin, Jocelyn, R.N. 362869 (CASE #13-5938)

**Action:** It was moved by Brenda Boggs, seconded by Sheryl Warner, that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JOCELYN STARR STACKLIN's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year from the date that the Richland County Court of Common Pleas releases **MS. STACKLIN** from the terms and conditions imposed in Case No. 2012 CR 0079, with the conditions for reinstatement set forth below, and following reinstatement, **MS. STACKLIN's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Permanent Narcotic Restrictions** unless otherwise approved in advance by the Board or its designee, set forth below.

The rationale for the modification is the following: The Board has determined in its expertise that the public will be adequately protected if the permanent narcotic restriction is imposed subject to Board approval, allowing the Board to determine if **MS. STACKLIN** can safely administer narcotics, rather than imposing a complete prohibition as recommended by the Hearing Examiner.

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

1. **MS. STACKLIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STACKLIN** 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. STACKLIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. STACKLIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. STACKLIN'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. STACKLIN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules and ten (10) hours of Chemical Dependency.

### **Monitoring**

5. **MS. STACKLIN** 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. STACKLIN's** history. **MS. STACKLIN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. STACKLIN** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Within three (3) months prior to requesting reinstatement by the Board, MS. STACKLIN** shall, at her 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. STACKLIN** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. STACKLIN** 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. STACKLIN's** license, and a statement as to whether **MS. STACKLIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. STACKLIN** 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. STACKLIN's** license.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. STACKLIN** shall submit, at her expense and on the day selected, blood, breath, hair 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. STACKLIN'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. STACKLIN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STACKLIN's** history.
10. Within thirty (30) days prior to **MS. STACKLIN** initiating drug screening, **MS. STACKLIN** 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. STACKLIN**.
  11. After initiating drug screening, **MS. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. Prior to requesting reinstatement by the Board, **MS. STACKLIN** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. STACKLIN's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. STACKLIN's** comprehensive physical examination and with a comprehensive assessment regarding **MS. STACKLIN's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. STACKLIN** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. STACKLIN** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STACKLIN's** license to practice, and stating

whether **MS. STACKLIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms and restrictions on **MS. STACKLIN's** license.

#### **Reporting Requirements of MS. STACKLIN**

15. **MS. STACKLIN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
16. **MS. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. STACKLIN** shall inform the Board within five (5) 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. STACKLIN** submits a written request for reinstatement; (2) the Board determines that **MS. STACKLIN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. STACKLIN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. STACKLIN** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MS.**

**STACKLIN's license shall be subject to the following probationary terms and restrictions for a minimum period of three (3) years.**

1. **MS. STACKLIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STACKLIN** 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. STACKLIN** 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. STACKLIN's** history. **MS. STACKLIN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. STACKLIN** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. STACKLIN** shall submit, at her expense and on the day selected, blood, breath, hair 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. STACKLIN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STACKLIN's** history.
6. **MS. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. STACKLIN** 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. STACKLIN** shall **notify the Board, in writing.**
11. **MS. STACKLIN** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. STACKLIN** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. STACKLIN** 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 Notice of Opportunity for Hearing, including the date they were received.
12. **MS. STACKLIN** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. STACKLIN**

13. **MS. STACKLIN** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. STACKLIN** 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. STACKLIN** 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. STACKLIN** 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. STACKLIN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

19. **MS. STACKLIN** 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 Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. STACKLIN** 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. STACKLIN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. STACKLIN** 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. STACKLIN's suspension shall be lifted and MS.**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

#### **BOARD HEARING COMMITTEE**

Carr, Marilyn, R.N. 250447 (CASE #13-8033)

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

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Sheryl Warner abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Tomaiko, Mary, P.N. 135486 (CASE #13-7091)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and that **MARY MARGARET TOMAIKO's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than three (3) months

with the conditions for reinstatement set forth below, and following reinstatement, **MS. TOMAIKO's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year, including the **Temporary Practice Restrictions** set forth below.

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

1. **MS. TOMAIKO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TOMAIKO** 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. TOMAIKO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TOMAIKO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. TOMAIKO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MS. TOMAIKO** shall submit documentation of her full compliance with and completion of the terms and conditions of her probation in Summit County, Ohio, resulting from her June 19, 2012, OVI conviction.

#### **Monitoring**

1. **MS. TOMAIKO** 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. TOMAIKO's** history. **MS. TOMAIKO** shall self-administer the prescribed drugs only in the manner prescribed.
2. **MS. TOMAIKO** shall abstain completely from the use of alcohol or any products containing alcohol.
3. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. TOMAIKO** shall submit, at her expense and on the day selected, blood, breath, hair 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. TOMAIKO'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. TOMAIKO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TOMAIKO's** history.
4. Within thirty (30) days prior to **MS. TOMAIKO** initiating drug screening, **MS. TOMAIKO** 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. TOMAIKO**.
  5. After initiating drug screening, **MS. TOMAIKO** 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. TOMAIKO** 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.
  6. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. TOMAIKO** 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. TOMAIKO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. TOMAIKO**

7. **MS. TOMAIKO** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
8. **MS. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. TOMAIKO** shall inform the Board within five (5) 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. TOMAIKO** submits a written request for reinstatement; (2) the Board determines that **MS. TOMAIKO** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. TOMAIKO** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. TOMAIKO** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MS. TOMAIKO's license shall be subject to the following probationary terms and restrictions for a minimum period of one (1) year.**

1. **MS. TOMAIKO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO's** history. **MS. TOMAIKO** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. TOMAIKO** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. TOMAIKO** shall submit, at her expense and on the day selected, blood, breath, hair 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. TOMAIKO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TOMAIKO's** history.

6. **MS. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TOMAIKO** 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. TOMAIKO** shall **notify the Board, in writing.**
11. **MS. TOMAIKO** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. TOMAIKO** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. TOMAIKO** 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 Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

12. **Upon request of the Board or its designee, MS. TOMAIKO shall, prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. TOMAIKO**

13. **MS. TOMAIKO** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** 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. TOMAIKO** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. TOMAIKO** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. TOMAIKO** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Sheryl Warner abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Lowe, Troy, P.N. 101187 (CASE #12-5992)

**Action:** It was moved by Brenda Boggs, seconded by Janet Arwood, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and that **TROY PRESTON LOWE's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period with the conditions for reinstatement set forth below, and following reinstatement, **MR. LOWE's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice** and **Permanent Narcotic Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. LOWE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. LOWE** 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. LOWE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. LOWE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. LOWE'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. LOWE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Opiate Abuse and Dependence.

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

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

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

### **Monitoring**

8. **MR. LOWE** 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. LOWE's** history. **MR. LOWE** shall self-administer the prescribed drugs only in the manner prescribed.
9. **MR. LOWE** shall abstain completely from the use of alcohol or any products containing alcohol.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. LOWE** shall submit, at his expense and on the day selected, blood, breath, hair 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. LOWE'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. LOWE** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. LOWE's** history.
11. Within thirty (30) days prior to **MR. LOWE** initiating drug screening, **MR. LOWE** 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. LOWE**.
  12. After initiating drug screening, **MR. LOWE** 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. LOWE** 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, MR. LOWE** 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. LOWE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. LOWE**

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

Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

19. **MR. LOWE** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. LOWE** shall inform the Board within five (5) 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. LOWE** submits a written request for reinstatement; (2) the Board determines that **MR. LOWE** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. LOWE** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. LOWE** and review of the documentation specified in this Order.

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

1. **MR. LOWE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. LOWE** 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. LOWE** 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. LOWE's** history. **MR. LOWE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. LOWE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. LOWE** shall submit, at his expense and on the day selected, blood, breath, hair 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. LOWE** shall be negative, except for substances

prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. LOWE's** history.

6. **MR. LOWE** 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. LOWE** 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. LOWE** 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. LOWE** 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. LOWE** 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. LOWE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. LOWE** 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. LOWE** shall **notify the Board, in writing.**
11. **MR. LOWE** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. LOWE** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. LOWE** 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 Notice of Opportunity for Hearing, including the date they were received.
12. **Upon request of the Board or its designee, MR. LOWE** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the

Board or its designee.

### **Reporting Requirements of MR. LOWE**

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

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

### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Sheryl Warner abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Everett, Jr, Charles, P.N. 131233 (CASE #11-4978)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and that **CHARLES MELVIN EVERETT JR.'s** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MR. EVERETT's** license to practice nursing as a licensed practical nurse shall be subject to a

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

The rationale for the modification is the following: The Board has determined in its expertise that in order to protect the public **MR. EVERETT** must be permanently restricted from practicing in high risk and unsupervised areas and from handling financial activities in any position that requires a nursing license, rather than temporarily, based on **MR. EVERETT's** deceitful monetary practices and criminal conduct.

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

1. **MR. EVERETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. EVERETT** 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. EVERETT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. EVERETT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. EVERETT'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. EVERETT** 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, MR. EVERETT** shall submit documentation of his full compliance with the terms and conditions imposed by the Athens County Court of Common Pleas in Case Number 11CR0311.

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

6. **Prior to requesting reinstatement by the Board, MR. EVERETT** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MR. EVERETT** shall have the educator provide the Board with a written report of an assessment of **MR. EVERETT**, which

identifies **MR. EVERETT's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MR. EVERETT** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MR. EVERETT** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MR. EVERETT's** employer(s), former employers, and Board staff. Following the assessment, **MR. EVERETT** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MR. EVERETT** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MR. EVERETT** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MR. EVERETT** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MR. EVERETT** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MR. EVERETT** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MR. EVERETT's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MR. EVERETT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MR. EVERETT** shall be responsible for all costs associated with meeting this requirement.

7. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MR. EVERETT's** license.
8. In the event that the educator's recommendations require **MR. EVERETT** to have an active nursing license, the Board, prior to reinstatement of his license, may issue **MR. EVERETT** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MR. EVERETT's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MR. EVERETT's** license shall be terminated. **MR. EVERETT** shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until he has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

## Monitoring

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

#### **Reporting Requirements of MR. EVERETT**

11. **MR. EVERETT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MR. EVERETT** 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.
13. **MR. EVERETT** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MR. EVERETT** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MR. EVERETT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MR. EVERETT** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MR. EVERETT** shall inform the Board within five (5) 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. EVERETT** submits a written request for reinstatement; (2) the Board determines that **MR. EVERETT** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. EVERETT** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. EVERETT** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MR. EVERETT's license shall be subject to the following probationary terms and restrictions for a minimum period of one (1) year.**

1. **MR. EVERETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. EVERETT** 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. EVERETT shall notify the Board, in writing.**
4. **MR. EVERETT** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. EVERETT** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. EVERETT** 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 Notice of Opportunity for Hearing, including the date they were received.
5. **Upon request of the Board or its designee, MR. EVERETT shall, prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. EVERETT**

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

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

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

**MR. EVERETT** shall not be involved in financial activities or supervise financial

activities in any position that requires a nursing license.

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Sheryl Warner abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Everett, Ashley, R.N. 350618 (CASE #13-6852)

**Action:** It was moved by Patricia Sharpnack, seconded by Janet Arwood, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and that **ASHLEY MARIE EVERETT's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. EVERETT's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

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

and rules governing the practice of nursing in Ohio.

2. **MS. EVERETT** 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. EVERETT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. EVERETT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. EVERETT'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. EVERETT** 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.

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

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

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

### **Monitoring**

8. **MS. EVERETT** 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. EVERETT's** history. **MS. EVERETT** shall self-administer the prescribed drugs only in the manner prescribed.
9. **MS. EVERETT** shall abstain completely from the use of alcohol or any products containing alcohol.
10. **Prior to requesting reinstatement by the Board, MS. EVERETT** shall, at her 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. EVERETT** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. EVERETT** 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. EVERETT's** license, and a statement as to whether **MS. EVERETT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
11. **MS. EVERETT** 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. EVERETT's** license.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. EVERETT** shall submit, at her expense and on the day selected, blood, breath, hair 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. EVERETT'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. EVERETT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. EVERETT's** history.
  13. Within thirty (30) days prior to **MS. EVERETT** initiating drug screening, **MS. EVERETT** 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. EVERETT**.
  14. After initiating drug screening, **MS. EVERETT** 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. EVERETT** 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.
  15. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. EVERETT** 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. EVERETT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
16. **Within ninety (90) days prior to requesting reinstatement by the Board, MS. EVERETT** shall, at her 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. EVERETT** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. EVERETT's** license, and a statement as to whether **MS. EVERETT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
17. **MS. EVERETT** 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. EVERETT's** license.

#### **Reporting Requirements of MS. EVERETT**

18. **MS. EVERETT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
19. **MS. EVERETT** 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.
20. **MS. EVERETT** 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.
21. **MS. EVERETT** 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.
22. **MS. EVERETT** 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.

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

24. **MS. EVERETT** shall inform the Board within five (5) 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. EVERETT** submits a written request for reinstatement; (2) the Board determines that **MS. EVERETT** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. EVERETT** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. EVERETT** and review of the documentation specified in this Order.

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

1. **MS. EVERETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. EVERETT** 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. EVERETT** 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. EVERETT's** history. **MS. EVERETT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. EVERETT** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. EVERETT** shall submit, at her expense and on the day selected, blood, breath, hair 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. EVERETT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by

law who has full knowledge of **MS. EVERETT's** history.

6. **MS. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. EVERETT** 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. EVERETT** shall **notify the Board, in writing**.
11. **MS. EVERETT** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MS. EVERETT** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. EVERETT** 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 Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon request of the Board or its designee, MS. EVERETT** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing

refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. EVERETT**

13. **MS. EVERETT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. EVERETT** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. EVERETT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Sheryl Warner abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

### **NO REQUEST FOR HEARING**

Haning, Sheri, RN Endorse (CASE #13-0969)

**Action:** It was moved by Lisa Klenke, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **SHERI DIANE HANING** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HANING** 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 that **MS. HANING's** application for licensure by endorsement to practice nursing as a registered nurse be **PERMANENTLY DENIED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Williams, Melissa, P.N. 134980 (CASE #14-1510)

**Action:** it was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **MELISSA ANN WILLIAMS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WILLIAMS** 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 that **MS. WILLIAMS's** license to practice nursing as a licensed practical nurse be suspended and that the suspension be stayed subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year.

**MS. WILLIAMS's license to practice nursing as a licensed practical nurse shall be subject to the following probationary terms and restrictions:**

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. **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. **MS. WILLIAMS'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. WILLIAMS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; five (5) hours of Professional Accountability and Legal Liability; three (3) hours of Marijuana Abuse; and five (5) hours of Disciplinary Actions.

#### **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 prescribed

drugs only in the manner prescribed.

6. **MS. WILLIAMS** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Within ninety (90) days of the effective date of this ORDER, MS. WILLIAMS** shall, at her 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 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** license.
9. **Within forty-five (45) days of the effective date of this Order**, and continuing throughout the probationary period, **MS. WILLIAMS** shall submit, at her expense and on the day selected, blood, breath, hair 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.
10. **Within forty-five (45) days of the effective date of this Order, MS. WILLIAMS** 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. WILLIAMS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

11. Prior to initiating screens, **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.
12. **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.
13. 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**

14. **MS. WILLIAMS** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting nursing employment.
15. **MS. WILLIAMS, 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. Further, **MS. WILLIAMS** 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 nursing employment**. **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 beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position**. **MS. WILLIAMS** 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.

### **Reporting Requirements of MS. WILLIAMS**

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

17. **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.
18. **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.
19. **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.
20. **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.
21. **MS. WILLIAMS** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **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.

#### **FAILURE TO COMPLY**

The stay of **MS. WILLIAMS's** suspension shall be lifted and **MS. WILLIAMS's** license to practice nursing as a licensed practical 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.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hayes, Sarah, DT 02385 (CASE #13-6254)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **SARAH ELIZABETH HAYES** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HAYES** 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 that **MS. HAYES's** certificate to practice nursing as an Ohio certified dialysis technician be **Reprimanded** and **Fined**.

**Within six (6) months of the effective date of this Order, MS. HAYES** 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.

**Within six (6) months of the effective date of this Order, MS. HAYES** shall, in addition to the requirements of certificate renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Law and Rules; two (2) hours of Critical Thinking; four (4) hours of Disciplinary Actions; and five (5) hours of Professional Accountability and Legal Liability.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Davis, Amy, P.N. 152059 (CASE #13-1608)

**Action:** It was moved by Patricia Sharpnack, seconded by Sheryl Warner, that upon consideration of the charges stated against **AMY MAY DAVIS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. DAVIS** 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 that **MS. DAVIS's** license to practice nursing as a licensed practical nurse be 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. DAVIS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two

(2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

1. **MS. DAVIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DAVIS** 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. DAVIS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DAVIS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DAVIS'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. DAVIS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; and ten (10) hours of Chemical Dependency and Substance Abuse.

#### **Monitoring**

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

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

### **Reporting Requirements of MS. DAVIS**

13. **MS. DAVIS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. DAVIS** shall inform the Board within five (5) 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. DAVIS** submits a written request for reinstatement; (2) the Board determines that **MS. DAVIS** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. DAVIS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. DAVIS** and review of the documentation specified in this Order.

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

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

2. **MS. DAVIS** 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. DAVIS** 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. DAVIS's** history. **MS. DAVIS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DAVIS** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. DAVIS** shall submit, at her expense and on the day selected, blood, breath, hair 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. DAVIS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DAVIS's** history.
6. **MS. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DAVIS** 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. DAVIS** shall **notify the Board, in writing.**
11. **MS. DAVIS** 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 nursing employment.** **MS. DAVIS** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. DAVIS** 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.
12. **MS. DAVIS** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. DAVIS**

13. **MS. DAVIS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. DAVIS** 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. DAVIS** 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. DAVIS** 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. DAVIS** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Ballard, Victoria, P.N. 108655 (CASE #14-1718)

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that upon consideration of the charges stated against **VICTORIA LYNN BALLARD** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BALLARD** 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. BALLARD's** license to practice nursing as a licensed practical nurse be 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. BALLARD's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

1. **MS. BALLARD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BALLARD** 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. BALLARD** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BALLARD**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BALLARD'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. MILLER** 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. BALLARD** 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. BALLARD's** history. **MS. BALLARD** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. BALLARD** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Upon request of the Board or its designee, prior to requesting reinstatement by the Board, MS. BALLARD** shall, at her 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. BALLARD** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. BALLARD** 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. BALLARD's** license, and a statement as to whether **MS. BALLARD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **If a chemical dependency evaluation is requested, MS. BALLARD** 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. BALLARD's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BALLARD** shall submit, at her expense and on the day selected, blood, breath, hair 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. BALLARD'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. BALLARD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BALLARD's** history.
10. Within thirty (30) days prior to **MS. BALLARD** initiating drug screening, **MS. BALLARD** 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. BALLARD**.
  11. After initiating drug screening, **MS. BALLARD** 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. BALLARD** 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. BALLARD** 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. BALLARD** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. BALLARD**

13. **MS. BALLARD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. BALLARD** 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. BALLARD** 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. BALLARD** 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. BALLARD** 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. BALLARD** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. BALLARD** shall inform the Board within five (5) 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. BALLARD** submits a written request for reinstatement; (2) the Board determines that **MS. BALLARD** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. BALLARD** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BALLARD** and review of the documentation specified in this Order.

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

1. **MS. BALLARD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BALLARD** 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. BALLARD** 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. BALLARD's** history. **MS. BALLARD** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BALLARD** shall abstain completely from the use of alcohol or any products containing alcohol.

5. During the probationary period, **MS. BALLARD** shall submit, at her expense and on the day selected, blood, breath, hair 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. BALLARD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BALLARD's** history.
6. **MS. BALLARD** 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. BALLARD** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon request of the Board or its designee and within sixty (60) days of that request, MS. BALLARD** shall, at her 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. BALLARD** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. BALLARD** 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. BALLARD's** license, and a statement as to whether **MS. BALLARD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **If a chemical dependency evaluation is requested, MS. BALLARD** 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. BALLARD's** license

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

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

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MS. BALLARD** shall **notify the Board, in writing.**
13. **MS. BALLARD** 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 nursing employment.** **MS. BALLARD** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. BALLARD** 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.
14. **MS. BALLARD** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. BALLARD**

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

#### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Rawnsley, Ann, R.N. 221142 (CASE #13-6204)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **ANN KATHERINE RAWNSLEY** in the November 22, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. RAWNSLEY** 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 that **MS. RAWNSLEY's** license to practice nursing as a registered nurse be 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. RAWNSLEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. RAWNSLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RAWNSLEY** 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. RAWNSLEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RAWNSLEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. RAWNSLEY'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. RAWNSLEY** 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. RAWNSLEY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: fifteen (15) hours of Nurses and Alcohol.

### **Monitoring**

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

- expense and on the day selected, blood, breath, hair 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. RAWNSLEY'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. RAWNSLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RAWNSLEY's** history.
11. Within thirty (30) days prior to **MS. RAWNSLEY** initiating drug screening, **MS. RAWNSLEY** 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. RAWNSLEY**.
  12. After initiating drug screening, **MS. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. Prior to requesting reinstatement by the Board, **MS. RAWNSLEY** shall, at her 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. RAWNSLEY** 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. RAWNSLEY's** license, and a statement as to whether **MS. RAWNSLEY** is

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

15. **MS. RAWNSLEY** 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. RAWNSLEY's** license.

#### **Reporting Requirements of MS. RAWNSLEY**

16. **MS. RAWNSLEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MS. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MS. RAWNSLEY** shall inform the Board within five (5) 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. RAWNSLEY** submits a written request for reinstatement; (2) the Board determines that **MS. RAWNSLEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. RAWNSLEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. RAWNSLEY** and review of the documentation specified in this Order.

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

1. **MS. RAWNSLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY's** history. **MS. RAWNSLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RAWNSLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. RAWNSLEY** shall submit, at her expense and on the day selected, blood, breath, hair 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. RAWNSLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RAWNSLEY's** history.
6. **MS. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RAWNSLEY** 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. RAWNSLEY** shall **notify the Board, in writing.**
11. **MS. RAWNSLEY** 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 nursing employment.** **MS. RAWNSLEY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. RAWNSLEY** 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.
12. **MS. RAWNSLEY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. RAWNSLEY**

13. **MS. RAWNSLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** 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. RAWNSLEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. RAWNSLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. RAWNSLEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. RAWNSLEY** 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. RAWNSLEY's suspension shall be lifted and MS. RAWNSLEY's** license to practice nursing as a registered nurse will be

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Lewis, Monessa, R.N. 268485 (CASE #13-6903)

**Action:** It was moved by Brenda Boggs, seconded by Janet Arwood, that upon consideration of the charges stated against **MONESSA SHABREE LEWIS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LEWIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. LEWIS's** license to practice nursing as a registered nurse be 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. LEWIS's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

1. **MS. LEWIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEWIS** 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. LEWIS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LEWIS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LEWIS'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. LEWIS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; four (4) hours of Medication Administration; and five (5) hours of Professional Accountability and Legal Liability for Nurses.

### **Monitoring**

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

9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. LEWIS** shall submit, at her expense and on the day selected, blood, breath, hair 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. LEWIS'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. LEWIS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEWIS's** history.
10. Within thirty (30) days prior to **MS. LEWIS** initiating drug screening, **MS. LEWIS** 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. LEWIS**.
11. After initiating drug screening, **MS. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. LEWIS**

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

14. **MS. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. LEWIS** shall inform the Board within five (5) 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. LEWIS** submits a written request for reinstatement; (2) the Board determines that **MS. LEWIS** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LEWIS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LEWIS** and review of the documentation specified in this Order.

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

1. **MS. LEWIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEWIS** 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. LEWIS** 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. LEWIS's** history. **MS. LEWIS** shall self-administer prescribed drugs only in the manner prescribed.

4. **MS. LEWIS** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. LEWIS** shall submit, at her expense and on the day selected, blood, breath, hair 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. LEWIS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEWIS's** history.
6. **MS. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LEWIS** 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. LEWIS** shall **notify the Board, in writing.**

11. **MS. LEWIS** 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 nursing employment**. **MS. LEWIS** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. LEWIS** 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.
12. **Upon the request of the Board or its designee, MS. LEWIS** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. LEWIS**

13. **MS. LEWIS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. LEWIS** 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. LEWIS** 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. LEWIS** 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. LEWIS** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. LEWIS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. LEWIS** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Tepsich, Lisa, P.N. 090537 (CASE #13-5920)

**Action:** It was moved by Sheryl Warner, seconded by Brenda Boggs, that upon consideration of the charges stated against **LISA DANETTE TEPSICH** in the July 25, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. TEPSICH** 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 that **MS. TEPSICH's** license to practice nursing as a licensed practical nurse be 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. TEPSICH's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. TEPSICH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TEPSICH** 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. TEPSICH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TEPSICH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. TEPSICH'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. TEPSICH** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; and fifteen (15) hours of Nurses and Alcohol Dependency.

#### **Monitoring**

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

#### **Reporting Requirements of MS. TEPSICH**

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

19. **MS. TEPSICH** shall inform the Board within five (5) 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. TEPSICH** submits a written request for reinstatement; (2) the Board determines that **MS. TEPSICH** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. TEPSICH** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. TEPSICH** and review of the documentation specified in this Order.

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

1. **MS. TEPSICH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TEPSICH** 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. TEPSICH** 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. TEPSICH's** history. **MS. TEPSICH** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. TEPSICH** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. TEPSICH** shall submit, at her expense and on the day selected, blood, breath, hair 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. TEPSICH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. TEPSICH's** history.

6. **MS. TEPSICH** 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. TEPSICH** 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. TEPSICH** 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. TEPSICH** 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. TEPSICH** 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. TEPSICH** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. TEPSICH** 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. TEPSICH** shall **notify the Board, in writing.**
11. **MS. TEPSICH** 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 nursing employment.** **MS. TEPSICH** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. TEPSICH** 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.
12. **MS. TEPSICH** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. TEPSICH**

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

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

#### **Permanent Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Mutter, Robert, P.N. 134697 (CASE #13-2362)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **ROBERT J. MUTTER** in the March 21, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. MUTTER** 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 that **MR. MUTTER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. MUTTER's** license to

practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MR. MUTTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MUTTER** 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. MUTTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. MUTTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. MUTTER'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. MUTTER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Medication Administration; two (2) hours of Law and Rules Governing the Practice of Nursing in Ohio; and five (5) hours of Professional Accountability and Legal Liability for Nurses.

#### **Monitoring**

5. **MR. MUTTER** 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. MUTTER's** history. **MR. MUTTER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. MUTTER** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MR. MUTTER** shall, at his 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. MUTTER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR.**

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

12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. MUTTER** 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. MUTTER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MR. MUTTER**

13. **MR. MUTTER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. MUTTER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MR. MUTTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MR. MUTTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MR. MUTTER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. MUTTER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. MUTTER** shall inform the Board within five (5) 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. MUTTER** submits a written request for reinstatement; (2) the Board determines that **MR. MUTTER** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. MUTTER** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. MUTTER** and review of the documentation specified in this Order.

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

1. **MR. MUTTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MUTTER** 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. MUTTER** 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. MUTTER's** history. **MR. MUTTER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. MUTTER** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. MUTTER** shall submit, at his expense and on the day selected, blood, breath, hair 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. MUTTER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MUTTER's** history.
6. **MR. MUTTER** 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. MUTTER** 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. MUTTER** 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. MUTTER** 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. MUTTER** 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. MUTTER** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. MUTTER** 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. MUTTER** shall **notify the Board, in writing.**
11. **MR. MUTTER** 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 nursing employment.** **MR. MUTTER** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. MUTTER** 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.
12. **MR. MUTTER** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. MUTTER**

13. **MR. MUTTER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MR. MUTTER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MR. MUTTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

16. **MR. MUTTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MR. MUTTER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. MUTTER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. MUTTER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MR. MUTTER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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. MUTTER's suspension shall be lifted and MR. MUTTER's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. MUTTER** has violated or

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Tuttle, Jessica, P.N. 107760 (CASE #14-0549)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **JESSICA MARIE TUTTLE** in the May 16, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. TUTTLE** 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 that **MS. TUTTLE's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. TUTTLE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TUTTLE** 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. TUTTLE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TUTTLE**, including a

- check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. TUTTLE'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. TUTTLE** 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.
  5. **Prior to requesting reinstatement by the Board, MS. TUTTLE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: thirty (30) hours of Boundaries; five (5) hours of Critical Thinking; five (5) hours of Professionalism; four (4) hours of Professional Accountability and Legal Liability for Nurses; and one (1) hour of Ohio Nursing Law and Rules.

#### **Reporting Requirements of MS. TUTTLE**

6. **MS. TUTTLE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. TUTTLE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. TUTTLE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. TUTTLE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. TUTTLE** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. TUTTLE** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. TUTTLE** shall inform the Board within five (5) 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. TUTTLE** submits a written request for reinstatement; (2) the Board determines that **MS. TUTTLE** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. TUTTLE** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. TUTTLE** and review of the documentation specified in this Order.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Groover, Sharri, R.N. 273686 (CASE #14-0128)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **SHARRI LYNN GROOVER** in the March 21, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GROOVER** 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 that **MS. GROOVER's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. GROOVER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GROOVER** 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. GROOVER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GROOVER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. GROOVER'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. MILLER** 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.

5. **Prior to requesting reinstatement by the Board, MS. GROOVER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; five (5) hours of Professionalism; and five (5) hours of Substance Abuse.

### **Reporting Requirements of MS. GROOVER**

6. **MS. GROOVER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. GROOVER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. GROOVER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. GROOVER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. GROOVER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. GROOVER** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. GROOVER** shall inform the Board within five (5) 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. GROOVER** submits a written request for reinstatement; (2) the Board determines that **MS. GROOVER** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. GROOVER** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. GROOVER** and review of the documentation

specified in this Order.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Dye, Deirdre, R.N. 207777 (CASE #14-1340)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **DEIRDRE ELAINE DYE** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. DYE** 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 that **MS. DYE's** license to practice nursing as a registered nurse be 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. DYE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. DYE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DYE** 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. DYE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DYE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DYE'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. DYE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Law and Rules Governing the Practice of Nursing in Ohio; five (5) hours of Professional Accountability and Legal

Liability; five (5) hours of Disciplinary Actions; and fifteen (15) hours of Women and Substance Abuse.

### **Monitoring**

5. **MS. DYE** 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. DYE's** history. **MS. DYE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. DYE** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. DYE** shall, at her 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. DYE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. DYE** 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. DYE's** license, and a statement as to whether **MS. DYE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. DYE** 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. DYE's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. DYE** shall submit, at her expense and on the day selected, blood, breath, hair 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. DYE'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. DYE** shall be negative, except for substances prescribed, administered, or dispensed to

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

10. Within thirty (30) days prior to **MS. DYE** initiating drug screening, **MS. DYE** 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. DYE**.
11. After initiating drug screening, **MS. DYE** 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. DYE** 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. DYE** 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. DYE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. DYE**

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

19. **MS. DYE** shall inform the Board within five (5) 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. DYE** submits a written request for reinstatement; (2) the Board determines that **MS. DYE** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. DYE** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. DYE** and review of the documentation specified in this Order.

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

1. **MS. DYE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DYE** 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. DYE** 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. DYE's** history. **MS. DYE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DYE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. DYE** shall submit, at her expense and on the day selected, blood, breath, hair 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. DYE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DYE's** history.

6. **MS. DYE** 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. DYE** 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. DYE** 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. DYE** 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. DYE** 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. DYE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DYE** 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. DYE** shall **notify the Board, in writing.**
11. **MS. DYE** 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 nursing employment.** **MS. DYE** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. DYE** 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.
12. **Upon the request of the Board or its designee, MS. DYE** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. DYE**

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

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Ruckreigle, Patrice, R.N. 340237 (CASE #14-1392)

**Action:** It was moved by Janet Arwood, seconded by Sheryl Warner, that upon consideration of the charges stated against **PATRICE MARIE RUCKREIGLE** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. RUCKREIGLE** 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 that **MS. RUCKREIGLE's** license to practice nursing as a registered nurse be 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. RUCKREIGLE's** license to practice nursing as a registered nurse shall be subject to a stayed

suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. RUCKREIGLE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RUCKREIGLE** 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. RUCKREIGLE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RUCKREIGLE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. RUCKREIGLE'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. RUCKREIGLE** 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. RUCKREIGLE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Professional Boundaries.

#### **Monitoring**

6. **MS. RUCKREIGLE** 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. RUCKREIGLE's** history. **MS. RUCKREIGLE** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. RUCKREIGLE** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. RUCKREIGLE** shall, at her 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. RUCKREIGLE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. RUCKREIGLE** 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. RUCKREIGLE's** license, and a statement as to whether **MS. RUCKREIGLE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. RUCKREIGLE** 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. RUCKREIGLE's** license.
  10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. RUCKREIGLE** shall submit, at her expense and on the day selected, blood, breath, hair 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. RUCKREIGLE'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. RUCKREIGLE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RUCKREIGLE's** history.
  11. Within thirty (30) days prior to **MS. RUCKREIGLE** initiating drug screening, **MS. RUCKREIGLE** 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. RUCKREIGLE**.
  12. After initiating drug screening, **MS. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. **Prior to requesting reinstatement by the Board, MS. RUCKREIGLE** shall, at her 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. RUCKREIGLE** 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. RUCKREIGLE's** license, and a statement as to whether **MS. RUCKREIGLE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  15. **MS. RUCKREIGLE** 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. RUCKREIGLE's** license.
  16. **Prior to requesting reinstatement by the Board, MS. RUCKREIGLE** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. RUCKREIGLE's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. RUCKREIGLE's** comprehensive physical examination and with a comprehensive assessment regarding **MS. RUCKREIGLE's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. RUCKREIGLE** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. RUCKREIGLE** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any

additional restrictions that should be placed on **MS. RUCKREIGLE's** license to practice, and stating whether **MS. RUCKREIGLE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

17. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms and restrictions on **MS. RUCKREIGLE's** license.

### **Reporting Requirements of MS. RUCKREIGLE**

18. **MS. RUCKREIGLE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
19. **MS. RUCKREIGLE** 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.
20. **MS. RUCKREIGLE** 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.
21. **MS. RUCKREIGLE** 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.
22. **MS. RUCKREIGLE** 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.
23. **MS. RUCKREIGLE** shall verify that the reports and documentation required by this Order are received in the Board office.
24. **MS. RUCKREIGLE** shall inform the Board within five (5) 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. RUCKREIGLE** submits a written request for reinstatement; (2) the Board determines that **MS. RUCKREIGLE** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. RUCKREIGLE** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. RUCKREIGLE** and review of the documentation specified in this Order.

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

1. **MS. RUCKREIGLE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE's** history. **MS. RUCKREIGLE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RUCKREIGLE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. RUCKREIGLE** shall submit, at her expense and on the day selected, blood, breath, hair 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. RUCKREIGLE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RUCKREIGLE's** history.
6. **MS. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** 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. RUCKREIGLE** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RUCKREIGLE** 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. RUCKREIGLE** shall **notify the Board, in writing**.
11. **MS. RUCKREIGLE** 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 nursing employment**. **MS. RUCKREIGLE** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. RUCKREIGLE** 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.
12. **Upon the request of the Board or its designee, MS. RUCKREIGLE** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee

### **Reporting Requirements of MS. RUCKREIGLE**

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

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Perkins, Debra, R.N. 247014 (CASE #14-0787)

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **DEBRA LYNN PERKINS** in the May 16, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. PERKINS** 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 that **MS. PERKINS's** license to practice nursing as a registered nurse be 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. PERKINS's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

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

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

2. **MS. PERKINS** 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. PERKINS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PERKINS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PERKINS'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. PERKINS** 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. PERKINS** 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. PERKINS's** history. **MS. PERKINS** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. PERKINS** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. PERKINS** shall, at her 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. PERKINS** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. PERKINS** 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. PERKINS's** license, and a statement as to whether **MS. PERKINS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. PERKINS** 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. PERKINS's** license.

9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. PERKINS** shall submit, at her expense and on the day selected, blood, breath, hair 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. PERKINS'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. PERKINS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PERKINS's** history.
10. Within thirty (30) days prior to **MS. PERKINS** initiating drug screening, **MS. PERKINS** 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. PERKINS**.
11. After initiating drug screening, **MS. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. PERKINS**

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

14. **MS. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. PERKINS** shall inform the Board within five (5) 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. PERKINS** submits a written request for reinstatement; (2) the Board determines that **MS. PERKINS** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. PERKINS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PERKINS** and review of the documentation specified in this Order.

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

1. **MS. PERKINS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PERKINS** 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. PERKINS** 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. PERKINS's** history. **MS. PERKINS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PERKINS** shall abstain completely from the use of alcohol or any products containing alcohol.
  5. During the probationary period, **MS. PERKINS** shall submit, at her expense and on the day selected, blood, breath, hair 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. PERKINS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PERKINS's** history.
  6. **MS. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** 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. PERKINS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. PERKINS** 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. PERKINS shall notify the Board, in writing.**
11. **MS. PERKINS** 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 nursing employment.** **MS. PERKINS** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. PERKINS** 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.
12. **Upon the request of the Board or its designee, MS. PERKINS shall, prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. PERKINS**

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

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Raterman, Beth, R.N. 217883 (CASE #14-0240)

**Action:** It was moved by Sheryl Warner, seconded by J. Jane McFee, that upon consideration of the charges stated against **BETH A. RATERMAN** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. RATERMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. RATERMAN's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Everett, Solodin, R.N. 310108 (CASE #13-8011)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **SOLODIN ALI EVERETT** in the May 16, 2014 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. EVERETT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and that **MR. EVERETT's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. EVERETT's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Practice Restrictions** set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. EVERETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. EVERETT** 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. EVERETT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. EVERETT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. EVERETT'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. EVERETT** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Marijuana Abuse; five (5) hours of Professional Accountability and Legal Liability for Nurses; and two (2) hours of Law and Rules Governing the Practice of Nursing in Ohio.

### **Monitoring**

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

#### **Reporting Requirements of MR. EVERETT**

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

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

17. **MR. EVERETT** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. EVERETT** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. EVERETT** shall inform the Board within five (5) 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. EVERETT** submits a written request for reinstatement; (2) the Board determines that **MR. EVERETT** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. EVERETT** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. EVERETT** and review of the documentation specified in this Order.

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

1. **MR. EVERETT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. EVERETT** 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. EVERETT** 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. EVERETT's** history. **MR. EVERETT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. EVERETT** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. EVERETT** shall submit, at his expense and on the day selected, blood, breath, hair 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. EVERETT** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. EVERETT's** history.

6. **MR. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** 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. EVERETT** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. EVERETT** 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 and with every employer, **MR. EVERETT** shall **notify the Board, in writing.**
11. **MR. EVERETT** is under a continuing duty to provide a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. EVERETT** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. EVERETT** 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 Temporary Suspension and Opportunity for Hearing, including the date they were received.

12. **MR. EVERETT** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. EVERETT**

13. **MR. EVERETT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MR. EVERETT** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MR. EVERETT** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MR. EVERETT** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MR. EVERETT** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. EVERETT** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. EVERETT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Bushong, LaDonna, R.N. 096832 (CASE #14-2114)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that upon consideration of the charges stated against **LADONNA MARGARET BUSHONG** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BUSHONG** 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 that **MS. BUSHONG's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. BUSHONG** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BUSHONG** 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. BUSHONG** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BUSHONG**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BUSHONG'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. BUSHONG** 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.
5. **Prior to requesting reinstatement by the Board, MS. BUSHONG** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules; and five (5) hours of Professional Accountability and Legal Liability for Nurses.

### **Reporting Requirements of MS. BUSHONG**

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

Unit of the Board.

10. **MS. BUSHONG** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. BUSHONG** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. BUSHONG** shall inform the Board within five (5) 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. BUSHONG** submits a written request for reinstatement; (2) the Board determines that **MS. BUSHONG** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. BUSHONG** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BUSHONG** and review of the documentation specified in this Order.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Vernon, Tonisha, R.N. 373541 (CASE #13-7718)

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that upon consideration of the charges stated against **TONISHA MARIE VERNON** in the March 21, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. VERNON** 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 that **MS. VERNON's** license to practice nursing as a registered nurse be suspended indefinitely and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year, including the **Permanent Practice Restrictions** set forth below.

**MS. VERNON's license to practice nursing as a registered nurse shall be subject to the following probationary terms and restrictions:**

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

3. **MS. VERNON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. VERNON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. VERNON's** criminal records check reports to the Board. **MS. VERNON'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. VERNON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; five (5) hours of Documentation; five (5) hours of Patient Rights; and five (5) hours of Professional Accountability and Legal Liability for Nurses.

#### **Employment Conditions**

5. **MS. VERNON** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment.
6. **MS. VERNON, 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. Further, **MS. VERNON** 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 nursing employment. MS. VERNON** 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 beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position. MS. VERNON** 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.

#### **Reporting Requirements of MS. VERNON**

7. **MS. VERNON** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
8. **MS. VERNON** 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. VERNON** 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. VERNON** 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. VERNON** 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. VERNON** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. VERNON** 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. VERNON** 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. VERNON** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hawk, Kelli, P.N. 106237 (CASE #14-0308)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **KELLI JO HAWK** in the February 18, 2014 Notice of Immediate Suspension and Opportunity for Hearing and the March 21, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HAWK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. HAWK's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Collins, Debra, P.N. 082963 (CASE #14-2665)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **DEBRA KAY COLLINS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. COLLINS** 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 that **MS. COLLINS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COLLINS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. COLLINS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COLLINS** 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. COLLINS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. COLLINS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. COLLINS'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. **Within six (6) months of the effective date of this Order, MS. COLLINS** shall submit documentation of her full compliance with the terms and conditions of the community control imposed in Franklin County Court of Common Pleas Case No. 14-CR-821. Upon completion of the community control period, **MS. COLLINS** shall submit documentation of her full compliance and release from community control imposed in Franklin County Court of Common Pleas Case No. 14-CR-821.
5. **Within six (6) months of the effective date of this Order, MS. COLLINS** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. **Within six (6) months of the effective date of this Order, MS. COLLINS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Ethics and Healthcare; five (5) hours of Professional Accountability and Legal Liability for Nurses; and five (5) hours of Ethics.

#### **Reporting Requirements of MS. COLLINS**

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

8. **MS. COLLINS** 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. COLLINS** 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. COLLINS** 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. COLLINS** 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. COLLINS** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. COLLINS** shall inform the Board within five (5) 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. COLLINS** submits a written request for reinstatement; (2) the Board determines that **MS. COLLINS** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. COLLINS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. COLLINS** and review of the documentation specified in this Order.

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

1. **MS. COLLINS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. COLLINS** 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 release from this Order, MS. COLLINS** shall submit documentation of her successful compliance with, and release from, her community control sanctions set forth in Franklin County Court of Common Pleas Case No. 14-CR-821.

### **Employment Conditions**

4. Prior to accepting employment as a nurse, each time with every employer, **MS. COLLINS** shall **notify the Board, in writing.**
5. **MS. COLLINS** 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 nursing employment.** **MS. COLLINS** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. COLLINS** 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.
6. **Upon request of the Board or its designee, MS. COLLINS** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. COLLINS**

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

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Bowman, Tonya, P.N. 120610 (CASE #12-4002)

**Action:** It was moved by Brenda Boggs, seconded by Janet Arwood, that upon consideration of the charges stated against **TONYA LOUISE BOWMAN** in the January 17, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BOWMAN** 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 that **MS. BOWMAN's** license to practice nursing as a licensed practical nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years.

**MS. BOWMAN's license to practice nursing as a licensed practical nurse shall be subject to the following probationary terms and restrictions:**

1. **MS. BOWMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOWMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BOWMAN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BOWMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BOWMAN's** criminal records check reports to the Board. **MS. BOWMAN'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. BOWMAN** 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. BOWMAN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: fifteen (15) hours of Ethical Decision Making; two (2) hours of Scope of Practice for RN's and LPN's; and five (5) hours of Professional Accountability and Legal Liability for Nurses.

#### **Employment Conditions**

6. **MS. BOWMAN** shall notify the Board, in writing, of the name and address

of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment.

7. **MS. BOWMAN**, 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. Further, **MS. BOWMAN** 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 nursing employment**. **MS. BOWMAN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position**. **MS. BOWMAN** 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.

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Moore, Erin, R.N. 343925 (CASE #13-7608)

**Action:** It was moved by Sheryl Warner, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **ERIN NICOLE MOORE** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MOORE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MOORE's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOORE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

2. **MS. MOORE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. MOORE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MOORE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MOORE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. MOORE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules.

### **Monitoring**

5. **MS. MOORE** 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. MOORE's** history. **MS. MOORE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. MOORE** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. MOORE** shall, at her 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. MOORE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. MOORE** 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. MOORE's** license, and a statement as to whether **MS. MOORE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. MOORE** 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. MOORE's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MOORE** shall submit, at her expense and on the day selected, blood, breath, hair 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. MOORE'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. MOORE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MOORE's** history.
  10. Within thirty (30) days prior to **MS. MOORE** initiating drug screening, **MS. MOORE** 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. MOORE**.
  11. After initiating drug screening, **MS. MOORE** 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. MOORE** 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. MOORE** 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. MOORE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. MOORE** shall, at her 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. MOORE** 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. MOORE's** license, and a statement as to whether **MS. MOORE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. MOORE** 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. MOORE's** license.
  15. **Prior to requesting reinstatement by the Board, MS. MOORE** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MOORE's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. MOORE's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MOORE's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. MOORE** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. MOORE** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MOORE's** license to practice, and stating whether **MS. MOORE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  16. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms and restrictions on **MS. MOORE's** license.

#### **Reporting Requirements of MS. MOORE**

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

19. **MS. MOORE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. **MS. MOORE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
21. **MS. MOORE** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
22. **MS. MOORE** shall verify that the reports and documentation required by this Order are received in the Board office.
23. **MS. MOORE** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

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

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

#### **Monitoring**

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

5. During the probationary period, **MS. MOORE** shall submit, at her expense and on the day selected, blood, breath, hair 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. MOORE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MOORE's** history.
6. **MS. MOORE** 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. MOORE** 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. MOORE** 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. MOORE** 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. MOORE** 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. MOORE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MOORE** 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. MOORE** shall **notify the Board, in writing.**
11. **MS. MOORE** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. MOORE** shall have her employer(s), if working in a position where a nursing license is required,

- submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting nursing employment.** **MS. MOORE** 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.
12. **Upon the request of the Board or its designee, MS. MOORE** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. MOORE**

13. **MS. MOORE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. MOORE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MS. MOORE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. MOORE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. MOORE** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. MOORE** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. MOORE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Narcotic Restriction**

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

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

#### **DURATION**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Creech, Marilyn, R.N. 193936 (CASE #14-2002)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **MARILYN A. CREECH** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CREECH** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. CREECH's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Smiley, Michael, P.N. 153569 (CASE #14-1724)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **MICHAEL V. SMILEY** in the May 16, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. SMILEY** 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 that **MR. SMILEY's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. SMILEY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year, including the **Temporary Practice Restrictions** set forth below.

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

1. **MR. SMILEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. SMILEY** 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. SMILEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. SMILEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. SMILEY'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. SMILEY** 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. SMILEY** 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. SMILEY's** history. **MR. SMILEY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. SMILEY** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MR. SMILEY** shall, at his 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. SMILEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. SMILEY** 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. SMILEY's** license, and a statement as to whether **MR. SMILEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. If a chemical dependency evaluation is requested, **MR. SMILEY** 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. SMILEY's** license.
9. **Prior to requesting reinstatement by the Board, MR. SMILEY** shall begin submitting, at his expense and on the day selected, blood, breath, hair 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. SMILEY'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. SMILEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SMILEY's** history.
10. Within thirty (30) days prior to **MR. SMILEY** initiating drug screening, **MR. SMILEY** 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. SMILEY**.
  11. After initiating drug screening, **MR. SMILEY** 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. SMILEY** 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. **Prior to requesting reinstatement by the Board, MR. SMILEY** shall begin attending 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. SMILEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. SMILEY**

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

17. **MR. SMILEY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. SMILEY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. SMILEY** shall inform the Board within five (5) 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. SMILEY** submits a written request for reinstatement; (2) the Board determines that **MR. SMILEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. SMILEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. SMILEY** and review of the documentation specified in this Order.

**Following reinstatement, the suspension shall be stayed and MR. SMILEY's license shall be subject to the following probationary terms and restrictions for a minimum period of one (1) year.**

1. **MR. SMILEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. SMILEY** 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. SMILEY** 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. SMILEY's** history. **MR. SMILEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. SMILEY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee and within sixty (60) days of that request, MR. SMILEY** shall, at his 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. SMILEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. SMILEY** 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. SMILEY's** license, and a statement as to whether **MR. SMILEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MR. SMILEY** 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. SMILEY's** license.
  7. During the probationary period, **MR. SMILEY** shall submit, at his expense and on the day selected, blood, breath, hair 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. SMILEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SMILEY's** history.
  8. **MR. SMILEY** 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. SMILEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

9. Within sixty (60) days of the execution of the probationary period, **MR. SMILEY** 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. SMILEY** 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.
10. **MR. SMILEY** 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. SMILEY** throughout the duration of this Order.

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

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MR. SMILEY** shall **notify the Board, in writing.**
13. **MR. SMILEY** 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 nursing employment.** **MR. SMILEY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. SMILEY** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
14. **Upon request of the Board or its designee, MR. SMILEY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. SMILEY**

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

### **Temporary Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. SMILEY** 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. SMILEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. SMILEY** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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. SMILEY's suspension shall be lifted and MR. SMILEY's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. SMILEY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. SMILEY** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. SMILEY** 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. SMILEY** has complied with all aspects of this Order; and (2) the Board determines that **MR. SMILEY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. SMILEY** and review of the

reports as required herein. Any period during which **MR. SMILEY** 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.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Lopp, Kristin, R.N. 354161 (CASE #14-1444)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **KRISTIN MICHELLE LOPP** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LOPP** 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 that **MS. LOPP's** license to practice nursing as a registered nurse be 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. LOPP's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

1. **MS. LOPP** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LOPP** 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. LOPP** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LOPP**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LOPP's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

#### **Monitoring**

4. **Prior to requesting reinstatement by the Board, MS. LOPP** shall, at her 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. LOPP** shall provide the

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

5. **MS. LOPP** 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. LOPP's** license.

#### **Reporting Requirements of MS. LOPP**

6. **MS. LOPP** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. LOPP** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. LOPP** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. LOPP** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. LOPP** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. LOPP** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. LOPP** shall inform the Board within five (5) 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. LOPP** submits a written request for reinstatement; (2) the Board determines that **MS. LOPP** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LOPP** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LOPP** and review of the documentation specified in this Order.

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

1. **MS. LOPP** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LOPP** 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. LOPP** shall **notify the Board, in writing**.
4. **MS. LOPP** 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 nursing employment**. **MS. LOPP** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. LOPP** 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.
5. **Upon the request of the Board or its designee, MS. LOPP** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. LOPP**

6. **MS. LOPP** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **MS. LOPP** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.

8. **MS. LOPP** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. LOPP** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. LOPP** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. LOPP** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. LOPP** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. LOPP** 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. LOPP** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. LOPP** 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. LOPP's suspension shall be lifted and MS. LOPP's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LOPP** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LOPP** via certified mail of the specific nature of the charges and

automatic suspension of her license. Upon receipt of this notice, **MS. LOPP** 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. LOPP** has complied with all aspects of this Order; and (2) the Board determines that **MS. LOPP** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LOPP** and review of the reports as required herein. Any period during which **MS. LOPP** 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.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Adkins, Amy, R.N. 317985 (CASE #14-2029)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **AMY MELISSA ADKINS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ADKINS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. ADKINS's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Cowell, Travis, R.N. 344459 (CASE #12-3076)

**Action:** It was moved by Janet Arwood, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **TRAVIS RYAN COWELL** in the October 10, 2013 Notice of Immediate Suspension and Opportunity for Hearing and in the November 22, 2013 Notice of Opportunity for Hearing ("Notices"), and evidence supporting the charges, the Board find that **MR. COWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MR. COWELL's** license to practice nursing as a registered nurse be 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.**

**COWELL's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MR. COWELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. COWELL** 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. COWELL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. COWELL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. COWELL'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. COWELL** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: twelve (12) hours of Nurses and Addiction.

#### **Monitoring**

5. **MR. COWELL** 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. COWELL's** history. **MR. COWELL** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. COWELL** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MR. COWELL** shall, at his 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. COWELL** shall provide the chemical dependency professional with a copy of this Order and The Notices. Further, **MR. COWELL** 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. COWELL's** license, and a statement as to whether **MR. COWELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. COWELL** 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. COWELL's** license.
  9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. COWELL** shall submit, at his expense and on the day selected, blood, breath, hair 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. COWELL'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. COWELL** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. COWELL's** history.
  10. Within thirty (30) days prior to **MR. COWELL** initiating drug screening, **MR. COWELL** 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. COWELL**.
  11. After initiating drug screening, **MR. COWELL** 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. COWELL** 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. COWELL** 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. COWELL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MR. COWELL**

13. **MR. COWELL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. COWELL** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
15. **MR. COWELL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MR. COWELL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MR. COWELL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. COWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. COWELL** shall inform the Board within five (5) 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. COWELL** submits a written request for reinstatement; (2) the Board determines that **MR. COWELL** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. COWELL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. COWELL** and review of the documentation specified in this Order.

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

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

2. **MR. COWELL** 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. COWELL** 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. COWELL's** history. **MR. COWELL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. COWELL** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. COWELL** shall submit, at his expense and on the day selected, blood, breath, hair 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. COWELL** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. COWELL's** history.
6. **MR. COWELL** 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. COWELL** 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. COWELL** 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. COWELL** 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. COWELL** 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. COWELL** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. COWELL** 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 and with every employer, **MR. COWELL** shall **notify the Board, in writing**.
11. **MR. COWELL** is under a continuing duty to provide a copy of this Order and The Notices and Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MR. COWELL** 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 **beginning within thirty (30) days of accepting nursing employment**. **MR. COWELL** 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.
12. **MR. COWELL** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. COWELL**

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

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

18. **MR. COWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. COWELL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hopkins, Vicki, R.N. 276387 (CASE #14-0680)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that upon consideration of the charges stated against **VICKI LYNN HOPKINS** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HOPKINS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. HOPKINS's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Takwih, Nawra, P.N. 145251 (CASE #14-1840)

**Action:** It was moved by Sheryl Warner, seconded by Brenda Boggs, that upon consideration of the charges stated against **NAWRA NDOHMBI FRINUE TAKWIH** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. TAKWIH** 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 that **MS. TAKWIH's** license to practice nursing as a licensed practical nurse be subject to the terms and restrictions set forth below including the **Permanent Practice Restrictions** set forth below.

**MS. TAKWIH's license to practice nursing as a licensed practical nurse shall be subject to the following terms and restrictions:**

1. **MS. TAKWIH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. TAKWIH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. TAKWIH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. TAKWIH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. TAKWIH's** criminal records check reports to the Board. **MS. TAKWIH'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. **Upon reinstatement of her license to practice nursing in the State of Texas by the Texas Board of Nursing, and within thirty (30) days of that reinstatement, MS. TAKWIH** shall submit to this Board documentation of her reinstatement to practice nursing in the State of Texas.

#### **Permanent Practice Restrictions**

**MS. TAKWIH** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (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; (4) for an individual or group of individuals who directly engage **MS. TAKWIH** to provide nursing services for fees, compensation, or other consideration or as a volunteer; (5) at a long term care facility; or (6) in a position which would require **MS. TAKWIH** to provide direct, hands-on patient care or management or supervision of direct, hands-on patient care to pediatric patients. *For the purposes of this Order, pediatric patients shall include patients under the age of 18, and between the ages of newly born through age 17.*

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

#### **Permanent Correctional Facility Restrictions**

**MS. TAKWIH** shall not function in any position or employment where the job duties or requirements involve providing nursing care at a correctional facility, prison, reformatory, or place of incarceration.

#### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Julien, Aliette, PN NCLEX (CASE #14-0723)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **ALIETTE JULIEN** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. JULIEN** 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 that **MS. JULIEN's** application for licensure by examination to practice nursing as a licensed practical nurse be **PERMANENTLY DENIED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Reece, Susan, R.N. 349011 (CASE #14-0196)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **SUSAN ELIZABETH REECE** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. REECE** 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 that **MS. REECE's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. REECE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. REECE** 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. REECE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. REECE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. REECE'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. REECE** shall submit documentation of her successful completion of all terms imposed by the Indiana State Board of Nursing in its January 13, 2014 Decision on Application to Renew License, and that her Indiana license is fully reinstated and unencumbered.

#### **Reporting Requirements of MS. REECE**

5. **MS. REECE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. REECE** 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. REECE** 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. REECE** 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. REECE** 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. **MS. REECE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. REECE** shall inform the Board within five (5) 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. REECE** submits a written request for reinstatement; (2) the Board determines that **MS.**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Banks, Robert, R.N. 298664 (CASE #14-1030)

**Action:** It was moved by Patricia Sharpnack, seconded by Janet Arwood, that upon consideration of the charges stated against **ROBERT H. BANKS** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. BANKS** 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 that **MR. BANKS's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Maxwell, Debra, R.N. 399703 (CASE #14-1791)

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that upon consideration of the charges stated against **DEBRA J. MAXWELL** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MAXWELL** 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 that **MS. MAXWELL's** license to practice nursing as a registered nurse be 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. MAXWELL's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

1. **MS. MAXWELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MAXWELL** 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. MAXWELL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MAXWELL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MAXWELL'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. MAXWELL** shall submit satisfactory documentation from the Michigan Board of Nursing, that **MS. MAXWELL** is in compliance with all terms and restrictions imposed on **MS. MAXWELL's** Michigan nursing license.

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

5. **Prior to requesting reinstatement by the Board, MS. MAXWELL** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. MAXWELL** shall have the educator provide the Board with a written report of an assessment of **MS. MAXWELL**, which identifies **MS. MAXWELL's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. MAXWELL** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. MAXWELL** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. MAXWELL's** employer(s), former employers, and Board staff. Following the assessment, **MS. MAXWELL** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. MAXWELL** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. MAXWELL** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. MAXWELL** shall complete such learning plan.
6. **Prior to requesting reinstatement by the Board, MS. MAXWELL** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. MAXWELL** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. MAXWELL's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether

- MS. MAXWELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. MAXWELL** shall be responsible for all costs associated with meeting this requirement.
7. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. MAXWELL's** license.
  8. In the event that the educator's recommendations require **MS. MAXWELL** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. MAXWELL** a license to practice nursing as a registered nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. MAXWELL's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. MAXWELL's** license shall be terminated. **MS. MAXWELL** shall not gain or attempt to gain employment as a registered nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.
  9. **Prior to requesting reinstatement by the Board, MS. MAXWELL** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MAXWELL's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. MAXWELL's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MAXWELL's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. MAXWELL** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. MAXWELL** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MAXWELL's** license to practice, and stating whether **MS. MAXWELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  10. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms and restrictions on **MS. MAXWELL's** license.

### **Reporting Requirements of MS. MAXWELL**

11. **MS. MAXWELL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. MAXWELL** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
13. **MS. MAXWELL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MS. MAXWELL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. MAXWELL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. MAXWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. MAXWELL** shall inform the Board within five (5) 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. MAXWELL** submits a written request for reinstatement; (2) the Board determines that **MS. MAXWELL** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MAXWELL** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MAXWELL** and review of the documentation specified in this Order.

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

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

2. **MS. MAXWELL** 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. MAXWELL** shall **notify the Board, in writing**.
4. **MS. MAXWELL** 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 nursing employment**. **MS. MAXWELL** 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 **beginning within thirty (30) days of accepting nursing employment**. **MS. MAXWELL** 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.
5. **Upon the request of the Board or its designee, MS. MAXWELL** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. MAXWELL**

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

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

11. **MS. MAXWELL** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. MAXWELL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Higginbotham, Patricia, R.N. 292951 (CASE #14-1446)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **PATRICIA KAY HIGGINBOTHAM** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HIGGINBOTHAM** 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 that **MS. HIGGINBOTHAM's** license to practice nursing as a registered nurse be 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. HIGGINBOTHAM's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. HIGGINBOTHAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HIGGINBOTHAM**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HIGGINBOTHAM'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. HIGGINBOTHAM** 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. HIGGINBOTHAM** shall submit documentation of her compliance with of all terms of her

Proposed Consent Agreement with the West Virginia Board of Examiners of Registered Professional Nurses, effective March 13, 2014.

### **Monitoring**

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

#### **Reporting Requirements of MS. HIGGINBOTHAM**

14. **MS. HIGGINBOTHAM** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. HIGGINBOTHAM** shall inform the Board within five (5) 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. HIGGINBOTHAM** submits a written request for reinstatement; (2) the Board determines that **MS. HIGGINBOTHAM** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. HIGGINBOTHAM** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. HIGGINBOTHAM** and review of the documentation specified in this Order.

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

1. **MS. HIGGINBOTHAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM's** history. **MS. HIGGINBOTHAM** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HIGGINBOTHAM** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. HIGGINBOTHAM** shall submit, at her expense and on the day selected, blood, breath, hair 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. HIGGINBOTHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HIGGINBOTHAM's** history.

6. **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** shall **notify the Board, in writing.**
11. **MS. HIGGINBOTHAM** 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 nursing employment.** **MS. HIGGINBOTHAM** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. HIGGINBOTHAM** 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.

12. **Upon the request of the Board or its designee, MS. HIGGINBOTHAM** shall, **prior to working in a position where a nursing license is required**, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. HIGGINBOTHAM**

13. **MS. HIGGINBOTHAM** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** 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. HIGGINBOTHAM** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. HIGGINBOTHAM** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. HIGGINBOTHAM** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Narcotic Restriction**

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

for locked medication carts, cabinets, drawers, or containers. **MS. HIGGINBOTHAM** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Regan, Kerry, RN Endorse (CASE #14-1899)

**Action:** It was moved by Brenda Boggs, seconded by Sheryl Warner, that upon consideration of the charges stated against **KERRY FRANCES REGAN** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. REGAN** 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 that **MS. REGAN's** application for licensure by endorsement to practice nursing as a registered nurse be **PERMANENTLY DENIED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hensley, Bridget, R.N. 346642 (CASE #14-2189)

**Action:** It was moved by Sheryl Warner, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **BRIDGET CATHERINE HENSLEY** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HENSLEY** 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 that **MS. HENSLEY's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HENSLEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions** set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. HENSLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HENSLEY** 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. HENSLEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HENSLEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HENSLEY'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. HENSLEY** 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. HENSLEY's** history. **MS. HENSLEY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. HENSLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MS. HENSLEY** shall, at her 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. HENSLEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. HENSLEY** 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. HENSLEY's** license, and a statement as to whether **MS. HENSLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **If a chemical dependency evaluation is requested, MS. HENSLEY** 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. HENSLEY's** license.
8. **Prior to requesting reinstatement, MS. HENSLEY** shall begin submitting, at her expense and on the day selected, blood, breath, hair 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. HENSLEY'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. HENSLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENSLEY's** history.

9. Within thirty (30) days prior to **MS. HENSLEY** initiating drug screening, **MS. HENSLEY** 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. HENSLEY**.
10. After initiating drug screening, **MS. HENSLEY** 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. HENSLEY** 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. **Prior to requesting reinstatement, MS. HENSLEY** shall begin attending 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. HENSLEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MS. HENSLEY** shall, at her 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. HENSLEY** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HENSLEY's** license, and a statement as to whether **MS. HENSLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. If a psychiatric evaluation is requested, **MS. HENSLEY** 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. HENSLEY's** license.
14. **Prior to requesting reinstatement, MS. HENSLEY** shall, at her expense, participate in continuing individual psychiatric treatment that includes supportive therapy and pharmacologic management with a psychiatrist

who is approved in advance by the Board or its designee at intervals deemed appropriate by the psychiatrist until released. **MS. HENSLEY** shall cause the psychiatrist to submit quarterly written reports to the Board regarding: (i) **MS. HENSLEY's** current diagnosis; (ii) **MS. HENSLEY's** compliance with treatment recommendations/plans, including but not limited to appropriate use of prescribed medications; (iii) all dates **MS. HENSLEY** was seen in the three (3) month period prior to the date of the report; and (iv) any concerns regarding **MS. HENSLEY's** ability to practice nursing in accordance with acceptable and prevailing standards of safe nursing care. **MS. HENSLEY** shall provide her psychiatrist(s) with a copy of this Order and the attachments. **MS. HENSLEY** shall cause the psychiatrist(s) to send documentation to the Board of receipt of a copy of this Order and the attachments, along with the first treatment report. Further, **MS. HENSLEY** agrees that the Board may use the psychiatrist's recommendations during the course of treatment as a basis for additional terms and restrictions on **MS. HENSLEY's** license. **MS. HENSLEY** shall inform the Board, in writing, within five (5) business days of discontinuing participation in psychiatric treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.

#### **Reporting Requirements of MS. HENSLEY**

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

21. **MS. HENSLEY** shall inform the Board within five (5) 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. HENSLEY** submits a written request for reinstatement; (2) the Board determines that **MS. HENSLEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. HENSLEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. HENSLEY** and review of the documentation specified in this Order.

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

1. **MS. HENSLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HENSLEY** 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. HENSLEY** 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. HENSLEY's** history. **MS. HENSLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HENSLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. HENSLEY** shall submit, at her expense and on the day selected, blood, breath, hair 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. HENSLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENSLEY's** history.

6. **MS. HENSLEY** 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. HENSLEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon the request of the Board or its designee, MS. HENSLEY** shall, at her 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. HENSLEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. HENSLEY** 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. HENSLEY's** license, and a statement as to whether **MS. HENSLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **If a chemical dependency evaluation is requested, MS. HENSLEY** 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. HENSLEY's** license.
9. **Upon the request of the Board or its designee, MS. HENSLEY** shall, at her 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. HENSLEY** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HENSLEY's** license, and a statement as to whether **MS. HENSLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **If a psychiatric evaluation is requested, MS. HENSLEY** 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. HENSLEY's** license.

11. **Continuing throughout the probationary period, MS. HENSLEY** shall, at her expense, participate in continuing individual psychiatric treatment that includes supportive therapy and pharmacologic management with a psychiatrist who is approved in advance by the Board or its designee at intervals deemed appropriate by the psychiatrist until released. **MS. HENSLEY** shall cause the psychiatrist to submit quarterly written reports to the Board regarding: (i) **MS. HENSLEY's** current diagnosis; (ii) **MS. HENSLEY's** compliance with treatment recommendations/plans, including but not limited to appropriate use of prescribed medications; (iii) all dates **MS. HENSLEY** was seen in the three (3) month period prior to the date of the report; and (iv) any concerns regarding **MS. HENSLEY's** ability to practice nursing in accordance with acceptable and prevailing standards of safe nursing care. **MS. HENSLEY** shall provide her psychiatrist(s) with a copy of this Order and the attachments. **MS. HENSLEY** shall cause the psychiatrist(s) to send documentation to the Board of receipt of a copy of this Order and the attachments, along with the first treatment report. Further, **MS. HENSLEY** agrees that the Board may use the psychiatrist's recommendations during the course of treatment as a basis for additional terms and restrictions on **MS. HENSLEY's** license. **MS. HENSLEY** shall inform the Board, in writing, within five (5) business days of discontinuing participation in psychiatric treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

15. Prior to accepting employment as a nurse, each time with every employer, **MS. HENSLEY shall notify the Board, in writing.**
16. **MS. HENSLEY** 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 nursing employment.** **MS. HENSLEY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. HENSLEY** 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.
17. **MS. HENSLEY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. HENSLEY**

18. **MS. HENSLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
19. **MS. HENSLEY** 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.
20. **MS. HENSLEY** 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.
21. **MS. HENSLEY** 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.
22. **MS. HENSLEY** 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.
23. **MS. HENSLEY** shall verify that the reports and documentation required by this Order are received in the Board office.

24. **MS. HENSLEY** 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**

**Unless otherwise approved in advance by the Board or its designee, MS. HENSLEY** 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. HENSLEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Pavey, Robin, R.N. 324113 (CASE #13-7050)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **ROBIN MICHELLE PAVEY** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. PAVEY** 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 that **MS. PAVEY's** license to practice nursing as a registered nurse be 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. PAVEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. PAVEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PAVEY** 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. PAVEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PAVEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PAVEY'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. PAVEY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: six (6) hours of Medication Errors and Prevention of Errors; two (2) hours of Ethics; five (5) hours of Professional Accountability and Legal Liability; and three (3) hours of Documentation.

#### **Monitoring**

5. **MS. PAVEY** 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. PAVEY's**

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

11. After initiating drug screening, **MS. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. PAVEY**

13. **MS. PAVEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. PAVEY** shall inform the Board within five (5) 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. PAVEY** submits a written request for reinstatement; (2) the Board determines that **MS. PAVEY** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. PAVEY** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PAVEY** and review of the documentation specified in this Order.

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

1. **MS. PAVEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PAVEY** 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. PAVEY** 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. PAVEY's** history. **MS. PAVEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PAVEY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. PAVEY** shall submit, at her expense and on the day selected, blood, breath, hair 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. PAVEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PAVEY's** history.
6. **MS. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. PAVEY** 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. PAVEY** shall **notify the Board, in writing.**
11. **MS. PAVEY** 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 nursing employment.** **MS. PAVEY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. PAVEY** 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.
12. **MS. PAVEY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. PAVEY**

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

14. **MS. PAVEY** 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. PAVEY** 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. PAVEY** 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. PAVEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. PAVEY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. PAVEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Armstrong, Barbara, R.N. 135251 (CASE #12-6638)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **BARBARA J. ARMSTRONG** in the September 20, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ARMSTRONG** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. ARMSTRONG's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Carter, Kimberly, R.N. 185548 (CASE #13-3940)

**Action:** It was moved by Patricia Sharpnack, seconded by Sheryl Warner, that upon consideration of the charges stated against **KIMBERLY A. CARTER** in

the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CARTER** 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 that **MS. CARTER's** license to practice nursing as a registered nurse be 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. CARTER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

1. **MS. CARTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CARTER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. CARTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CARTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CARTER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. CARTER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Women and Alcohol Abuse; and five (5) hours of Professional Accountability and Legal Liability; and two (2) hours of Ohio Nursing Law and Rules.

#### **Monitoring**

5. **MS. CARTER** 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. CARTER's** history. **MS. CARTER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. CARTER** shall abstain completely from the use of alcohol or any products containing alcohol.

7. **Prior to requesting reinstatement by the Board, MS. CARTER** shall, at her 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. CARTER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. CARTER** 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. CARTER's** license, and a statement as to whether **MS. CARTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. CARTER** 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. CARTER's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CARTER** shall submit, at her expense and on the day selected, blood, breath, hair 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. CARTER'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. CARTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history.
10. Within thirty (30) days prior to **MS. CARTER** initiating drug screening, **MS. CARTER** 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. CARTER**.
11. After initiating drug screening, **MS. CARTER** 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. CARTER** 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. CARTER** 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. CARTER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. CARTER**

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

### **DURATION**

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

interview with **MS. CARTER** and review of the documentation specified in this Order.

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

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

### **Monitoring**

3. **MS. CARTER** 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. CARTER's** history. **MS. CARTER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CARTER** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. CARTER** shall submit, at her expense and on the day selected, blood, breath, hair 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. CARTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history.
6. **MS. CARTER** 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. CARTER** 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. CARTER** 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. CARTER** 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. CARTER** 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. CARTER** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. CARTER** 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. CARTER** shall **notify the Board, in writing.**
11. **MS. CARTER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. CARTER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting nursing employment.** **MS. CARTER** 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.
12. **Upon the request of the Board or its designee, MS. CARTER** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. CARTER**

13. **MS. CARTER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. CARTER** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.

15. **MS. CARTER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. CARTER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. CARTER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. CARTER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. CARTER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Gray, Gina, P.N. 071736 (CASE #13-7495)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **GINA R. GRAY** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GRAY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. GRAY's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED.**

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hughes, Jennifer, P.N. 114212 (CASE #14-3708)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **JENNIFER LYNN HUGHES** in the March 21, 2014 Notice of Opportunity for Hearing; the August 15, 2014 Notice of Immediate Suspension and Opportunity for Hearing; and the September 19,

2014 Notice of Opportunity for Hearing (“the Notices”) and evidence supporting the charges, the Board find that **MS. HUGHES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. HUGHES’s** license to practice nursing as a licensed practical nurse is be 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. HUGHES’s** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. HUGHES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HUGHES** 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. HUGHES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HUGHES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HUGHES’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. HUGHES** shall successfully comply with all conditions imposed in Miami County Court of Common Pleas Case Number 14 CR 76 and shall submit satisfactory documentation of completion.

### **Monitoring**

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

### **Reporting Requirements of MS. HUGHES**

13. **MS. HUGHES** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. HUGHES** shall inform the Board within five (5) 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. HUGHES** submits a written request for reinstatement; (2) the Board determines that **MS. HUGHES** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. HUGHES** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. HUGHES** and review of the documentation specified in this Order.

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

1. **MS. HUGHES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HUGHES** 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. HUGHES** 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. HUGHES's** history. **MS. HUGHES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HUGHES** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. HUGHES** shall submit, at her expense and on the day selected, blood, breath, hair 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. HUGHES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HUGHES's** history.
6. **MS. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. HUGHES** 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. HUGHES** shall **notify the Board, in writing.**
11. **MS. HUGHES** is under a continuing duty to provide a copy of this Order and The Notices to any new employer **prior to accepting nursing employment.** **MS. HUGHES** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. HUGHES** 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.
12. **Upon request of the Board or its designee, MS. HUGHES** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. HUGHES**

13. **MS. HUGHES** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. HUGHES** 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. HUGHES** 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. HUGHES** 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. HUGHES** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. HUGHES** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. HUGHES** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. HUGHES** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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. HUGHES's suspension shall be lifted and MS. HUGHES's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that MS. HUGHES has violated or**

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Ingram, Janel, P.N. 123157 (CASE #13-4037)

**Action:** It was moved by Brenda Boggs, seconded by Sheryl Warner, that upon consideration of the charges stated against **JANEL C. INGRAM** in June 18, 2014 Notice of Immediate Suspension and Opportunity for Hearing, and the July 25, 2014 Notice of Opportunity for Hearing (“the Notices”) and evidence supporting the charges, the Board find that **MS. INGRAM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. INGRAM’s** license to practice nursing as a licensed practical nurse be 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. INGRAM’s** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. INGRAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. INGRAM** 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. INGRAM** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. INGRAM**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. INGRAM'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. INGRAM** shall submit documentation of her full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas Case No. 13CR-5784.
5. **Prior to requesting reinstatement by the Board, MS. INGRAM** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules; twenty (20) hours of Drug Abuse; five (5) hours of Professional Accountability and Legal Liability; and five (5) hours of Disciplinary Actions.

### **Monitoring**

6. **MS. INGRAM** 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. INGRAM's** history. **MS. INGRAM** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. INGRAM** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. INGRAM** shall, at her 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. INGRAM** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. INGRAM** 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. INGRAM's** license, and a statement as to whether **MS. INGRAM** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

9. **MS. INGRAM** 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. INGRAM's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. INGRAM** shall submit, at her expense and on the day selected, blood, breath, hair 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. INGRAM'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. INGRAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. INGRAM's** history.
11. Within thirty (30) days prior to **MS. INGRAM** initiating drug screening, **MS. INGRAM** 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. INGRAM**.
12. After initiating drug screening, **MS. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. INGRAM**

14. **MS. INGRAM** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. INGRAM** shall inform the Board within five (5) 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. INGRAM** submits a written request for reinstatement; (2) the Board determines that **MS. INGRAM** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. INGRAM** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. INGRAM** and review of the documentation specified in this Order.

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

1. **MS. INGRAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. INGRAM** 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. INGRAM** 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. INGRAM's** history. **MS. INGRAM** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. INGRAM** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. INGRAM** shall submit, at her expense and on the day selected, blood, breath, hair 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. INGRAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. INGRAM's** history.
6. **MS. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** 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. INGRAM** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. INGRAM** 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. INGRAM** shall **notify the Board, in writing.**
11. **MS. INGRAM** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting nursing employment.** **MS. INGRAM** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. INGRAM** 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.
12. **Upon request of the Board or its designee, MS. INGRAM** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. INGRAM**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. INGRAM** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. 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. INGRAM's suspension shall be lifted and MS. INGRAM's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. INGRAM** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. INGRAM** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. INGRAM** 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. INGRAM** has complied with all aspects of this Order; and (2) the Board determines that **MS. INGRAM** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. INGRAM** and review of

the reports as required herein. Any period during which **MS. INGRAM** 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.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Jones, Tara, P.N. 118804 (CASE #13-3230)

**Action:** It was moved by Sheryl Warner, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **TARA J. JONES** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. JONES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. JONES's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Langen, Heather, P.N. 098908 (CASE #14-2363)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **HEATHER LYNN LANGEN** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LANGEN** 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 that **MS. LANGEN's** license to practice nursing as a licensed practical nurse be 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. LANGEN's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. LANGEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LANGEN** 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. LANGEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LANGEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LANGEN'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. LANGEN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, ten (10) hours of Documentation, and five (5) hours of Disciplinary Actions.

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

5. **Prior to requesting reinstatement by the Board, MS. LANGEN** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. LANGEN** shall have the educator provide the Board with a written report of an assessment of **MS. LANGEN**, which identifies **MS. LANGEN's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. LANGEN** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. LANGEN** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. LANGEN's** employer(s), former employers, and Board staff. Following the assessment, **MS. LANGEN** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. LANGEN** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. LANGEN** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. LANGEN** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. LANGEN** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. LANGEN** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. LANGEN's** license to practice. Furthermore, the

- educator shall provide to the Board a written opinion stating whether **MS. LANGEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. LANGEN** shall be responsible for all costs associated with meeting this requirement.
6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. LANGEN's** license.
  7. In the event that the educator's recommendations require **MS. LANGEN** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. LANGEN** a license to practice nursing as a licensed practical nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. LANGEN's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. LANGEN's** license shall be terminated. **MS. LANGEN** shall not gain or attempt to gain employment as a licensed practical nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

### Monitoring

8. **Prior to requesting reinstatement by the Board, MS. LANGEN** shall, at her 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. LANGEN** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. LANGEN** 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, whether **MS. LANGEN** should be required to abstain from alcohol, any additional restrictions that should be placed on **MS. LANGEN's** license, and a statement as to whether **MS. LANGEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. LANGEN** 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. LANGEN's** license.

10. **Upon the request of the Board or its designee, MS. LANGEN** shall submit, at her expense and on the day selected, blood, breath, hair 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. LANGEN'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. LANGEN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LANGEN's** history.
11. Within thirty (30) days prior to **MS. LANGEN** initiating drug screening, **MS. LANGEN** 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. LANGEN**.
12. After initiating drug screening, **MS. LANGEN** 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. LANGEN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

#### **Reporting Requirements of MS. LANGEN**

13. **MS. LANGEN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. LANGEN** 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. LANGEN** 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. LANGEN** 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. LANGEN** 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. LANGEN** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. LANGEN** shall inform the Board within five (5) 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. LANGEN** submits a written request for reinstatement; (2) the Board determines that **MS. LANGEN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LANGEN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LANGEN** and review of the documentation specified in this Order.

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

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

### **Monitoring**

3. **Upon the request of the Board or its designee, MS. LANGEN** shall submit, at her expense and on the day selected, blood, breath, hair 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. LANGEN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LANGEN's** history.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

7. Prior to accepting employment as a nurse, each time with every employer, **MS. LANGEN** shall **notify the Board, in writing.**
8. **MS. LANGEN** 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 nursing employment.** **MS. LANGEN** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. LANGEN** 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.
9. **MS. LANGEN** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. LANGEN**

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

11. **MS. LANGEN** 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.
12. **MS. LANGEN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. **MS. LANGEN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
14. **MS. LANGEN** 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.
15. **MS. LANGEN** shall verify that the reports and documentation required by this Order are received in the Board office.
16. **MS. LANGEN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Parrella, Sandra, R.N. 302114, P.N. 094462 (CASE #13-6607)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **MS. PARRELLA** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. PARRELLA** 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 that **MS. PARRELLA's** licenses to practice nursing as a registered nurse and as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PARRELLA's** licenses to practice nursing as a registered nurse and as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

## REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. PARRELLA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PARRELLA** 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. PARRELLA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PARRELLA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PARRELLA'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. PARRELLA** 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. PARRELLA** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; five (5) hours of Professional Accountability and Legal Liability; five (5) hours of Disciplinary Actions; and fifteen (15) hours of Nurses and Drug Abuse.

## Monitoring

6. **MS. PARRELLA** 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. PARRELLA's** history. **MS. PARRELLA** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. PARRELLA** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. PARRELLA** shall, at her 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. PARRELLA** shall provide the chemical dependency professional with

- a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. PARRELLA** 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. PARRELLA's** licenses, and a statement as to whether **MS. PARRELLA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. PARRELLA** 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. PARRELLA's** licenses.
  10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. PARRELLA** shall submit, at her expense and on the day selected, blood, breath, hair 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. PARRELLA'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. PARRELLA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PARRELLA's** history.
  11. Within thirty (30) days prior to **MS. PARRELLA** initiating drug screening, **MS. PARRELLA** 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. PARRELLA**.
  12. After initiating drug screening, **MS. PARRELLA** 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. PARRELLA** 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) years immediately prior to requesting reinstatement, MS. PARRELLA** 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. PARRELLA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. PARRELLA**

14. **MS. PARRELLA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. PARRELLA** 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. PARRELLA** 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. PARRELLA** 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. PARRELLA** 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. PARRELLA** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. PARRELLA** shall inform the Board within five (5) 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. PARRELLA** submits a written request for reinstatement; (2) the Board determines that **MS. PARRELLA** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. PARRELLA** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PARRELLA** and review of the documentation specified in this Order.

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

1. **MS. PARRELLA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PARRELLA** 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. PARRELLA** 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. PARRELLA's** history. **MS. PARRELLA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. PARRELLA** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. PARRELLA** shall submit, at her expense and on the day selected, blood, breath, hair 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. PARRELLA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PARRELLA's** history.
6. **MS. PARRELLA** 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. PARRELLA** 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. PARRELLA** 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. PARRELLA** 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. PARRELLA** 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. PARRELLA** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. PARRELLA** 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. PARRELLA** shall **notify the Board, in writing.**
11. **MS. PARRELLA** 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 nursing employment.** **MS. PARRELLA** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. PARRELLA** 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.
12. **Upon the request of the Board or its designee, MS. PARRELLA** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. PARRELLA**

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

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

#### **Permanent Practice Restrictions**

**MS. PARRELLA** shall not practice nursing as a registered nurse or 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. PARRELLA** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Smith, Heather, P.N. 129339 (CASE #12-6030)

**Action:** It was moved by Patricia Sharpnack, seconded by Janet Arwood, that upon consideration of the charges stated against **HEATHER DEETTE SMITH** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find 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, and that **MS. SMITH's** license to practice nursing as a licensed practical nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year.

**MS. SMITH's license to practice nursing as a licensed practical nurse shall be subject to the following probationary terms and restrictions:**

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.

3. **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. **MS. SMITH'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. 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.
5. **Within six (6) months of the effective date of this Order, MS. SMITH** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Critical Thinking; five (5) hours of Professional Accountability and Legal Liability; ten (10) hours of Medication Administration; two (2) hours of Law and Rules Governing the Practice of Nursing in Ohio; and ten (10) hours of Documentation.

#### **Employment Conditions**

6. **MS. SMITH** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment.
7. **MS. SMITH, 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. Further, **MS. SMITH** 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 nursing employment. 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 beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a nursing position. MS. SMITH** 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.

#### **Reporting Requirements of MS. SMITH**

8. **MS. SMITH** shall sign release of information forms allowing health professionals and other organizations to submit the requested

documentation directly to the Board.

9. **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.
10. **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.
11. **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.
12. **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.
13. **MS. SMITH** shall verify that the reports and documentation required by this Order are received in the Board office.
14. **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.

#### **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.

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Kennedy, Heather, P.N. 112860 (CASE #14-1348)

**Action:** It was moved by Maryam Lyon, seconded by Sheryl Warner, that upon consideration of the charges stated against **HEATHER LEANNE KENNEDY** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. KENNEDY** 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 that **MS. KENNEDY's** license to practice nursing as a licensed practical nurse be 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. KENNEDY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. KENNEDY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KENNEDY** 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. KENNEDY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KENNEDY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KENNEDY'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. KENNEDY** 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. KENNEDY's** history. **MS. KENNEDY** shall self-administer the prescribed drugs only in the manner prescribed.

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

10. After initiating drug screening, **MS. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. KENNEDY**

12. **MS. KENNEDY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. KENNEDY** shall inform the Board within five (5) 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. KENNEDY** submits a written request for reinstatement; (2) the Board

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

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

1. **MS. KENNEDY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KENNEDY** 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. KENNEDY** 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. KENNEDY's** history. **MS. KENNEDY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KENNEDY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. KENNEDY** shall submit, at her expense and on the day selected, blood, breath, hair 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. KENNEDY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KENNEDY's** history.
6. **MS. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. KENNEDY** 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. KENNEDY** shall **notify the Board, in writing.**
11. **MS. KENNEDY** 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 nursing employment.** **MS. KENNEDY** 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 **beginning within thirty (30) days of accepting nursing employment.** **MS. KENNEDY** 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.
12. **Upon the request of the Board or its designee, MS. KENNEDY** shall, **prior to working in a position where a nursing license is required,** complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee

### **Reporting Requirements of MS. KENNEDY**

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

14. **MS. KENNEDY** 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. KENNEDY** 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. KENNEDY** 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. KENNEDY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. KENNEDY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. KENNEDY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board with Janet Fuchs, Susan Morano and Lisa Klenke abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

### **TEMPORARY SUSPENSIONS AND NOTICES OF OPPORTUNITY FOR HEARING**

**Action:** It was moved by Lisa Klenke, seconded by Brenda Boggs, that the Board Temporarily Suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC, for the following case(s):

Bull, Mona, R.N. 138867 (CASE #14-6278); Veverka, Melissa, R.N. 326827 (CASE #14-6375); and Heist, Allison, R.N. 287006, NP 10203, RX 10203 (CASE #14-2162).

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

## **DEFAULT ORDERS**

Hasenauer, John, R.N. 180735 (CASE #13-6827)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board find that **MR. HASENAUER** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond his control, and that in accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing find that **MR. HASENAUER** has admitted the truth of the allegations set forth in the September 19, 2014 Examination Order issued to **MR. HASENAUER** and that **MR. HASENAUER's** ability to safely provide nursing care is impaired. It was further moved that **MR. HASENAUER's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

## **CONDITIONS FOR REINSTATEMENT**

1. **MR. HASENAUER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. HASENAUER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MR. HASENAUER** shall, at his own expense, submit to a chemical dependency examination, specifically addressing his capacity to function in a clinical nursing capacity, by Summa Physicians, 444 N. Main Street, 6<sup>th</sup> Floor, Akron, Ohio 44310, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MR. HASENAUER** shall provide the Examiner with a copy of this Order and the September 19, 2014 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MR. HASENAUER's** practice. The Examiner shall provide an opinion to the Board regarding whether **MR. HASENAUER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MR. HASENAUER** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MR. HASENAUER** are unable to agree to terms, conditions, limitations, and restrictions in a

Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

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

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

Should **MR. HASENAUER** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to

**Hearing Requests/Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, [hearing@nursing.ohio.gov](mailto:hearing@nursing.ohio.gov).**

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Hall, Andrea, P.N. 138249 (CASE #14-0446)

**Action:** It was moved by Brenda Boggs, seconded by Sheryl Warner, that the Board find that **MS. HALL** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control, and that in accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing find that **MS. HALL** has admitted the truth of the allegations set forth in the September 3, 2014 Examination Order issued to **MS. HALL** and that **MS. HALL's** ability to provide safe nursing care is impaired. It was further moved that **MS. HALL's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. HALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HALL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. HALL** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by The University of Cincinnati Physicians Company, 260 Stetson Street, Suite 3200, Cincinnati, Ohio 45219, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. HALL** shall provide the Examiner with a copy of this Order and the September 3, 2014 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. HALL's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. HALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MS. HALL** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. HALL** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

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

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

**MS. HALL** is hereby further informed that, if **MS. HALL** timely requests a hearing, **MS. HALL** is entitled to appear at such hearing in person, by **MS. HALL's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. HALL** may present **MS. HALL's** position, arguments,

or contentions in writing. At the hearing **MS. HALL** may also present evidence and examine witnesses appearing for and against **MS. HALL**.

Should **MS. HALL** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Hearing Requests/Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Bisbee, Savanna, MAC 00257 (CASE #14-2033)

**Action:** It was moved by Sheryl Warner, Seconded by Brenda Boggs, that the Board find that **MS. BISBEE** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control, and that in accordance with Sections 4723.28(B)(16), 4723.28(G), 4723.652(A), 4723.652(C) ORC, and Rule 4723-27-09(B)(11), OAC, the Ohio Board of Nursing find that **MS. BISBEE** has admitted the truth of the allegations set forth in the September 19, 2014 Examination Order issued to **MS. BISBEE** and that **MS. BISBEE's** ability to provide safe nursing care is impaired. It was further moved that **MS. BISBEE's** certificate as a medication aide in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. BISBEE** shall obey all federal, state, and local laws, and all laws and rules governing medication aide certification in Ohio.
2. **MS. BISBEE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. BISBEE** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a medication aide capacity, by Dr. Abdullahi Mubarak, Corner Stone Project, 4124 Linden Ave., Suite 100, Dayton, Ohio 45432, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. BISBEE** shall provide the Examiner with a copy of this Order and the September 19, 2014 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and

- any restrictions that should be placed on **MS. BISBEE's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BISBEE** is capable of functioning as a medication aide according to acceptable and prevailing standards of medication administration.
4. **MS. BISBEE** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. BISBEE** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Certificate Holder**

5. **MS. BISBEE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. BISBEE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe medication administration.
7. **MS. BISBEE** 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. BISBEE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Monitoring Unit of the Board.
9. **MS. BISBEE** 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. **MS. BISBEE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. BISBEE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

In accordance with Chapter 119, ORC, **MS. BISBEE** is hereby informed that **MS. BISBEE** is entitled to a hearing on this matter. If **MS. BISBEE** wishes to request such hearing, the request must be made in writing and must be

received in the Board office within thirty (30) days of the time of mailing of this notice.

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

Should **MS. BISBEE** choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Hearing Requests/Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Kindron, Heather, R.N. Endorse (CASE #14-2777)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the allegations contained in the July 11, 2014 examination order and the findings contained in the November 2014 Default Order, the Board find that **MS. KINDRON** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2014 Default Order, and that **MS. KINDRON's** application to practice nursing as a registered nurse in the State of Ohio be denied, as of November 21, 2014, with conditions for reapplication set forth in the November 2014 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

Adkins, Jamie, P.N. 110641 (CASE #13-3307)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the allegations contained in the June 24, 2014 examination order and the findings contained in the November 2014 Default Order, the Board find that **MS. ADKINS** has committed acts in violation of the Nurse Practice Act, as set forth in the November 2014 Default Order, and that **MS. ADKINS's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended, as of November 21, 2014, with conditions for reinstatement set forth in the November 2014 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 23rd day of January, 2015.

### **VOLUNTARY RETIREMENTS**

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following case(s):

Bowman, Debra, R.N. 265967 (CASE #13-5217); Richardson, Janice, P.N. 079600 (CASE #13-5575); Newkirk, Pamela, R.N. 221808, P.N. 080985 (CASE #14-6166); and Hartley, Kathleen, R.N. 213729 (CASE #14-6355).

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

### **LIFT OF IMMEDIATE SUSPENSION**

Gregory, Michelle, R.N. 374016 (CASE #14-0536)

**Action:** It was moved by Sheryl Warner, seconded by Lisa Klenke, that the Board dismiss Item 1., page 2 of the May 16, 2014 Notice of Immediate Suspension and Opportunity for Hearing that was issued to Gregory, Michelle, R.N. 374016 (CASE #14-0536), and ratify the December 15, 2014 Notice of Lift of Immediate Suspension, for the reasons stated in the Notice of Lift of Immediate Suspension.

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

### **VOLUNTARY SURRENDER**

Herzing University Toledo-Diploma Practical Nursing Program (CASE #15-0081)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board accept the Voluntary Surrender of Approval Status for Herzing University Toledo-Diploma Practical Nursing Program (CASE #15-0081).

Motion adopted by majority vote of the Board members with Janet Fuchs, Lisa Klenke, Susan Morano and Patricia Sharpnack abstaining.

## **MONITORING**

### **RELEASE FROM SUSPENSION/PROBATION**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released from their respective Consent Agreements or Adjudication Orders:

Davis, Amanda, R.N. 340071, NP 12007, RX 12007 (CASE #11-0222); Griffin, Jennifer, R.N. 286323 (CASE #11-3265); Love, Amarava, P.N. 109727 (CASE #10-3629); Lach, Donna, R.N. 228432 (CASE #05-0254); Ballenger, Catherine, R.N. 376909 (CASE #13-0870); Marsee, Samantha, R.N. 396606 (CASE #13-4259); Gamble, Camille, P.N. 122344 (CASE #12-7550); Patterson, Dwayne, R.N. 277266 (CASE #10-5758); Coffey, Barbara, R.N. 102475, NP 08600, RX 08600 (CASE #11-0738); Curry, Kathy, R.N. 378255 (CASE #13-4152); Foote, Marvionne, R.N. 321892 (CASE #12-1652); Graham, Daneen, DT 04182 (CASE #13-6144); Corso, Tracey, R.N. 345713 (CASE #10-2106); Chu, Janice, R.N. 152969, COA 01618 (CASE #08-0998).

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

### **RELEASE FROM SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released early from their respective Consent Agreement or Adjudication Order(s):

Estep, Emily, P.N. 153803 (CASE #12-5416); Pummill, Lori, P.N. 121914 (CASE #08-1609); Dickerson, Julia, P.N. 132855 (CASE #13-2342); and Hobbs, Myron, P.N. 141759 (CASE #10-2844).

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

### **RELEASE FROM TEMPORARY PRACTICE RESTRICTIONS**

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released from the temporary practice restrictions within their Consent Agreement or Adjudication Order(s):

Wood, Jill, P.N. 137515 (CASE #09-3227); Moore, Jeri, R.N. 277826 (CASE #10-1221); and Taylor, Debbie, DT 00463 (CASE #06-0628).

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

**RELEASE FROM SUSPENSION/PROBATION ONLY – PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released from their Consent Agreement or Adjudication Order(s) with the exception of the permanent practice restriction(s) that will remain in effect:

Ivey, Karen, R.N. 261173 (CASE #11-3163); Shelton, Angelia, P.N. 115139 (CASE #09-2421); Terry, Melissa, R.N. 311209 (CASE #11-3162); Wesley, Linda, R.N. 273721 (CASE #08-3266); and King, Sue, P.N. 099581 (CASE #10-1641).

Susan Morano was absent for the vote. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

**RELEASE FROM SUSPENSION/PROBATION ONLY – EARLY RELEASE – PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Sheryl Warner, seconded by Brenda Boggs, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released early from their Consent Agreement or Adjudication Order(s) with the exception of the permanent practice restriction(s) that will remain in effect:

Kauffman, Melinda, P.N. 099079 (CASE #12-5552); Johnson, Simone, R.N. 322175, P.N. 106593 (CASE #12-6407); Pence, Jennifer, R.N. 356792 (CASE #12-5875); and Williams, Susan, R.N. 293485 (CASE #08-3369).

Susan Morano was absent for the vote. Motion adopted by majority vote of the Board members with Janet Fuchs abstaining.

**RELEASE FROM TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Lisa Klenke, seconded by Patricia Sharpnack, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released from the temporary narcotic restriction(s) within their Consent Agreement or Adjudication Order(s):

Todd, Emily, R.N. 304864 (CASE #13-2034); Webster, Vickie, R.N. 250293 (CASE #13-5643); and McCune, Elizabeth, R.N. 227563, P.N. 080970 (CASE #13-0670).

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

#### **EARLY LIFT OF NARCOTIC RESTRICTION**

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, that the following, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, be released early from the narcotic restriction(s) within their consent agreement(s):

Huizinga, Ashley, R.N. 281061 (CASE #12-3657).

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

#### **REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT**

Miller, Ashley, R.N. 390096 (CASE #14-0124)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, reinstate Miller, Ashley, R.N. 390096 (CASE #14-0124), subject to the probationary terms of the July 25, 2014 Consent Agreement.

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

Pennington, Stacey, P.N. 124565 (CASE #12-1257)

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, reinstate Pennington, Stacey, P.N. 124565 (CASE #12-1257) subject to the probationary terms of the September 21, 2014 Consent Agreement, and the January 17, 2014 Addendum Consent Agreement.

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

#### **REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER**

Mortaro, Tina, P.N. 096746 (CASE #11-0273)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, reinstate Mortaro, Tina, P.N. 096746 (CASE #11-0273), subject to the probationary terms of the July 27, 2012 Adjudication Order.

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

DeStella, Lisa, R.N. 336621 (CASE #08-1607)

**Action:** It was moved by Maryam Lyon, seconded by Patricia Sharpnack, that the Board, with the recommendation by Susan Morano, Supervising Member for Disciplinary Matters, reinstate DeStella, Lisa, R.N. 336621 (CASE #08-1607), subject to the probationary terms of the January 30, 2009 Adjudication Order.

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

### **MOTION TO APPROVE**

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board accept the following approvals made by Susan Morano, Supervising Member for Disciplinary Matters:

Baumann, Angela, R.N. 301445, P.N. 107589 (CASE #11-2587) – Approval to accept employment at Covington Care Center.

Haley, Stacy, R.N. 392813 (CASE #14-0200) – Approval to accept employer reports from Waters of Dillsboro-Ross Manor in Indiana.

Tomboly, Sara, R.N. 396316, P.N. 139489 (CASE #12-4228) – Approval to accept employment at The Home at Taylor's Pointe.

Travis, Nakita, R.N. 347266 (CASE #08-3565) – Approval to accept employment at Medical Staffing Options.

Shinaberry, Adrienne, R.N. 314598 (CASE #09-5635) – Approval to accept Employment at Quest Recovery/Smith House.

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

### **MISCELLANEOUS MONITORING MOTIONS**

Cowan, Penny, R.N. 370030 (CASE #11-1123)

**Action:** It was moved by Brenda Boggs, seconded by Sheryl Warner, that the Board release Cowan, Penny, R.N. 370030 (CASE #11-1123), from the urine drug screening requirement within the May 2011 Consent Agreement.

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

Machado, Caroline, R.N. 340681 (CASE #13-1827)

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that the Board reinstate the license of Machado, Caroline, R.N. 340681 (CASE #13-1827), following completion of the terms in the September 2014 Default Order.

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

Cammett, Barbara, P.N. 138825 (CASE #13-7026)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board approve Bonnie Kirkpatrick, RN, MS, CNS retired Nursing Educator, to complete the Educational Needs Assessment and Learning Plan for Cammett, Barbara, P.N. 138825 (CASE #13-7026), per the terms and conditions of the July 2014 Consent Agreement.

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

## **REPORTS TO THE BOARD**

### **Open Forum – Friday, January 23 at 10:00 a.m.**

There were no participants for Open Forum.

### **Other Reports**

#### **NEGP Annual Report**

L. Emrich presented Nurse Education Grant Program Annual Report.

#### **Board Committee on Practice**

Janet Arwood, Chair, reported on the Board Committee on Practice that reviewed proposed statutory revisions to LPN IV therapy. The Committee discussed comments submitted prior to the meeting and comments from those attending the meeting. The Board will consider the input provided and may schedule another Board Committee on Practice in the future for additional review and comment on the proposed revisions.

## **GENERAL INFORMATION (FYI)**

The Board reviewed the general information items. It was noted that Board member Patricia Sharpnack was featured in the NCSBN *InFocus* publication for induction into the Academy of Nursing Educators. The Board congratulated her.

## **BOARD GOVERNANCE**

### **Review of Board Policies**

Betsy Houchen reviewed proposed changes to Board Policies.

**Action:** It was moved by Judith Church, seconded by Patricia Sharpnack, that the Board approve the Board Policies as submitted. Motion adopted by unanimous vote of the Board members.

### **Board Retreat**

The Board discussed proposed agenda items for the Board Retreat. Sheryl Warner asked that the time Board members spend in preparing for Board meetings be added to the agenda.

### **NCSBN Mid-Year Meeting**

The Board agreed by consensus that the President and Vice-President would attend and that the Board would seek funding from the NCSBN Resource Fund for Lisa Emrich and Lisa Klenke to attend the meeting. Betsy Houchen will attend as a member of the NCSBN Board of Directors.

### **Financial Disclosure Statements Reminder**

Joseph Kirk distributed reimbursement information for Financial Disclosure Statements for calendar year 2014 to Board members and answered questions.

### **Advisory Group on Dialysis Appointment**

Board President Maryam Lyon, and Chair of the Advisory Group on Dialysis, stated that at the last meeting, Board staff identified Advisory Group members who were eligible for reappointment and informed them of the deadline to submit an application if they were interested in reappointment.

**Action:** It was moved by J. Jane McFee, seconded by Susan Morano, that the Board appoint Diane Wish to the Advisory Group on Dialysis for a term ending December 31, 2016. Motion adopted by unanimous vote of the Board members.

### **EVALUATION OF MEETING AND ADJOURNMENT**

On Thursday, January 22, 2015 the meeting adjourned at 2:00 p.m. On Friday, January 23, 2015, the meeting adjourned at 10:01 a.m.

Maryam Lyon, MSN, RN  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

