



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD JULY 28-29, 2011

The regular meeting of the Ohio Board of Nursing (Board) was held on July 28-29, 2011 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, July 28, 2011 at 8:30 a.m., President Bertha Lovelace called the Board meeting to order. On Friday, July 29, 2011 at 8:31 a.m., President Lovelace called the Board meeting to order. Vice-President Patricia Hayek read the Board mission on Thursday and Friday. President Lovelace recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

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

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

On Thursday, the Board Reception was held at 8:00 a.m.; Robert Rothrock and Elizabeth Collis, Esq., addressed the Board at 1:10 p.m.; Kevin Locke, Esq. representing Auburn Career Center Practical Nursing Program, addressed the Board at 1:30 p.m.; Executive Session was held at 2:00 p.m.; Board deliberations followed Executive Session. On Friday, Open Forum was held at 10:00 a.m.

Minutes of May 19-20, 2011 Board Meeting

Action: It was moved by Roberta Stokes, seconded by Janet Arwood, that the Board approve the minutes from the May 2011 Board meeting, as submitted. Motion adopted by a unanimous vote of the Board members.

Executive Director Report

Betsy Houchen highlighted the following from the Executive Director report:

- The Board welcomed two new staff, Brandon Kerlee in the Compliance Unit as an administrative assistant, and Felicia Saunders as the administrative assistant for Education and Practice.
- The Board congratulated Tami Earles on receipt of her five-year pin for state service and said good-bye to Bette Jo Horst, RN, after twenty-one years of state service at the Board.
- The Operation Feed campaign was very successful for 2011. The goal was 612 meals and we raised enough for 1,144 meals.
- The Concord Evaluation Group (CEG) conducted a usability audit of 62 board of nursing websites on behalf of the National Association of State Boards of Nursing (NCSBN) for the purpose of assisting boards in providing information and improving website ease of use. CEG found “that the Ohio Board of Nursing website contained a large amount of useful information. The reviewer was never confused about the site’s overall purpose and who it was geared to, which is the most important quality of any information resource....”
- Starting with the next issue of *Momentum*, there will be a different method of distribution by the publisher. Due to the significant increase in the number of licensed nurses in Ohio, in order to continue the quarterly magazine at no cost to licensees or taxpayers, the publisher must change the method of distribution. The total quantity of printed magazines will be no less than 75,000, with multiple copies of printed magazines going to 196 hospitals or medical centers; 593 nursing homes, rehabilitation centers, residential care and retirement facilities; all pre-licensure nursing education programs approved by the Board; all post-licensure education programs that offer a Master’s Degree in nursing; a minimum of 95 Dialysis Centers; and a minimum number of 5,200 individuals, including nurse executives, managers, and recruiters. Licensees are being notified through *Momentum*, the web site, eNews, Twitter, and Facebook.
- Lisa Emrich and Betsy Houchen conducted a webinar on the Practice Intervention and Improvement Program (PIIP) and the use of Just Culture for the Citizen Advocacy Center (CAC).
- Lesleigh Robinson was selected to serve on the NCLEX Review Committee for the NCSBN. Judith Church was selected to be on an NCLEX Writing Item Panel for a two-year period.
- Lisa Emrich is representing the Board on the newly formed Aging and Higher Education Advisory Committee. The Committee was formed to address the issues of how Ohio trains and supplies the needed workforce, supports and retains workers, develops technology to serve older adults, funds health and long-term care programs, and finds ways to engage

- older adults in life-long learning.
- Staff continue to monitor the progress of the joint Ohio-NCSBN workforce survey for the RN renewal cycle. As of June 28th there were 25,044 survey responses collected (up from 7,372 at the end of April).
 - The volume of applications received for licensure by examination is extremely high. The Board received 2,430 applications in May and 1,790 applications in June. A full-time interim employee was hired in April to perform data entry of licensure applications.
 - As of July 27, 2011, the Board staff renewed 155,958 licenses and certificates.

Judith Church complimented staff and commented that the public and licensees do not realize the amount of work that occurs on a daily basis to make the Board processes work smoothly.

Legislative Report

Tom Dilling reported that Representative Kirk Schuring introduced the Board's bill, HB 303. Representative John Carney is the co-sponsor.

He also reported that the Budget Bill, HB 153, passed and included increased appropriations for the Board for FY 2012-2013. The bill also authorized the transfer of up to three million dollars from the Occupational Licensing and Regulatory Fund and the Medical Board Operating Fund during this biennium to fund the purchase of equipment, products, and services necessary for a replacement automated licensing system for the professional licensing boards. There was also language in the bill requiring DAS to develop recommendations for a state government reorganization plan focused on increased efficiencies and a reduced number of state agencies. DAS is required to submit the recommendations to the Senate and House leadership not later than June 30, 2013.

Summary of Legislative Bills

T. Dilling highlighted the following bills: HB 93, Pain Clinics; HB 251, Oriental Medicine; HB 259, Alternative Health Services; HB 284, Physician Assistants; HB 292, Genetic Counselors; Sub. SB 83, Schedule II Prescribing; SB 171, Sunset Review Committee Recommendations; and HB 86, Criminal Sentencing Revisions.

Fiscal Report

Kathy King, Fiscal Officer, provided the fiscal report and stated the Board completed the fiscal year within its budget. Board members complimented her on the presentation of the budget and her work.

Judith Church complimented the fiscal staff in their work monitoring the budget, which allowed the Board to substantiate the budget request.

NEW BUSINESS

Administrative Rule Review

This year, the Board will review the following rule chapters as part of the five-year review process: Chapters 4723-5, 4723-7, 4723-13 and 4723-27. One additional rule is revised as a technical correction. In addition, there are new rules the Board will review that are required by HB 93 (Section 4723.487, ORC) ("Pain Clinic" legislation).

As part of rule review this year, Executive Order 2011-01K, "Establishing the Common Sense Initiative" (EO), requires agencies to draft rules in plain English. Since 2005, the Board has been conducting this kind of "plain English" review of its rules and amending or rescinding rule language that is unnecessary, ineffective, contradictory or redundant.

Board staff met with representatives of the Ohio Association of Advanced Practice Nurses and the Ohio Nurses Association to review the proposed revisions to the administrative rules.

Chapter 4723-5 Nursing Education Program

The following proposed changes have in substantial part been reviewed and approved by the Board. A Committee of the Board established to review Chapter 4723-5 also reviewed the Chapter and provided the opportunity for interested party input.

- Global changes throughout Chapter 4723-5 include removal of the term "instructional personnel" and insertion of more precise terms ("teaching assistants, preceptors"); and removal of term "curriculum vitae" in favor of "resume."
 - A comment was received that stated the term, curriculum vitae, is still widely used. Based on this comment, staff recommended that the definition be revised to specify the content that is to be included in the resume. The Board agreed with this revision.
- Rule 5-01: Changes include a new definition for the "faculty" to identify specific responsibilities and removal of unnecessary definitions.
- Rule 5-02: Minor change made to (D) to allow for more flexibility on designating the period of full approval (five years may be the norm, however, in some cases Board may wish to make the period shorter and has done so in certain cases).
- Rule 5-04: Paragraph (E) added to clarify that certain violations will result in the Board placing a program on provisional approval status. Paragraph (D) is revised in conjunction with change proposed in Rule 5-08 related to other accrediting bodies.

- Rule 5-06: Paragraph (A)(1) is revised consistent with proposal to allow more flexibility in specifying the full approval time period.
- Rule 5-08: This proposed revision will change the structure so that applicants are required to be approved by another Ohio agency that regulates the business aspect of education programs; if the applicant has not secured approval of the state board of career colleges and schools until after it becomes approved by the Board, the program may submit evidence of approval later (Paragraph (A)(3)) but prior to full approval. Changes reflected in (C) are requested to continue to address the issue of insufficient clinical experience that the Board has observed over the past several years.
- Rule 5-09: Added language regarding responsibilities of program administrator to (B); clarified language in (D)(3) regarding controlling agency notification process.
 - A comment was received that stated the language of (D)(1) is confusing. After discussion, staff agreed to provide proposed language to clarify the intent of this paragraph.
 - For practical nursing programs, the Advisory Group on Nursing Education recommended that the Board consider allowing a baccalaureate prepared faculty to serve as an interim Program Administrator, because if the Program Administrator vacates the position at the program, other masters-prepared individuals may not be on staff or available to be an interim Program Administrator. The Board agreed that staff will draft proposed language to authorize a baccalaureate prepared faculty who has been a faculty for at least one year to serve as interim Program Administrator for a one-year time period from the date of the vacancy.
- Rules 5-10, 5-11: Removed language regarding non-faculty teaching a course. Instead, after much public input, the new proposal is to address this in Rule 5-19 (A)(7), i.e., use of a guest lecturer is one type of teaching strategy that may be employed by faculty.
- Rule 5-12: (B) is added to prevent a program from changing student progression or completion policies retrospectively as to currently enrolled students.
 - A comment was received asking for clarification whether this rule would apply to non-nursing courses. The Board clarified that it would not. It was noted that the Advisory Group discussed this and the same conclusion was reached.
- Rules 5-13 and 5-14: (D) adds language that was deleted from Rule 5-01, i.e., definition of “academic year,” as this term is only used in Rule 5-13

and 5-14, rather than throughout the Chapter.

- Rule 5-19: Language added to (A)(7) regarding use of a guest lecturer as a teaching strategy that may be employed by faculty. Faculty do not need to identify the lecturer by name, but need to provide some information regarding the speaker's background/job title. Word "direct" is added to (C) consistent with definition of teaching assistant in Rule 5-01 (KK).
 - A comment was received asking what if the faculty identified a need for a guest lecturer during the course. The Board agreed that such a situation could be handled through a syllabus addendum.
- Rule 5-21: (E) is added to require that program maintain records for preceptors. Language added to require documentation of employment history for faculty, teaching assistants and preceptors, in form of a resume that documents the time periods spent in nursing or nursing education.
 - A comment was received that maintaining this type of information would be burdensome for programs. The Board agreed to keep the proposed language as drafted because this requirement is a safeguard that addresses the quality of the education for the students and with the technology available, tracking should be easier.

Chapter 4723-7 Examination and Licensure

- Rule 7-01: Clarification of definition in (C), foreign educated nurse graduates (defined as graduates of programs leading to *initial* licensure as a nurse). Revision to (E) to reflect no wallet cards are issued except for IV therapy cards required with respect to PNs endorsing from other states in which case the law still requires issuance of an IV therapy card. See Section 4723.17 (A) and (G), ORC.
- Rule 7-02: (F) is revised to better accommodate individuals whose program has closed.
- Rule 7-03: Revised throughout to better reflect current requirements established by NCSBN for testing accommodations. NCSBN requires that member boards collect specific documents from applicants requesting accommodations (reflected in paragraph (C)); member boards are required to verify that the documentation was received and report the information collected to NCSBN, who then makes a decision as to whether to grant the specific accommodation requested.
- Rule 7-05: Revision in paragraph (A)(1)(b) reflects statutory requirement in Section 4723.09, ORC, that an applicant's education preparation be substantially similar to that required by the Board for Board-approved programs. In paragraph (A)(1)(a), for programs that are approved by

other NCSBN member boards, substantially similarly is presumed, and thus the statutory language is not recited.

- Rule 7-06: This PN endorsement rule contains essentially the same changes as in Rule 7-05 (RN endorsement).
 - A comment was received asking if nursing faculty are permitted to teach when they hold a temporary permit in Ohio. The Board issues temporary permits and a temporary permit is considered a current, valid license.
- Rule 7-07: Paragraph (A) amended, similar to change in Rule 7-01, to reflect discontinuation of wallet cards except as required for IV therapy under Section 4723.17(G), ORC.
- Rule 7-09: (B) is revised to reflect current use of the on-line renewal system.

Chapter 4723-13 Delegation of Nursing Tasks

- Rule 13-01 and 13-02: Change to update the reference to the recently re-named Department of Developmental Disabilities.
- Changes to paragraph (C) to clarify that:
 1. An unlicensed person should only assist an individual in self-directed care if the individual *can safely* self-direct their care. This language mirrors language implemented by the DODD rules for adult residential facilities, where unlicensed staff assist in resident care.
 2. Assisting with self-administration of medications does not mean *administration* of medications, whether orally, by injection, or by any other route. While this seems obvious, based on inquiries staff have received, the clarification would be helpful.

The Board discussed the use of the word “patient” or “client.” The Board agreed to remove the definition of client from this chapter because the word is not used within the chapter, and therefore there is no need to define it. The Board agreed that as administrative rules are reviewed in the future, the Board will determine if use of the word, patient, may be more appropriate.

Chapter 4723-27

- Rule 27-01: Changes made to reflect elimination of the wallet card (N), end of the pilot program (EE); definition of “standard precautions” added to be consistent with changes made in Chapter 4723-20 (see Rule 4723-20-01 (F)) in February 2009.

- Rule 27-02: Paragraph (A) revised to reflect end of pilot. Paragraph (U) amended to mirror language added to Rule 4723-4-06 (P) for licensed nurses in 2009.
- Rule 27-04: Changes to remove obsolete language related to the pilot program and wallet cards.
- Rule 27-05: The rule is restructured for simplification and to remove redundant language.
- Rule 27-06: Language related to pilot/interim program removed. Paragraph (F) (formerly (G)) is revised to change twenty-four months to forty-eight months consistent with requirements for licensees and other certificate holders.
- Rule 27-07: Minor changes to simplify language and remove reference to pilot program.
- Rule 27-08: Changes related to standard precautions consistent with changes made in Chapter 4723-20 in February 2009.
- Rule 27-09: Minor changes in paragraphs (A), to allow wider range of sanctions in cases involving fraud or deception in securing a certificate or passing an examination, and (C), to add reference to board hearing committee.
- Rule 27-10: Changes to remove references to the pilot. Removal of paragraph (E) as certificates lapse as of the end of the renewal period, rather than when a payment is returned.
- Rules 27-11 through 27-14: Rescind as obsolete.

Non-Five Year Rule Review: Other Proposed Rule Changes

Rule 4723-8-10 is revised to correct a typographical error.

Rules Adopted Pursuant to HB 93 (Section 4723.487, ORC) (“Pain Clinic” legislation)

Rule 4723-9-12 Standards and procedures for review of OARRS

HB 93 requires that the Board adopt rules setting standards and procedures for advanced practice nurses with prescriptive authority to access the Pharmacy Board drug database.

- Based on discussions with the Pharmacy and Medical Boards, who are required to adopt similar rules, staff is proposing to add Rule 4723-9-12. The language is comparable to the Medical Board’s proposed rule 4731-

11-11 (filed May 20, 2011) in establishing circumstances that would trigger a prescriber's request and review of a patient's OARRS report.

- Rules 4723-9-08 and 9-09 are updated to cross-reference Rule 9-12.

A comment was received questioning the twelve-week requirement for review of a patient's OARRS report under certain circumstances. It was noted that paragraph (F)(3) addresses extenuating circumstances. In addition, T. Dilling stated that Board staff are discussing this proposed requirement with the other boards, and working to standardize the rules, as much as possible. Board staff will also continue to review the proposed rule with interested parties and report to the Board at the September meeting.

Comments on Administrative Rules

The Board reviewed the comments received, as reflected in the above discussion, and H. Fischer stated she would respond to the parties who provided comments regarding the rules.

Nurse Educator Grant Program (NEGP) Grant Awards

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board award the Nurse Education Grant Program funds, in accordance with Chapter 4723-25, OAC, and Section 4723.063, ORC, for the period beginning September 1, 2011 to August 31, 2013, as follows: Post Licensure: Kent State University College of Nursing-\$33,043; Lourdes College-\$197,772.38; The Ohio State University College of Nursing-\$199,988; Otterbein University-\$199,671.20; and Xavier University Master of Science in Nursing Program-\$174,388. Pre-Licensure RN: Firelands Regional Medical Center School of Nursing-\$49,042.46; Franciscan University of Steubenville Nursing Program-\$198,672; James A. Rhodes State College-\$103,450; Marion Technical College Nursing Department-\$200,000; North Central State College-\$200,000; Otterbein University-\$199,685.20; and Xavier University Bachelor of Science in Nursing Program-\$199,784. Pre-Licensure PN: Columbiana County School of Practical Nursing-\$163,756.34; Nancy J. Knight School of Nursing-\$200,000; and Tri-Rivers School of Practical Nursing-\$186,800.51. Motion adopted by a unanimous vote of the Board members.

APPROVALS

Nursing Education Programs – Approval of New Programs

Acadia Career Institute Practical Nursing Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Acadia Career Institute Practical Nursing Program in Findlay. It was further moved that the program submit progress reports to the Board on or before January 10, 2012 and May 10, 2012. Motion adopted by a unanimous vote of the Board members.

ITT Technical Institute, Dayton Breckenridge School of Nursing, Associate of Applied Science in Nursing Program

Action: It was moved by Melissa Meyer, seconded by Janet Arwood, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to ITT Technical Institute, Dayton Breckenridge School of Nursing, Associate of Applied Science in Nursing Program in Dayton. It was further moved that the program submit progress reports to the Board on or before March 15, 2012, and March 15, 2013. Motion adopted by a unanimous vote of the Board members.

Hamrick School Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Hamrick School Practical Nursing Program in Medina. It was further moved that the program submit progress reports to the Board on or before January 30, 2012 and May 30, 2012. Motion adopted by a unanimous vote of the Board members.

Nursing Education Programs – Determination of Approval Status

Marymount School of Practical Nursing

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Marymount School of Practical Nursing in Cleveland, for a period of five years effective July 28, 2011. Motion adopted with Delphenia Gilbert abstaining.

Portage Lakes Career Center-W. Howard Nicol School of Practical Nursing

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Portage Lakes Career Center-W. Howard Nicol School of Practical Nursing in Uniontown, for a period of five years effective July 28, 2011. Motion adopted by a unanimous vote of the Board members.

Fortis College Practical Nursing Program

Action: It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Fortis College Practical Nursing Program in Cincinnati, for a period of five years effective July 28, 2011. Motion adopted by a unanimous vote of the Board members.

Wayne County Joint Vocational High School Practical Nurse Program

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board continue its Full approval of Wayne County Joint Vocational High School Practical Nurse Program in Smithville. It was further moved that the program submit progress reports to the Board on or before September 26, 2011 and January 23, 2012. Motion adopted by a unanimous vote of the Board members.

Cuyahoga Community College Division of Nursing Education, Practical Nursing Program

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Cuyahoga Community College Division of Nursing Education, Practical Nursing Program in Cleveland, for a period of five years effective July 28, 2011. Motion adopted by a majority vote of the Board members with Delphenia Gilbert abstaining.

Otterbein Nursing Program, Otterbein College

Action: It was moved by Judith Church, seconded by Roberta Stokes, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Otterbein Nursing Program, Otterbein College in Westerville for a period of five years effective July 28, 2011. Motion adopted by a unanimous vote of the Board members.

Ohio American Health Care, Inc., Registered Nurse Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that, after consideration of the survey visits report and the program's response to the report, the Board propose to deny Full approval and withdraw Conditional approval of Ohio American Health Care, Inc., Registered Nurse Program in Columbus, in accordance with Rule 4723-5-04, OAC, and Section 4723.06 (A)(6), ORC, based on the program's failure to meet and maintain the standards for education programs established in Chapter 4723-5, OAC, and the Board issue a Notice of Opportunity for Hearing in accordance with Chapter 119, ORC. Motion adopted by a unanimous vote of the Board members.

Galen College of Nursing, Associate of Science in Nursing Program Request for Curriculum Revision

Action: It was moved by Tracy Ruegg, seconded by Roberta Stokes, that the Board approve the curriculum revision request submitted by Galen College of Nursing, Associate of Science in Nursing Program in Cincinnati, in accordance with Rule 4723-5-16, OAC. Motion adopted by a unanimous vote of the Board members.

Medical Linx, LLC, Medication Aide Training Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that in accordance with Rule 4723-27-07, OAC, the Board approve Medical Linx, LLC, as a medication aide training program for a period of two years effective July 28, 2011. Motion adopted by a majority vote of the Board members with Patricia Hayek abstaining.

Retroactive Approval for Licensees and Certificate Holders

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board May 1, 2011 through June 30, 2011, to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to

prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by a majority vote of the Board members with Rhonda Barkheimer abstaining regarding CTP certificates.

EXECUTIVE SESSION

On Thursday, July 28, 2011:

Action: It was moved by Patricia Hayek that the Board go into Executive Session to discuss pending or imminent court action with legal counsel, and to discuss the employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. Motion adopted by roll call vote.

Following Executive Session the Board meeting was adjourned and deliberations followed. The Board reported out of Executive Session at 3:30 p.m. on Thursday, July 28, 2011.

ADJUDICATION AND COMPLIANCE

Robert Rothrock and his Legal Representative, Elizabeth Collis, Esq., addressed the Board on Thursday, July 28, 2011, at 1:10 p.m. regarding Mr. Rothrock's Hearing Report and Recommendation pending before the Board. Barbara Pfeifer, AAG, responded.

Kevin Locke, Esq., representing Auburn Career Center Practical Nursing Program, addressed the Board on Thursday, July 28, 2011, at 1:30 p.m. regarding the program's Hearing Report and Recommendation pending before the Board. Melissa Wilburn, AAG, responded.

Board Actions

On Friday, July 29, 2011, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARING

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

Williams, Ginette M., R.N. 274052 (CASE #10-3874); Sells, Katharine, R.N. 329956 (CASE #10-5754); Nance, Amelia I., R.N. 290924 (CASE #11-1577); Siehl, Tamara L., R.N. 201297 (CASE #11-1842); Sandy, Pamela J., R.N. 235193 (CASE #10-3869); Rose, Travis A., R.N. 361460, P.N. 131690 (CASE #11-1162); Nolen, Kristie R., R.N. 296965 (CASE #10-0153); Colon, Kimberly D., P.N. 090107 (CASE #11-0618); Reese, Charmaine N., P.N. 098680 (CASE #11-1834); Bond, Albert W., R.N. 291541 (CASE #11-1814); Duskey, Jan M., R.N. 333524 (CASE #11-1446); Grudus, Edward M., R.N. 203968 (CASE #11-

1439); Pigaga, Marie N., R.N. 368455 (CASE #11-1778); Davis, Jennifer B., R.N. 328478 (CASE #09-5409); Martin, Tracie A., P.N. 131204 (CASE #10-4649); Weigel, Jeanette S., P.N. 072817 (CASE #10-2638); McClary, James C., R.N. 292019, P.N. 093431 (CASE #09-4062); Bolton, Carolyn S., R.N. 268392, NP 09231, RX 09231 (CASE #10-2037); Lively (Campbell), Tiffany E., R.N. NCLEX, P.N. 130148 (CASE #11-0663); Howard, Dawndrea L., P.N. 112577 (CASE #10-4246); Shoemaker, Tara I., P.N. 127955 (CASE #10-5481); Corso, Tracey L., R.N. 345713 (CASE #10-2106); Selph, Djohnia L., R.N. 357272, P.N. 114538 (CASE #10-1148); Von Harringa, Hannah , R.N. NCLEX (CASE #11-1732); Hoskins, Sandra, R.N. 263152 (CASE #10-3452); Evans, Leslee A., P.N. 099148 (CASE #10-3278); Canning, Jami R., P.N. 114027 (CASE #10-4817); Coleman, Errick, P.N. 135095 (CASE #10-0659); Chapman, Julia M., P.N. 104279 (CASE #10-3277); Herald, Darleen, P.N. 105417 (CASE #09-4531); Salazar, Michelle A., TC 1 03439 (CASE #11-0344); Emerson-Saler, Linda E., R.N. 239441 (CASE #10-3839); Frazier, Amy M., P.N. 104527 (CASE #09-3438); Petrilla, Heidi N., R.N. 296312 (CASE #11-1630); Hale, Mark A., P.N. 104406 (CASE #07-0237); Tirey, Jason W., P.N. 122035 (CASE #10-4720); Thornton, DeNeik L., P.N. 124909 (CASE #10-2138); Crawford-Halloran, Margaret 'Peggy', R.N. 196800 (CASE #10-4498); McDew, Samuel A., P.N. 101732 (CASE #11-2201); Seabolt, Pamela A., P.N. 123385 (CASE #11-1954); Brogdon, Denise A., R.N. Endorse (CASE #11-1901); Gresh, Joann, P.N. 126952 (CASE #11-2179); Bletsch, Erin A., P.N. 131547 (CASE #11-1340); and Gokey, Crystal A., R.N. 291057 (CASE #10-3441).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for Ohio American Health Care, Registered Nursing Program, (CASE #11-2803).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Brown, Ashley R., P.N. 130952 (CASE #11-2093); Cassanova, Tiffany L., P.N. 142003 (CASE #11-1245); Trusso, Amber D., R.N. 270714 (CASE #10-2988); Schildknecht, Lizabeth A., R.N. 166494 (CASE #10-3262); Beuter, Billie J., R.N. 257914 (CASE #11-0327); Keene, Angela D., P.N. 111446 (CASE #10-

5163); Chester, Angel, P.N. 100909 (CASE #11-2378); Nigro, Annette, R.N. 251552, NA 02387 (CASE #11-0246); Brittain, Amanda, R.N. 341404 (CASE #10-4398); Dosztal, Tiffany L., R.N. 342051 (CASE #10-0201); Zalar, Margaret M., R.N. 281025 (CASE #10-5759); Tackett, Samantha L., R.N. 313266 (CASE #09-6346); Petti, Rachel J., R.N. 331743, P.N. 108674 (CASE #10-1758); Settelmayer, Joy A., R.N. 307202 (CASE #10-4190); Blackwood, Elizabeth, R.N. 252179 (CASE #11-0445); Mikula, Michael A., R.N. 181111 (CASE #10-5126); Spremulli, Kathleen A., P.N. 073456 (CASE #10-3448); Sonntag, Ann M., R.N. 172297 (CASE #10-4651); Quinn, Carey J., R.N. 292720 (CASE #11-2787); and Betts, Jennifer D., P.N. 104965 (CASE #11-0661).

Patricia Hayek abstained on Mikula, Michael A., R.N. 181111 (CASE #10-5126) and Betts, Jennifer D., P.N. 104965 (CASE #11-0661) only. Bertha Lovelace abstained on Nigro, Annette, R.N. 251552, NA 02387 (CASE #11-0246) only. Motion adopted by majority vote of the Board members with Judith Church abstaining. Roberta Stokes was absent for the vote.

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Bowman, Jannette S., P.N. 084142 (CASE #11-1591); Kroeger, Lisa, R.N. 356003 (CASE #11-1298); McDermott, Donna L., R.N. 258093 (CASE #11-1573); Mitchell, Muriel E., R.N. 128503, NA 03643 (CASE #11-1208); Rese, Nicole, R.N. 266794 (CASE #11-1620); Sbrocchi, Ronda K., R.N. 250213 (CASE #11-1843); Ralston, David R., R.N. 338472 (CASE #11-1806); Withrow, Megan M., P.N. 139074 (CASE #11-1696); Carpenter, Samantha L., R.N. 307101, P.N. 107385 (CASE #11-1904); Noel, Christy E., P.N. 143542 (CASE #11-1376); Stofko, Rosemarie, R.N. 260576 (CASE #11-1789); Ours, Julie A., R.N. 243652 (CASE #11-2559); Seiber, Amy L., R.N. 286835 (CASE #11-1590); Beetler, Allison M., R.N. 266166 (CASE #11-2560); Severt, Leah J., R.N. 282682 (CASE #10-4231); Diliberto, Alexandra A., R.N. 349425 (CASE #11-1743); Daughtery, Lisa L., P.N. 126156 (CASE #11-1572); Ray, Roger L., P.N. 140696 (CASE #11-1838); Linehan, Matthew J., R.N. 356011 (CASE #11-1537); Bayless, Gregory V., R.N. 261091 (CASE #11-0284); Liggett, Pamela J., P.N. 099282 (CASE #11-1617); and Schneider, Alicia A., P.N. 136329 (CASE #11-1592).

Patricia Hayek abstained on Rese, Nicole, R.N. 266794 (CASE #11-1620) only. Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

POST IMMEDIATE SUSPENSION NOTICE AND OPPORTUNITY FOR HEARING

Action: It was moved by Rhonda Barkheimer, seconded by Tracy Ruegg, 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):

Housley, Amelia, R.N. 345077 (CASE #11-0853); and Krueger, Kelly A., R.N. 286017 (CASE #11-1467).

Motion adopted by majority vote of the Board members with Judith Church 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 July 2011 Board Meeting.

TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, 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):

Neekamp, Shelley L., R.N. 242390 (CASE #11-1650) and Horn, Arthur R., R.N. 237096 (CASE #11-2752).

Patricia Hayek abstained from voting on Horn, Arthur R., R.N. 237096 (CASE #11-2752) only. Motion adopted by majority vote of the Board members with Judith Church abstaining.

SURRENDERS

Permanent Voluntary Surrender

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

Keyes, Colleen E., R.N. 301722 (CASE #11-0288); Green, Diane G., R.N. 196268 (CASE #11-0436); Hardman, Wanda, R.N. 148936 (CASE #11-2104);

Job Corps Center, Practical Nursing Program, (CASE #10-0002); Pfender Elkins, Christina M., R.N. 295755 (CASE #05-3181); Eley, Amy E., R.N. 272162 (CASE #11-0836); Wildermuth, Pamela L., P.N. 110992 (CASE #11-1213); Keen, Jackie M., P.N. 079174 (CASE #11-1946); Miesle, Cheryl K., R.N. 156986 (CASE #11-2325); Walker, Tavette Z., P.N. 089712 (CASE #10-3854); Flack, Melissa, R.N. 272051 (CASE #11-2694); and Papa, Anthony S., R.N. 172113 (CASE #11-0832).

Delpenia Gilbert abstained on Job Corps Center, Practical Nursing Program, (CASE #10-0002) only. Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

Voluntary Retirement

Action: It was moved by Delphenia Gilbert, seconded by Janet Arwood, that the Board accept the Permanent Voluntary Retirement from Steiner, Joan E., R.N. 152936, COA 02946, RX 02946 (CASE #10-0973).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

WITHDRAWALS

Withdraw Notice of Opportunity for Hearing

Action: It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that the Board withdraw the May 2011 Notice of Opportunity for Hearing for Gregory, Robert E., P.N. NCLEX (CASE #10-4990), as Mr. Gregory criminal case was vacated by the Court in June 2011.

Motion adopted by majority vote of the Board members with Judith Church Abstaining.

CONSENT AGREEMENTS

On Friday July 29 2011, the Board considered the terms of the following proposed Consent Agreements that were reviewed by Board members.

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

Dyer, Tina M, P.N. 105587 (CASE #10-1231); Schaufele, Tiffany L., P.N. 123822 (CASE #10-5317); Parker, Victoria., R.N. 239668 (CASE #10-3383); Marsh, Rebecca J., R.N. 314908 (CASE #09-2467); Cameron, Amber, P.N. 131066 (CASE #09-5841); Pierce, Deborah J., P.N. 080924 (CASE #11-0653); Burkey, Brandi M., P.N. 100775 (CASE #10-2042); Dunnell, Susan M., R.N.

202633 (CASE #09-5724); Shields, Debbra K., R.N. 128267 (CASE #10-1748); Bishop, Marcia K., R.N. 198351 (CASE #11-1765); Henley, Sherin A., P.N. 134210 (CASE #10-1285); Kilcorse, Michael, R.N. 316740 (CASE #10-4945); McGee, Kelly J., R.N. NCLEX, P.N. 112444 (CASE #10-4747); Stephens, Ashley R., TC1 applicant, D.T. Applicant (CASE #10-5775); Williams, Melissa D., R.N. 337121 (CASE #11-1636); Burns, Ramona L., P.N. 133343 (CASE #10-1478); Kizer, Melissa, R.N. 320263 (CASE #10-0564); Helton, Edith K., R.N. 203185 (CASE #10-3580); Baker, Barbara A., P.N. 128057 (CASE #10-1847); Bess, Nakia M., R.N. 301612 (CASE #09-0955); Martin, Amanda K., P.N. 124685 (CASE #10-1557); LeFever, Virginia W., R.N. 168441 (CASE #11-2006); Hawkins, Shinitta D., P.N. NCLEX (CASE #11-1898); Rodgers, Lori A., R.N. 259763 (CASE #11-1764); Colyer, Michelle N., P.N. 123249 (CASE #10-1497); Johnson, Amanda L., R.N. NCLEX (CASE #11-0986); Hamilton, William L., R.N. 323983 (CASE #10-4833); Rodriguez, Andrea D., R.N. 265716 (CASE #10-1920); Pizzurro, Jane M., R.N. 342040 (CASE #10-4641); Appel, Amanda E., P.N. 134390 (CASE #10-0447); Middleton, Diane L., R.N. 272117 (CASE #10-3923); McDevitt, John O., R.N. 298339 (CASE #09-5603); McCary, Candey S., R.N. 295182 (CASE #10-2976); Johnson, Joan H., R.N. endorse (CASE #11-2309); Gambol, Carla J., P.N. 082453 (CASE #11-2025); Leslie, Saylor D., P.N. NCLEX (CASE #11-1375); Stayrook, Renae L., R.N. 132498 (CASE #11-2183); Greene, Sherry M., P.N. NCLEX (CASE #11-1626); Blanchard, Heather D., R.N. 246327 (CASE #09-4306); Duncan, Heather D., R.N. 327219 (CASE #10-0646); Zartman, Lee, P.N. 133238 (CASE #10-4550); Clark, Laura R., P.N. 106578 (CASE #10-3230); Seagle, Valerie J., R.N. 281993, P.N. 092090 (CASE #09-4817); Amico, Jonathan A., R.N. NCLEX (CASE #11-0356); Battaglia, Susan M., R.N. 147009 (CASE #10-5060); McPeck, Brian T., R.N. 341037 (CASE #10-2174); Berry, Brandi M., R.N. 340468, P.N. 121050 (CASE #06-0554); Williams, Jeaneen, P.N. NCLEX (CASE #11-1297); Detlef, Kimberly J., P.N. 086382 (CASE #10-3114); Yates, Christina M., P.N. 124960 (CASE #10-0456); Blazer, Michelle J., R.N. 293991 (CASE #10-4941); Gemma, Christopher J., P.N. 120932 (CASE #10-4541); Podgorski, Nicole, P.N. 115899 (CASE #10-3381); Squier, Mariann A., P.N. 132962 (CASE #10-5655); Swanner, Patricia L., R.N. 281419 (CASE #10-5896); Hoppes, Tiffany G., R.N. 287099 (CASE #10-4713); Hasapes, Barbara, R.N. 175057 (CASE #10-5408); Waggoner, Jason P., P.N. NCLEX (CASE #11-1411); Figuly, Rachael J., R.N. 321115 (CASE #11-0267); Templin, Amy M., R.N. 293424 (CASE #10-4587); Wright, Carolyn C., R.N. 329825 (CASE #11-2558); Johnson, Kimberly R., P.N. 124590 (CASE #10-4810); Boggs, Kathy L., R.N. 276027, P.N. 095925 (CASE #10-0984); Balogh, Dina M., P.N. 122620 (CASE #10-0141); Mansnerus, Anne H., R.N. 144459 (CASE #10-5541); Brunton, Lydia M., R.N. 335652 (CASE #11-1759); Williams, Latanya D., R.N. 347911 (CASE #09-5852); Worthington, Lisa M., R.N. 354454 (CASE #10-5064); Knerr-Markko, Tamara L., R.N. 191422 (CASE #11-0001); Romans, Dara L., R.N. 192133 (CASE #10-5312); Giammarino, Dan A., P.N. 092248 (CASE #11-1466); Redman, Dawn, R.N. 326699 (CASE #10-5308); Griggs, Holly A., P.N. NCLEX (CASE #11-1784); Estes, Misty R., P.N. 101171 (CASE #10-5125); Lunney, Melody A., R.N. 332867 (CASE #10-2765); Blair, Charles S., R.N. NCLEX, P.N. 127970 (CASE #10-5943); Haines, Jennifer, R.N.

356792 (CASE #10-4186); Evans, Joy A., R.N. 214008 (CASE #10-4229); Dennison, Paul T., P.N. 117693 (CASE #10-2246); Randleman, Tierra L., P.N. 130760 (CASE #10-3872); Drankwalter, Ninell D., R.N. 250067 (CASE #11-1812); Marasch, Matthew M., R.N. 336710 (CASE #10-5062); Weigl, Gaylene K., R.N. 256076 (CASE #09-4773); Raterman, Beth A., R.N. 217883 (CASE #11-2561); Ridner, Janine, R.N. 328393 (CASE #11-2182); Brown, Kristie A., R.N. 250776 (CASE #03-2028a); Baumann, Angela M., R.N. 301445, P.N. 107589 (CASE #11-2587); Boddie, J'Angelique E., P.N. NCLEX (CASE #11-1712); Darby, Danielle V, R.N. NCLEX (CASE #11-1102); Keys, Delishia D., P.N. NCLEX (CASE #11-0181); Lynch, Jeffrey A., R.N. endorse, NA endorse (CASE #11-2451); Martin, Natalie R., R.N. 129305 (CASE #11-2562); Oney, Tara M., P.N. 103398 (CASE #11-2570); Proffitt, Sarah J., R.N. 334571, P.N. 074518 (CASE #11-0850); Tilson, Connie S., R.N. NCLEX, P.N. 111967 (CASE #11-2000); Ferguson, Zachary C., R.N. NCLEX (CASE #11-0864); Kroeger, Scott E., P.N. 120732 (CASE #11-1746); and Carrabine, Elizabeth, R.N. 242147, P.N. 070045 (CASE #10-2551).

Janet Arwood abstained on Johnson, Joan H., R.N. endorse (CASE #11-2309) and Leslie, Saylor D., P.N. NCLEX (CASE #11-1375) only. Rhonda Barkheimer abstained from voting on the following cases only: McCary, Candey S., R.N. 295182 (CASE #10-2976); Gemma, Christopher J., P.N. 120932 (CASE #10-4541); and Martin, Natalie R., R.N. 129305 (CASE #11-2562). Judith Church abstained from voting on all cases. Johnnie Maier abstained on Gemma, Christopher J., P.N. 120932 (CASE #10-4541) only. Janet Arwood voted no on Williams, Jeaneen, P.N. NCLEX (CASE #11-1297) and Dennison, Paul T., P.N. 117693 (CASE #10-2246) only. Johnnie Maier voted no on Waggoner, Jason P., P.N. NCLEX (CASE #11-1411) and Randleman, Tierra L., P.N. 130760 (CASE #10-3872) only. J. Jane McFee voted no on the following cases only: Bishop, Marcia K., R.N. 198351 (CASE #11-1765); Gambol, Carla J., P.N. 082453 (CASE #11-2025); Randleman, Tierra L., P.N. 130760 (CASE #10-3872); and Raterman, Beth A., R.N. 217883 (CASE #11-2561). Tracy Ruegg voted no on the following cases only: Marsh, Rebecca J., R.N. 314908 (CASE #09-2467); Burkey, Brandi M., P.N. 100775 (CASE #10-2042); Martin, Amanda K., P.N. 124685 (CASE #10-1557); LeFever, Virginia W., R.N. 168441 (CASE #11-2006); Middleton, Diane L., R.N. 272117 (CASE #10-3923); Gambol, Carla J., P.N. 082453 (CASE #11-2025); Blanchard, Heather D., R.N. 246327 (CASE #09-4306); Berry, Brandi M., R.N. 340468, P.N. 121050 (CASE #06-0554); Podgorski, Nicole, P.N. 115899 (CASE #10-3381); Mansnerus, Anne H., R.N. 144459 (CASE #10-5541); Dennison, Paul T., P.N. 117693 (CASE #10-2246); Randleman, Tierra L., P.N. 130760 (CASE #10-3872); Drankwalter, Ninell D., R.N. 250067 (CASE #11-1812); and Proffitt, Sarah J., R.N. 334571, P.N. 074518 (CASE #11-0850). Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the July 2011 Board Meeting.

HEARING EXAMINER REPORT AND RECOMMENDATION

Schultz, Jennifer K., R.N. 315963 (CASE #09-4718)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that Jennifer Schultz's license to practice nursing as a registered nurse in the State of Ohio be Permanently Revoked.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Edwards, Christina, P.N. 123701 (CASE #10-1544)

Action: It was moved by Tracy Ruegg, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of Law and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that Christina Edwards's license to practice nursing as a licensed practical nurse in the State of Ohio be Permanently Revoked.

The rationale for the modification is the following:

Ms. Edwards has a long history of drug abuse; has failed to recognize that she has a drug problem; and is not actively engaged in a recovery program. The Board has determined that her practice as a nurse would be a danger to public safety.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Pope, Shannon M., R.N. 339284 (CASE #08-3935)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that Shannon Pope'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 with the conditions for reinstatement set forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years following reinstatement and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

rules governing the practice of nursing in Ohio.

2. **MS. POPE** 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. POPE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. POPE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. POPE'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. POPE** shall complete and submit satisfactory documentation of her successful completion of the following continuing nursing education: eight (8) hours on Boundaries, Ethics, Professionalism, Scope of Practice, and Handling Dangerous Drugs.

Monitoring

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

9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. POPE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. POPE'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. POPE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. POPE's** history.
10. Within thirty (30) days prior to **MS. POPE** initiating drug screening, **MS. POPE** 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. POPE**.
11. After initiating drug screening, **MS. POPE** 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. POPE** 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. POPE** 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. POPE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. POPE

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

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

DURATION

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

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

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

4. **MS. POPE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. POPE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day 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 **MS. POPE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. POPE's** history.
6. **MS. POPE** 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. POPE** 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. POPE** 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. POPE** 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. POPE** 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. POPE** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. POPE** 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. POPE** shall notify the Board.
11. **MS. POPE** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job

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

Reporting Requirements of MS. POPE

12. **MS. POPE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. POPE** 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. POPE** 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. POPE** 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. POPE** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. POPE** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. POPE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. POPE** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

O'Brien, Erin E., R.N. 324539 (CASE #09-4466)

Action: It was moved by Bertha Lovelace, seconded by Patricia Hayek, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that Erin O'Brien'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 with the conditions for reinstatement set forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years following reinstatement and the permanent narcotic and permanent practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. O'BRIEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. O'BRIEN** 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. O'BRIEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. O'BRIEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. O'BRIEN'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. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN's** history. **MS. O'BRIEN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. O'BRIEN** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. O'BRIEN** shall, at her own expense, obtain a chemical dependency evaluation by a Board

- approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. O'BRIEN** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. O'BRIEN** 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. O'BRIEN's** license, and a statement as to whether **MS. O'BRIEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. O'BRIEN** 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. O'BRIEN's** license.
 9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. O'BRIEN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. O'BRIEN'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. O'BRIEN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. O'BRIEN's** history.
 10. Within thirty (30) days prior to **MS. O'BRIEN** initiating drug screening, **MS. O'BRIEN** 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. O'BRIEN**.
 11. After initiating drug screening, **MS. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. O'BRIEN

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

DURATION

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

Following reinstatement, the suspension shall be stayed and MS.

O'BRIEN's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.

1. **MS. O'BRIEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN's** history. **MS. O'BRIEN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. O'BRIEN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. O'BRIEN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day 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 **MS. O'BRIEN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. O'BRIEN's** history.
6. **MS. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** 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. O'BRIEN** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. O'BRIEN** 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. O'BRIEN** shall notify the Board.
11. **MS. O'BRIEN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. O'BRIEN** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. O'BRIEN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. O'BRIEN

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Bowles, Lauren M., P.N. 133835 (CASE #10-1432)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Lauren Bowles'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 one (1) year retroactive to August 2, 2010, and with the conditions for reinstatement set forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years following reinstatement and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BOWLES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOWLES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **MS. BOWLES** shall successfully complete and submit satisfactory documentation of her successful completion of the following continuing nursing education: five hours each of Ethics, Professionalism; one (1) hour of Ohio law and rules; and two (2) hours of Scope of Practice.

Monitoring

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

5. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. BOWLES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BOWLES'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. BOWLES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BOWLES's** history.
6. Within thirty (30) days prior to **MS. BOWLES** initiating drug screening, **MS. BOWLES** 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. BOWLES**.
7. After initiating drug screening, **MS. BOWLES** 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. BOWLES** 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. BOWLES

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

DURATION

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

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

1. **MS. BOWLES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOWLES** 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. BOWLES** 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. BOWLES's** history. **MS. BOWLES** shall self-administer prescribed drugs only in the manner prescribed.
4. Upon request by the Board or its designee, **MS. BOWLES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or

failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BOWLES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BOWLES's** history.

Treating Practitioners and Reporting

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

Employment Conditions

8. Prior to accepting employment as a nurse, each time with every employer, **MS. BOWLES** shall notify the Board.
9. **MS. BOWLES** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. BOWLES** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BOWLES** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BOWLES

10. **MS. BOWLES** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. **MS. BOWLES** 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. BOWLES** 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. BOWLES** 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. BOWLES** 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. BOWLES** shall verify that the reports and documentation required by this Order are received in the Board office.
16. **MS. BOWLES** 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.
17. Prior to working as a nurse, if requested by the Board or its designee, **MS. BOWLES** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church and Delphenia Gilbert abstaining.

Johnson, Joseph J., P.N. 073120 (CASE #09-2479)

Action: It was moved by Roberta Stokes, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Joseph Johnson'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 one (1) year with the conditions for reinstatement set

forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years following reinstatement and the temporary narcotic and temporary practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. JOHNSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. JOHNSON** 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. JOHNSON** shall establish contact with a nursing educator approved in advance by the Board, who has no less than a master's degree and is affiliated with a nursing educational program. **MR. JOHNSON** shall have the educator provide the Board with a written report of an assessment of **MR. JOHNSON**, which identifies **MR. JOHNSON's** practice deficiencies and remedial education needs. Prior to the assessment, **MR. JOHNSON** 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. JOHNSON** shall also execute releases to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MR. JOHNSON's** former employers. Following the assessment, **MR. JOHNSON** shall have the educator provide the Board with a copy of the learning plan developed by the educator for **MR. JOHNSON** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MR. JOHNSON** shall complete to address any knowledge/practice deficiencies and remedial education needs identified by the educator and shall identify the time frame during which **MR. JOHNSON** shall complete the learning plan. Prior to seeking reinstatement by the Board, **MR. JOHNSON** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan. After **MR. JOHNSON** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendation for additional remedial education and/or restrictions that should be placed on **MR. JOHNSON's** license. Further, the educator shall provide the Board with a written opinion stating whether **MR. JOHNSON** is capable of practicing according to acceptable and prevailing standards of safe nursing care. **MR. JOHNSON** shall be responsible for all costs associated with meeting this requirement. Further the Board may utilize the educator's recommendation and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MR. JOHNSON's** license.

4. **Prior to requesting reinstatement by the Board, MR. JOHNSON** shall complete and submit satisfactory documentation of her successful completion of the following continuing nursing education: eight (8) hours on Documentation, Medication Administration, and Patient Safety.

Reporting Requirements of MR. JOHNSON

5. **MR. JOHNSON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. JOHNSON** 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. JOHNSON 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. JOHNSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MR. JOHNSON** 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. JOHNSON shall** verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. JOHNSON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

1. **MR. JOHNSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. JOHNSON** 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. JOHNSON** shall notify the Board.
4. **MR. JOHNSON** shall have his employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MR. JOHNSON** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. JOHNSON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. JOHNSON

5. **MR. JOHNSON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MR. JOHNSON** 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. JOHNSON** 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. JOHNSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MR. JOHNSON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MR. JOHNSON** shall verify that the reports and documentation required

by this Order are received in the Board office.

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Auburn Practical Nursing Program, (CASE #11-0634)

Action: It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board accept all of the Findings of Fact and Conclusions of Law and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that the conditional approval status of the **AUBURN CAREER CENTER PRACTICAL NURSING PROGRAM (PROGRAM)** be continued for a minimum period of two (2) years, full approval status be denied, and prior to being considered for full approval, the **PROGRAM** shall comply with the Terms and Conditions stated below in order to demonstrate a successful systematic plan of correction, effective July 29, 2011.

Terms and Conditions:

1. The **PROGRAM** shall provide to the Board, no later than November 30, 2011, a planned budget for the **PROGRAM** for calendar years 2012 and 2013 with specified allotments indicated for student books/materials, skills laboratory supplies and equipment, and personnel costs for each **PROGRAM** staff and faculty member. The planned budget must be signed by the **PROGRAM** Administrator, Career Center Superintendent, and Chairman of the Board of Trustees.
2. The **PROGRAM** shall submit to the Board, no later than December 1, 2011, all of the following documents:
 - a. A table of organization for Auburn Career Center specific to reporting structure, including individual department director or equivalent names;
 - b. A table of organization specific to the **PROGRAM**, including reporting structure including individuals' names;
 - c. **PROGRAM** policies as set forth in Rule 4723-5-12, OAC;

- d. The **PROGRAM** curriculum as set forth in Rule 4723-5-14, OAC, including the syllabus for each course contained in the curriculum;
- e. The **PROGRAM**'s systematic evaluation plan, documentation of its implementation and findings to date, and a projected schedule for continued evaluation plan use for calendar years 2012 and 2013, as required by Rule 4723-5-15, OAC;
- f. Copies of all executed contracts by and between the **PROGRAM** and facilities to be utilized for student clinical experiences, and a chart that correlates the use of the facility with a specific course;
- g. A chart that lists each faculty responsible for teaching nursing courses, the nursing courses each will be teaching, and if applicable the name of each teaching assistant utilized to provide instruction in the nursing course;
- h. A plan for student clinical experience rotations and the students' clinical supervision;
- i. A plan for all **PROGRAM** faculty and student records to be accessible for on-site review by Board staff upon request;
- j. Any other information or documents requested by the Board according to Rule 4723-5-05 (B), OAC.

3. The **PROGRAM** shall submit progress reports to the Board on or before March 1, 2012, June 1, 2012, September 4, 2012, December 3, 2012, March 1, 2013 and June 3, 2013.

4. The **PROGRAM** shall participate in survey visits as requested by the Board according to Rule 4723-5-06, OAC.

The rationale for the terms and conditions imposed by this Order, including the modification of the period of conditional approval recommended by the Hearing Examiner from a minimum of one (1) year to two (2) years, is as follows:

The Board has determined in its expertise that based upon the **PROGRAM**'s history of prior Board action and non-compliance with conditions imposed and the law and rules, a minimum two (2) year period of time is required to plan, develop, and implement a systematic plan of correction.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Rothrock, Robert K., R.N. 274634, COA 06579 (CASE #09-3022)

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Robert Rothrock's license to practice nursing as a registered nurse and certificate of authority to practice as a certified registered nurse anesthetist in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years following reinstatement and permanent practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. ROTHROCK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. ROTHROCK** 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. ROTHROCK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. ROTHROCK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. ROTHROCK's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MR. ROTHROCK** shall complete a comprehensive nurse refresher course and a comprehensive certified registered nurse anesthetist refresher or training course approved in advance by the Board. **MR. ROTHROCK's** license and certificate can be reinstated by the Board or its designee for the limited and sole purpose of completing any refresher or training course that requires an active license or certificate of authority to complete. **MR. ROTHROCK** shall provide a copy of this Order and Notice of Opportunity for Hearing to the director and/or clinical manager of the refresher or training courses.

Reporting Requirements of MR. ROTHROCK

5. **MR. ROTHROCK** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. ROTHROCK** 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. ROTHROCK** 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. ROTHROCK** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MR. ROTHROCK** 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. ROTHROCK** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. ROTHROCK** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

4. **MR. ROTHROCK** shall have his employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MR. ROTHROCK** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. ROTHROCK** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. ROTHROCK

5. **MR. ROTHROCK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MR. ROTHROCK** 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. ROTHROCK** 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. ROTHROCK** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MR. ROTHROCK** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MR. ROTHROCK** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. ROTHROCK** 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. ROTHROCK shall not practice nursing as a registered nurse or certified registered nurse anesthetist (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools or locum tenens; (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) as a volunteer.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church and Bertha Lovelace abstaining.

Pinkney, Robert, P.N. 124865 (CASE #10-1387)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of Law and modified the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that Robert Pinkney's license to practice nursing as a licensed practical nurse in the State of Ohio be Permanently Revoked.

The rationale for the modification is the following:

Mr. Pinkney has a serious chemical dependency that includes the use of Heroin and has sought treatment for substance abuse four (4) times since 2007. Mr. Pinkney used Heroin prior to reporting for work as a nurse and was observed to be impaired. The Board believes that Mr. Pinkney's practice as a nurse would be a threat to public safety.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

BOARD HEARING COMMITTEE PANEL

Howell, Laquandria, P.N. 106193 (CASE #10-2082)

Action: It was moved by Judith Church, seconded by Rhonda Barkheimer, that the Board deny **MS. HOWELL's** motion to admit additional evidence and accept all of the Findings of Fact, Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that **LAQUANDRIA HOWELL's** license to practice nursing as a licensed practical nurse in the State of Ohio be **Permanently Revoked**.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Patricia Hayek, Bertha Lovelace and Johnnie Maier abstaining.

NO REQUEST FOR HEARING

Becker, Allan K., R.N. 240244 (CASE #10-4581)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **ALLAN KEITH BECKER** in the November 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BECKER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. BECKER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ALLAN KEITH BECKER** to surrender his frameable wall certificate for his registered nurse license R.N. #240244, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining

Bell, Phyllis Y., P.N. 107189 (CASE #10-2000)

Action: it was moved by Melissa Meyer, seconded by Tracy Ruegg, that upon consideration of the charges stated against **PHYLLIS YVONNE BELL** in the March 18, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BELL** 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. BELL's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than five (5) years from the date of her conviction, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BELL's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BELL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BELL** 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. BELL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BELL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BELL'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. BELL** 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. BELL** shall submit documentation of her full compliance with the terms and conditions, including restitution requirements, imposed by the Franklin County Court of Common Pleas Case Number 10CR-4219.

Monitoring

6. Upon request of the Board or its designee, **MS. BELL** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BELL** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. BELL** 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. BELL's** license, and a statement as to whether **MS. BELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. BELL** 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. BELL's** license.
8. Upon request of the Board or its designee, **MS. BELL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BELL'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. BELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BELL's** history.
9. Within thirty (30) days prior to **MS. BELL** initiating drug screening, **MS. BELL** 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. BELL**.
10. After initiating drug screening, **MS. BELL** 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. BELL** 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. Upon request of the Board or its designee, **MS. BELL** 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. BELL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BELL

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

DURATION

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

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

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

Monitoring

3. If requested by the Board or its designee, **MS. BELL** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BELL** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. BELL** 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. BELL's** license, and a statement as to whether **MS. BELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. BELL** 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. BELL's** license.
5. During the probationary period, if requested by the Board or its designee, **MS. BELL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BELL's** history.

6. If requested by the Board or its designee, **MS. BELL** 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. BELL** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Employment Conditions

7. Prior to accepting employment as a nurse, each time with every employer, **MS. BELL** shall notify the Board.
8. **MS. BELL** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BELL** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. BELL** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BELL

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

15. **MS. BELL** 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.

16. Prior to working as a nurse, **MS. BELL** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Beyl, Linda M., P.N. 101162 (CASE #10-4128)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **LINDA MARIE BEYL** in the November 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BEYL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. BEYL'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LINDA MARIE BEYL** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #101162, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Burton, Patrice D., P.N. 084039 (CASE #10-4344)

Action: It was moved by Janet Arwood, seconded by Tracy Ruegg, that upon consideration of the charges stated against **PATRICE DARLENE BURTON** in the March 18, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BURTON** 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. BURTON's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BURTON's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BURTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BURTON** 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. BURTON** shall submit a request to the Bureau of Criminal Identification and Investigation

(BCII) to conduct a criminal records check of **MS. BURTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BURTON'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. BURTON** 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. BURTON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 30 hours of "Drug abuse prevention: Living drug-free."

Monitoring

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

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BURTON** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BURTON'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. BURTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BURTON's** history.
11. Within thirty (30) days prior to **MS. BURTON** initiating drug screening, **MS. BURTON** 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. BURTON**.
12. After initiating drug screening, **MS. BURTON** 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. BURTON** 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. BURTON** 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. BURTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BURTON

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

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

DURATION

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

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

1. **MS. BURTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BURTON** 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. BURTON** 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. BURTON's** history. **MS. BURTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BURTON** shall abstain completely from the use of alcohol.
 5. During the probationary period, **MS. BURTON** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BURTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BURTON's** history.
 6. **MS. BURTON** 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. BURTON** 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. BURTON** 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. BURTON** 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. BURTON** 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. BURTON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BURTON** 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. BURTON** shall notify the Board.

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

Reporting Requirements of MS. BURTON

12. **MS. BURTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. BURTON** 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. BURTON** 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. BURTON** 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. BURTON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. BURTON** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. BURTON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. BURTON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon

the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Foster, Diana L., R.N. 243556 (CASE #10-4909)

Action: It was moved Delphenia Gilbert, seconded by J. Jane McFee, that upon consideration of the charges stated against **DIANA L. FOSTER** in January 21, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FOSTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. FOSTER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **DIANA L. FOSTER** to surrender her frameable wall certificate for her registered nurse license, R.N. #243556, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Griss, Amanda M., R.N. 339748 (CASE #10-1372)

Action: It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **AMANDA M. GRISS** in May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing, and the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GRISS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. GRISS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **AMANDA M. GRISS** to surrender her frameable wall certificate for her registered nurse license, R.N. #339748, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Hart, Stacy J., P.N. 103370 (CASE #10-5041)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **STACY JO HART** in the January 21, 2011 Notice of Automatic Suspension and Opportunity for Hearing and

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

The Board further Orders **STACY JO HART** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #103370, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Humphries, Darlene, P.N. 103523 (CASE #10-3760)

Action: It was moved Janet Arwood, seconded by Tracy Ruegg, that upon consideration of the charges stated against **DARLENE HUMPHRIES** in the February 11, 2011 Notice of Immediate Suspension, and the March 18, 2011 Notice of Opportunity for Hearing ("Notices") and evidence supporting the charges, the Board finds that **MS. HUMPHRIES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. HUMPHRIES'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DARLENE HUMPHRIES** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #103523, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Manley, Charlotte, R.N. 195035 (CASE #10-0607)

Action: It was moved by Patricia Hayek, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **CHARLOTTE MANLEY** in the January 21, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MANLEY** 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. MANLEY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MANLEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms,

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

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MANLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MANLEY** 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. MANLEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MANLEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MANLEY'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. MANLEY** 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. MANLEY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 8 hours of "Legal & ethical dilemmas," and 4.2 hours of "Delegating effectively."

Reporting Requirements of MS. MANLEY

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

DURATION

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

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

1. **MS. MANLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MANLEY** 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. MANLEY** shall notify the Board.
4. **MS. MANLEY** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. MANLEY** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

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

Reporting Requirements of MS. MANLEY

5. **MS. MANLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. MANLEY** 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. MANLEY** 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. MANLEY** 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. MANLEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. MANLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. MANLEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a nurse, if requested by the Board or its designee, **MS. MANLEY** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Nussbaum, Marcia L., R.N. 134936 (CASE #10-0807)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **MARCIA LYNN NUSSBAUM** in the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NUSSBAUM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. NUSSBAUM's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. NUSSBAUM's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years

and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. NUSSBAUM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. NUSSBAUM** 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. NUSSBAUM** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. NUSSBAUM**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. NUSSBAUM'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. NUSSBAUM** 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. NUSSBAUM** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 30 hours of "Drug abuse prevention: Living drug-free."

Monitoring

6. **MS. NUSSBAUM** 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. NUSSBAUM's** history. **MS. NUSSBAUM** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. NUSSBAUM** shall abstain completely from the use of alcohol.
8. **Prior to requesting reinstatement by the Board, MS. NUSSBAUM** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. NUSSBAUM** shall provide the chemical dependency

- professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. NUSSBAUM** 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. NUSSBAUM's** license, and a statement as to whether **MS. NUSSBAUM** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. NUSSBAUM** 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. NUSSBAUM's** license.
 10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. NUSSBAUM** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. NUSSBAUM'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. NUSSBAUM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. NUSSBAUM's** history.
 11. Within thirty (30) days prior to **MS. NUSSBAUM** initiating drug screening, **MS. NUSSBAUM** 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. NUSSBAUM**.
 12. After initiating drug screening, **MS. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. NUSSBAUM

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

DURATION

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

Following reinstatement, the suspension shall be stayed and MS.

NUSSBAUM's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of two (2) years.

1. **MS. NUSSBAUM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM's** history. **MS. NUSSBAUM** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. NUSSBAUM** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. NUSSBAUM** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. NUSSBAUM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. NUSSBAUM's** history.
6. **MS. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. NUSSBAUM** 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. NUSSBAUM** shall notify the Board.
11. **MS. NUSSBAUM** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. NUSSBAUM** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. NUSSBAUM** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. NUSSBAUM

12. **MS. NUSSBAUM** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** 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. NUSSBAUM** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention

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

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

Temporary Narcotic Restriction

MS. NUSSBAUM shall not administer, have access to, or possess (except as prescribed for **MS. NUSSBAUM's** use by another so authorized by law who has full knowledge of **MS. NUSSBAUM's** history) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **nine (9) months** in which **MS. NUSSBAUM** is working in a position that requires a nursing license. At any time after the nine-month period previously described, **MS. NUSSBAUM** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. NUSSBAUM** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. NUSSBAUM** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Ramsey, James, P.N. 118677 (CASE #10-3750)

Action: It was moved by Janet Arwood, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **JAMES ALLEN RAMSEY** in the January 21, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. RAMSEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. RAMSEY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MR. RAMSEY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. RAMSEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. RAMSEY** 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. RAMSEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. RAMSEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. RAMSEY'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. RAMSEY** 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. RAMSEY** 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. RAMSEY's** history. **MR. RAMSEY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. RAMSEY** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. RAMSEY** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. RAMSEY** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. RAMSEY** 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. RAMSEY's** license, and a statement as to whether **MR. RAMSEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. RAMSEY** 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. RAMSEY's** license.

9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. RAMSEY** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. RAMSEY'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. RAMSEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. RAMSEY's** history.
10. Within thirty (30) days prior to **MR. RAMSEY** initiating drug screening, **MR. RAMSEY** 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. RAMSEY**.
11. After initiating drug screening, **MR. RAMSEY** 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. RAMSEY** 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. RAMSEY** 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. RAMSEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to requesting reinstatement by the Board, MR. RAMSEY** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. RAMSEY** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional

restrictions that should be placed on **MR. RAMSEY's** license, and a statement as to whether **MR. RAMSEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. **MR. RAMSEY** 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. RAMSEY's** license.

Reporting Requirements of MR. RAMSEY

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

DURATION

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

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

1. **MR. RAMSEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. RAMSEY** 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. RAMSEY** 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. RAMSEY's** history. **MR. RAMSEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. RAMSEY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. RAMSEY** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. RAMSEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. RAMSEY's** history.
6. **MR. RAMSEY** 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. RAMSEY** 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. RAMSEY** 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. RAMSEY** 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. RAMSEY** 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. RAMSEY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. RAMSEY** 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. RAMSEY** shall notify the Board.
11. **MR. RAMSEY** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. RAMSEY** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. RAMSEY** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. RAMSEY

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

Columbus, OH 43215-7410.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MR. RAMSEY 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. RAMSEY's suspension shall be lifted and MR. RAMSEY's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. RAMSEY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. RAMSEY** via certified mail of the

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Tirey, Jason, P.N. 122035 (CASE #09-6263)

Action: It was moved by Rhonda Barkheimer, seconded by Patricia Hayek, that upon consideration of the charges stated against **JASON W. TIREY** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. TIREY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. TIREY's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. TIREY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

BCII to submit **MR. TIREY'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. TIREY** 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. TIREY** 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. TIREY's** history. **MR. TIREY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. TIREY** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MR. TIREY** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. TIREY** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. TIREY** 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. TIREY's** license, and a statement as to whether **MR. TIREY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. TIREY** 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. TIREY's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. TIREY** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the

Board may request. Upon and after **MR. TIREY'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. TIREY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TIREY's** history.

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

Reporting Requirements of MR. TIREY

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

DURATION

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

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

1. **MR. TIREY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. TIREY** 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. TIREY** 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. TIREY's** history. **MR. TIREY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. TIREY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. TIREY** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a

- license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. TIREY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TIREY's** history.
6. **MR. TIREY** 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. TIREY** 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. TIREY** 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. TIREY** 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. TIREY** 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. TIREY** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. TIREY** 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. TIREY** shall notify the Board.
11. **MR. TIREY** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. TIREY** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. TIREY** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. TIREY

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Chester, Angel M., P.N. 100909 (CASE #10-2524)

Action: It was moved by Melissa Meyer, seconded by Tracy Ruegg, that upon consideration of the charges stated against **ANGEL MELISSA CHESTER** in the November 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CHESTER** 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. CHESTER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but

not less than two (2) years retroactive to November 19, 2010, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CHESTER's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. CHESTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CHESTER** 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. CHESTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CHESTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CHESTER'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. CHESTER** 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. CHESTER** 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. CHESTER's** history. **MS. CHESTER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. CHESTER** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. CHESTER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. CHESTER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS.**

- CHESTER** 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. CHESTER's** license, and a statement as to whether **MS. CHESTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. CHESTER** 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. CHESTER's** license.
 9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CHESTER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. CHESTER'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. CHESTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CHESTER's** history.
 10. Within thirty (30) days prior to **MS. CHESTER** initiating drug screening, **MS. CHESTER** 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. CHESTER**.
 11. After initiating drug screening, **MS. CHESTER** 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. CHESTER** 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. CHESTER 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. CHESTER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

13. **Prior to requesting reinstatement by the Board, MS. CHESTER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. CHESTER** 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. CHESTER's** license, and a statement as to whether **MS. CHESTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. CHESTER** 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. CHESTER's** license.

Reporting Requirements of MS. CHESTER

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

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

DURATION

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

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

1. **MS. CHESTER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CHESTER** 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. CHESTER** 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. CHESTER's** history. **MS. CHESTER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CHESTER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. CHESTER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. CHESTER** shall be negative, except for substances

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

6. **MS. CHESTER** 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. CHESTER** 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. CHESTER** 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. CHESTER** 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. CHESTER** 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. CHESTER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. CHESTER** 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. CHESTER** shall notify the Board.
11. **MS. CHESTER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. CHESTER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. CHESTER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. CHESTER

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

documentation directly to the Board.

13. **MS. CHESTER** 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. CHESTER** 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. CHESTER** 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. CHESTER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. CHESTER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. CHESTER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. CHESTER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Colter, Tina, P.N. 134812 (CASE #10-3437)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **TINA M. COLTER** in the January 21, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COLTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. COLTER'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TINA M. COLTER** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #134812, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Douglas, Sonja L., P.N. 109048 (CASE #10-1147)

Action: It was moved by Johnnie Maier, seconded by J. Jane McFee, that upon consideration of the charges stated against **SONJA LYNN DOUGLAS** in the January 21, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DOUGLAS** 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. DOUGLAS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DOUGLAS's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. DOUGLAS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DOUGLAS** 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. DOUGLAS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DOUGLAS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DOUGLAS'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. DOUGLAS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 15 hours of "Ethical decision making," and 6 hours of

“Professional nursing practice: Nurse practice acts, professional standards, and code of ethics.”

5. **Prior to seeking reinstatement by the Board, MS. DOUGLAS** shall submit documentation of her compliance with all terms of the Adjudication Order issued by the Ohio Department of Job and Family Services effective April 19, 2010.

Reporting Requirements of MS. DOUGLAS

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

DURATION

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

Following reinstatement, the suspension shall be stayed and MS.

DOUGLAS's license shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years.

1. **MS. DOUGLAS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DOUGLAS** 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. DOUGLAS** shall notify the Board.
4. **MS. DOUGLAS** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. DOUGLAS** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. DOUGLAS** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. DOUGLAS

5. **MS. DOUGLAS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. DOUGLAS** 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. DOUGLAS** 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. DOUGLAS** 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. DOUGLAS** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street,

Suite 400, Columbus, OH 43215-7410.

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

Permanent Practice Restrictions

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

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

the reports as required herein. Any period during which **MS. DOUGLAS** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Holsinger, Chantel M., P.N. 132444 (CASE #10-2152)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **CHANTEL HOLSINGER** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board dismisses the factual and legal allegations in Item 3, Page 1 of the July 30, 2010 Notice of Opportunity for Hearing. For the remaining allegations, the Board finds that **MS. HOLSINGER** 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. HOLSINGER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HOLSINGER's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. HOLSINGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HOLSINGER** 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. HOLSINGER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HOLSINGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HOLSINGER'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. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER's** history. **MS. HOLSINGER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. HOLSINGER** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. HOLSINGER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HOLSINGER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. HOLSINGER** 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. HOLSINGER's** license, and a statement as to whether **MS. HOLSINGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. HOLSINGER** 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. HOLSINGER's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. HOLSINGER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HOLSINGER'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. HOLSINGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who

has full knowledge of **MS. HOLSINGER's** history.

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

Reporting Requirements of MS. HOLSINGER

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

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

DURATION

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

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

1. **MS. HOLSINGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER's** history. **MS. HOLSINGER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HOLSINGER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. HOLSINGER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. HOLSINGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by

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

6. **MS. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. HOLSINGER** 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. HOLSINGER** shall notify the Board.
11. **MS. HOLSINGER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. HOLSINGER** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. HOLSINGER** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. HOLSINGER

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

documentation directly to the Board.

13. **MS. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** 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. HOLSINGER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. HOLSINGER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. HOLSINGER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. HOLSINGER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

MS. HOLSINGER shall not administer, have access to, or possess (except as prescribed for **MS. HOLSINGER** use by another so authorized by law who has full knowledge of **MS. HOLSINGER's** history) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **nine (9) months** in which **MS. HOLSINGER** is working in a position that requires a nursing license. At any time after the nine-month period previously described, **MS. HOLSINGER** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. HOLSINGER** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. HOLSINGER** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Whitlock, Lamar S., R.N. 299228 (CASE #09-5808)

Action: It was moved by Rhonda Barkheimer, seconded by Judith Church, that upon consideration of the charges stated against **LAMAR SCOTT WHITLOCK** in the November 19, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. WHITLOCK** has committed acts in violation of the Nurse Practice Act, Ohio

Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. WHITLOCK's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. WHITLOCK's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic and Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. WHITLOCK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. WHITLOCK** 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. WHITLOCK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. WHITLOCK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. WHITLOCK'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. WHITLOCK** 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. WHITLOCK** 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: thirty (30) hours of Chemical Dependency.

Monitoring

6. **MR. WHITLOCK** 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. WHITLOCK's** history. **MR. WHITLOCK** shall self-administer the prescribed drugs only in the manner prescribed.

7. **MR. WHITLOCK** shall abstain completely from the use of alcohol.
8. **Prior to requesting reinstatement by the Board, MR. WHITLOCK** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. WHITLOCK** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. WHITLOCK** 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. WHITLOCK's** license, and a statement as to whether **MR. WHITLOCK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. WHITLOCK** 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. WHITLOCK's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. WHITLOCK** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. WHITLOCK'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. WHITLOCK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WHITLOCK's** history.
11. Within thirty (30) days prior to **MR. WHITLOCK** initiating drug screening, **MR. WHITLOCK** 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. WHITLOCK**.

12. After initiating drug screening, **MR. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. WHITLOCK

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

DURATION

The Board may only alter the indefinite suspension imposed if: (1) **MR. WHITLOCK** submits a written request for reinstatement; (2) the Board

determines that **MR. WHITLOCK** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. WHITLOCK** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. WHITLOCK** and review of the documentation specified in this Order.

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

1. **MR. WHITLOCK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK's** history. **MR. WHITLOCK** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. WHITLOCK** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. WHITLOCK** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. WHITLOCK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WHITLOCK's** history.
6. **MR. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** 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. WHITLOCK** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. WHITLOCK** 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. WHITLOCK** shall notify the Board.
11. **MR. WHITLOCK** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. WHITLOCK** shall provide his employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MR. WHITLOCK** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. WHITLOCK

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

15. **MR. WHITLOCK** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MR. WHITLOCK** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MR. WHITLOCK** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. WHITLOCK** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MR. WHITLOCK** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Billups, Rose, P.N. 137730 (CASE #10-1934)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **ROSE A. BILLUPS** in the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BILLUPS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BILLUPS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BILLUPS's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

and rules governing the practice of nursing in Ohio.

2. **MS. BILLUPS** 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. BILLUPS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BILLUPS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BILLUPS'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. BILLUPS** shall submit documentation of her full compliance with and release from all terms and conditions imposed by the Lorain County Court of Common Pleas, Case No. 10CR080856.
5. **Prior to requesting reinstatement by the Board, MS. BILLUPS** 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

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

Reporting Requirements of MS. BILLUPS

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

DURATION

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

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

1. **MS. BILLUPS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BILLUPS** 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. BILLUPS** 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. BILLUPS's** history. **MS. BILLUPS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BILLUPS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. BILLUPS** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BILLUPS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BILLUPS's** history.
6. **MS. BILLUPS** 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. BILLUPS** 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. BILLUPS** 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. BILLUPS** 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. BILLUPS** 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. BILLUPS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BILLUPS** 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. BILLUPS** shall notify the Board.
11. **MS. BILLUPS** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. BILLUPS** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BILLUPS** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BILLUPS

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

19. Prior to working as a nurse, if requested by the Board or its designee, **MS. BILLUPS** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. BILLUPS 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. BILLUPS's suspension shall be lifted and MS. BILLUPS's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BILLUPS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BILLUPS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BILLUPS** 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. BILLUPS** has complied with all aspects of this Order; and (2) the Board determines that **MS. BILLUPS** is able to practice

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Moss, Elisa M., P.N. 090105 (CASE #10-2298)

Action: It was moved by Roberta Stokes, seconded by Janet Arwood, that upon consideration of the charges stated against **ELISA MARIE MOSS** in the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOSS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MOSS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOSS's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MOSS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MOSS** 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. MOSS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MOSS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MOSS'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. MOSS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the

following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 30 hours of “Drug abuse prevention: Living drug-free.”

Monitoring

5. **MS. MOSS** 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. MOSS's** history. **MS. MOSS** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. MOSS** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. MOSS** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MOSS** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MOSS** 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. MOSS's** license, and a statement as to whether **MS. MOSS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. MOSS** 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. MOSS's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MOSS** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MOSS'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. MOSS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS.**

MOSS's history.

10. Within thirty (30) days prior to **MS. MOSS** initiating drug screening, **MS. MOSS** 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. MOSS**.
11. After initiating drug screening, **MS. MOSS** 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. MOSS** 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. MOSS** 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. MOSS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to requesting reinstatement by the Board, MS. MOSS** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. MOSS** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MOSS's** license, and a statement as to whether **MS. MOSS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. MOSS** 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. MOSS's** license.

Reporting Requirements of MS. MOSS

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

DURATION

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

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

1. **MS. MOSS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MOSS** 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. MOSS** 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. MOSS's** history. **MS. MOSS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MOSS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. MOSS** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MOSS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MOSS's** history.
6. **MS. MOSS** 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. MOSS** 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. MOSS** 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. MOSS** 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. MOSS** 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. MOSS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MOSS** 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. MOSS** shall notify the Board.
11. **MS. MOSS** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. MOSS** shall provide her employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. MOSS** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. MOSS

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

course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Robinson, Toni Y., P.N. 130499 (CASE #10-0494)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **TONI YVONNE ROBINSON** in the January 21, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROBINSON** 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. ROBINSON's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ROBINSON's** license shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. ROBINSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROBINSON** 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. ROBINSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROBINSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ROBINSON'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. ROBINSON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or other comparable courses approved in advance by the Board, taken subsequent to the effective date of this Order: 30 hours of "Chemical dependency."

Monitoring

5. **MS. ROBINSON** 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. ROBINSON's** history. **MS. ROBINSON** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. ROBINSON** shall abstain completely from the use of alcohol.
7. **Prior to requesting reinstatement by the Board, MS. ROBINSON** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. ROBINSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. ROBINSON** 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. ROBINSON's** license, and a statement as to whether **MS. ROBINSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. ROBINSON** 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. ROBINSON's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. ROBINSON** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. ROBINSON'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. ROBINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROBINSON's** history.
10. Within thirty (30) days prior to **MS. ROBINSON** initiating drug screening, **MS. ROBINSON** 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. ROBINSON**.

11. After initiating drug screening, **MS. ROBINSON** 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. ROBINSON** 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. ROBINSON** 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. ROBINSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. ROBINSON

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

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

DURATION

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

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

1. **MS. ROBINSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROBINSON** 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. ROBINSON** 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. ROBINSON's** history. **MS. ROBINSON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. ROBINSON** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. ROBINSON** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. ROBINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROBINSON's** history.
6. **MS. ROBINSON** 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. ROBINSON** 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. ROBINSON** 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. ROBINSON** 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. ROBINSON** 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. ROBINSON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. ROBINSON** 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. ROBINSON** shall notify the Board.
11. **MS. ROBINSON** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. ROBINSON** shall provide her employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. ROBINSON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. ROBINSON

12. **MS. ROBINSON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. ROBINSON** 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. ROBINSON** 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. ROBINSON** 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. ROBINSON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. ROBINSON** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. ROBINSON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, if requested by the Board or its designee, **MS. ROBINSON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Daniels, Jason D., P.N. 119017 (CASE #09-6267)

Action: It was moved by Janet Arwood, seconded by Delphenia Gilbert that upon

consideration of the charges stated against **JASON D. DANIELS** in the March 18, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DANIELS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. DANIELS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **JASON D. DANIELS** to surrender his frameable wall certificate for his licensed practical nurse license P.N. #119017, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

DEFAULT ORDERS

Edmunds, Donald C., P.N. 127424 (CASE #10-2552)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MR. EDMUNDS** has failed to submit to an examination and the Board has not received information that the failure to submit to an examination was due to circumstances beyond his control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MR. EDMUNDS** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond his control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MR. EDMUNDS** has admitted the truth of the allegations set forth in the February 10, 2011 Examination Order issued to **MR. EDMUNDS** and that **MR. EDMUNDS** is impaired. The Board ORDERS that **MR. EDMUNDS's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

CONDITIONS FOR REINSTATEMENT

1. **MR. EDMUNDS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. EDMUNDS** 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. EDMUNDS** shall, at his own expense, submit to a chemical dependency examination, specifically addressing his capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services (hereinafter "Dr. Whitney"), located at 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MR. EDMUNDS** shall provide the Examiner with a copy of this Order and the February 10, 2011 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. EDMUNDS's** practice. The Examiner shall provide an opinion to the Board regarding whether **MR. EDMUNDS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MR. EDMUNDS** 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 chemical dependency or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MR. EDMUNDS** 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 MR. EDMUNDS

5. **MR. EDMUNDS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. EDMUNDS** 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. EDMUNDS** 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. EDMUNDS** 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. EDMUNDS** 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. EDMUNDS** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. EDMUNDS** 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. EDMUNDS** is hereby informed that **MR. EDMUNDS** is entitled to a hearing on this matter. If **MR. EDMUNDS** 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. EDMUNDS is hereby further informed that, if **MR. EDMUNDS** timely requests a hearing, **MR. EDMUNDS** is entitled to appear at such hearing in person, by **MR. EDMUNDS's** attorney, or by such other representative as is permitted to practice before the Board, or **MR. EDMUNDS** may present **MR. EDMUNDS's** position, arguments, or contentions in writing. At the hearing **MR. EDMUNDS** may also present evidence and examine witnesses appearing for and against **MR. EDMUNDS**.

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Callahan, Carole N., R.N. 161002 (CASE #09-6026)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. CALLAHAN** has failed to submit to an examination and the Board has not received information that the failure to submit to an examination was due to circumstances beyond her control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MS. CALLAHAN** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. CALLAHAN** has admitted the truth of the allegations set forth in the February 8, 2011 Examination Order issued to **MS. CALLAHAN** and that **MS. CALLAHAN** is impaired. The Board ORDERS

that **MS. CALLAHAN's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

CONDITIONS FOR REINSTATEMENT

1. **MS. CALLAHAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CALLAHAN** 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. CALLAHAN** shall, at her own expense, submit to a psychiatric examination, specifically addressing her mental capacity to function in a clinical nursing capacity, by Dr. Richard Friedell, Comprehensive Psychiatric Services, Inc., 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122, or another psychiatrist approved in advance by the Board, within ninety (90) days of the mailing of this Order (Examiner). Prior to the evaluation, **MS. CALLAHAN** shall provide the Examiner with a copy of this Order and the February 8, 2011 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. CALLAHAN's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. CALLAHAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. CALLAHAN** 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 psychiatric or other mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. CALLAHAN** 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. CALLAHAN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.

6. **MS. CALLAHAN** 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. CALLAHAN** 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. CALLAHAN** 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. CALLAHAN** 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. CALLAHAN** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. CALLAHAN** 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. CALLAHAN** is hereby informed that **MS. CALLAHAN** is entitled to a hearing on this matter. If **MS. CALLAHAN** 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. CALLAHAN is hereby further informed that, if **MS. CALLAHAN** timely requests a hearing, **MS. CALLAHAN** is entitled to appear at such hearing in person, by **MS. CALLAHAN's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. CALLAHAN** may present **MS. CALLAHAN's** position, arguments, or contentions in writing. At the hearing **MS. CALLAHAN** may also present evidence and examine witnesses appearing for and against **MS. CALLAHAN**.

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

MacIntosh Sr., John B., R.N. 241265 (CASE #09-5478)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the allegations contained in the July 26, 2010 examination order and the findings contained in the March 2011 Default Order, the Board finds that **MR. MACINTOSH** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2011 Default Order, and the Board orders that **MR. MACINTOSH's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of March 18, 2011, with conditions for reinstatement set forth in the March 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Young, Christina M., P.N. 099101 (CASE #10-1162)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the allegations contained in the July 20, 2010 examination order and the findings contained in the March 2011 Default Order, the Board finds that **MS. YOUNG** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2011 Default Order, and the Board orders that **MS. YOUNG's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of March 18, 2011, with conditions for reinstatement set forth in the March 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Fredrick-Foster, Maureen V., R.N. 304374 (CASE #09-4616)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that consideration of the allegations contained in the July 20, 2010 examination order and the findings contained in the March 2011 Default Order, the Board finds that **MS. YOUNG** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2011 Default Order, and the Board orders that **MS. YOUNG's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of March 18, 2011, with conditions for reinstatement set forth in the March 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 29th day of July, 2011.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

MISCELLANEOUS MOTIONS

Mulder, Diane L., R.N. 345940, COA 10363, REXEX1 10363 (CASE #11-2310)

Action: It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board accept the voluntary agreement regarding certificate to prescribe externship for Mulder, Diane L., R.N. 345940, COA 10363, REXEX1 10363 (CASE #11-2310).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

Drankwalter, Ninell D., R.N. 250067 (CASE #11-1812)

Action: It was moved by Janet Arwood, seconded by Delphenia Gilbert, that the Board withdraw the May 27, 2011, Notice of Immediate Suspension and Opportunity for Hearing that was issued to Drankwalter, Ninell D., R.N. 250067 (CASE #11-1812), as Ms. Drankwalter's matter has been resolved by a Consent Agreement.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

MONITORING

LIFTS OF SUSPENSION/PROBATION

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

Cronin, James C., R.N. 331276 (CASE #08-1585); Bivens, Stephanie J., R.N. 328853 (CASE #08-2741); Gingher, Christina M., P.N. 128515 (CASE #09-0894); Porter, Marcus S., P.N. 138351 (CASE #09-5233); Denlinger, Erika L., R.N. 356000 (CASE #09-3717); Martin, Joelle L., R.N. 354696 (CASE #09-0333); Carter, Joshua L., R.N. 359842 (CASE #10-1118); DeYoung, Brandi L., R.N. 363196 (CASE #10-0904); Heuser, Melody L., P.N. 134766 (CASE #10-2708); McLeod, Calvin J., P.N. 122203 (CASE #08-3832); Filson, Mackenzie P., P.N. 138349 (CASE #09-2623); Laforet, Rose C, R.N. 335148 (CASE #08-3124); Meadows, Kendra A., R.N. 295495 (CASE #07-2390); Adamrovich, Antoni R., R.N. 358522 (CASE #09-1655); Amburgy, Michelle L., R.N. 355998 (CASE #09-3952); Epp, Henry C., R.N. 348865 (CASE #09-0486); McClellan, Lasheta D., P.N. 134772 (CASE #09-1403); and Watkins, Rebecca P., P.N. 137523 (CASE #09-4885).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

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

Flood, Thomas J., R.N. 345846, P.N. 124229 (CASE #07-2337); Stevick, Travis J., P.N. 136331 (CASE #09-3938); Payne, Clifford A., R.N. 234503 (CASE #08-3826); Miller, Brandon D., P.N. 135242 (CASE #08-0524); Pace, Francis J., R.N. 315453, COA 08133 (CASE #09-0808); and Prell, Audrey Jo, R.N. 209605, NP 05099, RX 05099 (CASE #08-0027).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

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

Isaly, Margaret, P.N. 101015 (Case #08-3861).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

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

Action: It was moved by Rhonda Barkheimer, seconded by Patricia Hayek that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreement with the exception of the permanent practice restriction(s) that will remain in effect:

McBride, Jodi R., R.N. 346906, P.N. 109980 (CASE #10-1669)

Motion adopted by majority vote of the Board members with Judith Church abstaining.

LIFT OF TEMPORARY NARCOTIC RESTRICTION

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

Krohn, Sandra M., P.N. 089899 (CASE #06-1715); Logan, Courtney A., R.N. 328430 (CASE #10-3652); Kelley, Mary K., R.N. 132590 (CASE #09-3749); Peugh, Christopher, R.N. 302645 (CASE #09-4792); and Weston, Catherine S., R.N. 306288 (CASE #10-0057).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT

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

Davidson, Clark, R.N. 250655 (CASE #09-5765).

Motion adopted by majority vote of the Board members with Judith Church abstaining.

MOTION TO APPROVE

Action: It was moved by Delphenia Gilbert, seconded by Janet Arwood, that the Board accept the following approval made by Judith Church, Board Supervising Member for Disciplinary Matters:

Santon, Jeffrey M., P.N. NCLEX (CASE #09-4888) – Approval to seek nursing employment.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

MISCELLANEOUS MONITORING MOTION

Action: It was moved by J. Jane McFee, seconded by Roberta Stokes, that the Board release Simpson, Cheryl L., P.N. 139955 (CASE #10-1030) from the urine drug screening requirement in paragraph six and the temporary practice restrictions set forth in the May 2010 Consent Agreement.

Motion adopted by majority vote of the Board members with Judith Church abstaining.

REPORTS TO THE BOARD

Open Forum – Friday, July 29, 2011

There were no participants for Open Forum.

Advisory Group Reports

Continuing Education

Delphenia Gilbert, Chair, reported on the June 3, 2011 meeting of the Advisory Group on Continuing Education. She stated that the group discussed possible rule revisions for Chapter 4723-14, OAC. The Advisory Group also discussed whether to require mandatory continuing education (CE) on cultural competency. Board staff conducted a survey through NCSBN to determine the requirements of other jurisdictions, and found that the majority of states do not have mandatory CE requirements and for those that do have requirements, the topics include HIV/AIDS, domestic violence, end-of-life care, bioterrorism, and patient safety.

The Advisory Group discussed the importance of cultural competency in health care, but it does not recommend adding additional mandatory CE requirements at this time. The group noted that many employers require this type of training in their employment setting. D. Gilbert stated that she believes the Board should require mandatory CE for cultural competency, noting that there is a legislative bill that would make cultural competency a requirement for many licensed occupations. Melissa Meyer stated she believes that cultural competency should be included as part of all CE activities.

The Advisory Group discussed the CE audit process when an individual is selected for an audit more than once. The group agreed that since it is a random selection process, an individual who is selected for an audit more than once is required to complete the audit process.

CE Broker, an electronic continuing education system distributed information booklets to the Advisory Committee and will attend the October Advisory Group meeting for an on-site demonstration. The next meeting is October 7, 2011.

Nursing Education

J. Church, Chair, reported on the June 9, 2011 meeting. She stated that she reported back to the Advisory Group about the Board's discussion at the Retreat regarding the Advisory Group's recommendations concerning (1) post-licensure specialty certification and (2) voluntary progression of registered nurse education after initial Ohio licensure. After discussing the

Board's concerns about specialty certifications, the Advisory Group agreed that requiring a specialty certification was not feasible at this time. The Advisory Group also re-affirmed its recommendation for the voluntary progression of registered nurse education after initial licensure. J. Church noted that the 2015 Nursing Yellow Team recommended that there be a legislative mandatory requirement that nurses obtain a bachelor of science in nursing degree (BSN) within ten years of initial licensure.

Since the Board is in agreement with the recommendations of the Advisory Group and the IOM Report, J. Church recommended that the Board send a letter to Doris Edwards, who is actively working with the 2015 Nursing Yellow Team, regarding the Board's position. The Board agreed by consensus.

Other business of the Advisory Group included a review of the recommended revisions to Chapter 4723-5, OAC. The group was in agreement with those revisions.

A practical nurse educator member of the Advisory Group brought forward concerns she stated were raised to her by other practical nurse educators at the May OOPNE conference:

1. Why are out-of-state nursing education programs utilizing Ohio facilities for clinical experience?
 - a. There are provisions in Ohio and other states' nurse practice acts that allow for this for clinical experience. The Advisory Group noted that other states allow Ohio nursing students to use their clinical facilities so this benefits both Ohio students and out-of-state nursing students to complete their nursing education.
2. Practical nurse programs are finding it increasingly difficult to secure obstetric and pediatric clinical experience sites and asked the Board to consider either substituting simulation for obstetric and pediatric clinical experiences or deleting these clinical experience requirements from the practical nurse curriculum.
 - a. The Advisory Group discussed that programs would be providing a disservice to students and would not be educating students in all areas of nursing practice and across the lifespan if program clinical requirements are lessened or eliminated. The Advisory Group recommended that programs continue to seek obstetric and pediatric experiences outside of hospitals. The Advisory Group supports the current regulations. The Board members agreed by consensus.
3. Practical nurse programs are having difficulty securing clinical sites for students to perform IV therapy venipunctures. It was requested that the

Board consider removing the requirement or revising the requirement so that performance of venipunctures in the clinical site would be conducted only if clinical sites are available.

- a. The Advisory Group suggested the use of surgical centers to provide more IV therapy clinical experiences. The Advisory Group recommended maintaining the current requirement so that the clinical preparation of LPNs is not diminished. The Board members agreed by consensus.
4. It was asked that the Board consider allowing a baccalaureate-prepared faculty to serve as an interim Program Administrator for a practical nurse program, because if the Program Administrator vacates the position, other masters prepared individuals may not be on staff or available to be an interim Program Administrator.
- a. The Advisory Group suggested that the Board consider this recommendation. The Board discussed the recommendation during the review of the administrative rules.

Interpretive Guidelines

The Role of the Registered Nurse in Providing Bariatric Care by Filling and Unfilling a Client's Surgically Established Gastric Banding System

Action: It was moved by J. Jane McFee, seconded by Roberta Stokes, that the Board re-approve the Interpretative Guideline, The Role of the Registered Nurse in Providing Bariatric Care by Filling and Unfilling a Client's Surgically Established Gastric Banding System, as submitted. Motion adopted by a unanimous vote of the Board members.

The Board requested that this Interpretative Guideline be reviewed again in one year, since additional evidence or literature may be available for consideration.

Registered Nurse Performance of a Client Health History and Physical Examination for Purposes of Providing Nursing Care

Action: It was moved by Patricia Hayek, seconded by Judith Church, that the Board approve the Interpretative Guideline, Registered Nurse Performance of a Client Health History and Physical Examination for Purposes of Providing Nursing Care, as submitted. Motion adopted by a unanimous vote of the Board members.

Other Reports

Ohio Patient Centered Medical Home Education Advisory Group

J. Church reported that there is a possibility of funding through the Ohio Department of Health or the Robert Wood Johnson Foundation. The Advisory Group is scheduled to meet one more time.

Compact Licensure

B. Houchen and L. Robinson attended the Nurse Licensure Compact (NLC) and Consumer Conference sponsored by NCSBN in June. While the NLC Conference provided additional information about the compact, the conference did not provide the information the Board continues to seek regarding disciplinary questions the Board has raised over the years. The Board reviewed the current statement regarding multi-state nurse licensure.

Action: It was moved by Judith Church, seconded by Rhonda Barkheimer, that the Board approve the statement on Multi-State Licensure as submitted. Motion adopted by a unanimous vote of the Board members.

GENERAL INFORMATION (FYI)

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

BOARD GOVERNANCE

Hotel for 2012

Joseph Kirk reported that the Board members could continue with the current hotel for 2012. Board members agreed by consensus to continue with the current hotel. At a later meeting, J. Kirk will provide the information for members to make their reservations.

Revision of Board Policy

Action: It was moved by Judith Church, seconded by Rhonda Barkheimer, that the Board approve Board Member Policy B-5, Standards of Ethical Conduct as submitted.

Recognition of Board Employee

The Board paid tribute to Bette Jo Horst for her exemplary work for the Board and wished her well in her retirement.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on Friday, July 29, 2011 at 10:50 a.m.

Bertha Lovelace, RN, CRNA
President

Handwritten signature of Bertha M. Lovelace in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Executive Director

Handwritten signature of Betsy J. Houchen in cursive script.