



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD JULY 26-27, 2012

The regular meeting of the Ohio Board of Nursing (Board) was held on July 26-27, 2012 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 26, 2012 at 8:30 a.m., President Bertha Lovelace called the Board meeting to order. On Friday, July 27, 2012 at 8:33 a.m., President Lovelace called the Board meeting to order. On Thursday and Friday Vice-President Melissa Meyer read the Board mission, President Lovelace recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

#### **BOARD MEMBERS**

Bertha Lovelace, RN, President

Melissa Meyer, LPN, Vice-President

Janet Arwood, LPN

Rhonda Barkheimer, RN (absent Thursday and Friday)

Judith Church, RN, Board Supervising Member for Disciplinary Matters

Lisa Klenke, RN (absent Thursday)

Maryam Lyon, RN

J. Jane McFee, LPN

Susan Morano, RN

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.; Executive Session was held at 10:00 a.m.; the Board Committee on CPG Appointments met at 11:30 a.m. The following appearances were on Thursday: Andrea Samloff and her attorney Richard Cline, Esq., addressed the Board at 1:00 p.m.; Ronald Noga, Esq., representing Ohio American Health Care, Inc., Registered Nursing Program, addressed the Board at 1:20 p.m.; Ronald Noga, representing Ohio American Health Care, Inc., Practical Nursing Program, and Dr. Yemi Oladimeji, President of Ohio American Health Care, Inc., addressed the Board at 1:40 p.m.; Steven Sindell, Esq., representing Tina Marie Mortaro, addressed the Board at

2:00 p.m.; Eric Plinke, Esq. representing Lisa Kroeger, addressed the Board at 2:20 p.m. Deliberations followed adjournment of the meeting on Thursday. On Friday, Open Forum was held at 10:00 a.m.

### **Approval of Minutes of the May 2012 Meeting**

**Action:** It was moved by Roberta Stokes, seconded by J. Jane McFee, that the Board approve the minutes from the May 2012 Board meeting, as submitted. Motion adopted by unanimous vote of the Board members.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Governor appointed Lisa Klenke, RN, to the Board.
- The Board welcomed David Geiger, JD, to the Compliance Unit, and congratulated Amanda Eisert who is transferring to assist with administrative hearings and human resources.
- Board staff raised 2,220 meals for Operation Feed surpassing the goal of 700 meals. Board members expressed their appreciation for the generosity of staff.
- The Board is honored to be recognized by the National Council of State Boards of Nursing (NCSBN) for providing TERCAP® data and contributing to the development of a national database on nursing practice breakdown. On behalf of the Board, Carol Ellensohn, Adjudication Coordinator, and Pam Morse, Compliance Agent, accepted the award at the TERCAP® Award Ceremony during the NCSBN Attorney/Investigator Conference.
- The NCSBN Board of Directors appointed Cathy Learn, Education Surveyor, to the 2013 Distance Learning Education Committee and Jennifer Wheeler, Practice Consultant, to the 2013 NCLEX Item Review Subcommittee.
- Judith Church attended the June 27<sup>th</sup> meeting of the Patient Centered Medical Homes (PCMH) Education Advisory Group (EAG). The Ohio Department of Health (ODH) is now overseeing the PCMH pilot project and the EAG. ODH has secured a vendor who will assist with the conversion of fifty pilot program practices, including five APN practices, into PCMHs by providing training and implementing new processes.
- The Department of Administrative Services (DAS) and the RFP review committee are evaluating the vendor proposals received from the RFP that was released in April of this year. Eric Mays is participating on the scoring and evaluation committee.
- The Board received approval from the State Controlling Board to acquire space on the floor and staff are working with building management regarding the design and renovation process.
- In late March, the Board mailed over 58,000 renewal notifications to LPNs. Approximately 40,000 LPN licenses have been renewed.
- Compliance Unit attorneys, investigators, and monitoring agents are now accessing the Ohio Court Network (OCN) web site of the Ohio Supreme Court. This web site has the majority of Ohio court case information in one location. Staff completed the required Supreme Court training and the

necessary software needed to access the network has been installed. In addition, through OCN, the Board is now seeking access to additional criminal record databases to further increase the effectiveness and efficiency of the Board and to better protect the public.

### **Legislative Report**

T. Dilling provided the legislative report and reported that HB 303, revisions to the Nurse Practice Act, may be heard by the Senate Health Committee when the General Assembly returns in September.

He reported that HB 262, the human trafficking bill that was effective on June 27, 2012, includes a provision specifying that the General Assembly strongly recommends that the boards and commissions authorized to grant licenses to persons who may encounter human trafficking victims in the normal course of their work, promulgate rules that those licensees must receive training in the recognition and handling of human trafficking cases. T. Dilling stated that staff will gather more information about this provision and report back to the Board.

T. Dilling informed the Board that staff received questions about Section 4723.482, ORC, regarding endorsement of an out-of-state APN with a certificate to prescribe. In some states, APNs practice independently making it difficult to comply with the requirements. The Board agreed by general consensus that staff should further review and provide draft legislative language.

T. Dilling reported on the stakeholder meeting sponsored by the Health Policy Institute of Ohio, to discuss collaborative policymaking in Ohio about telehealth. With the impact of health care reform, telehealth technology is further developing and additional legislation may be introduced before the end of the year. He reported that the nursing and medical boards were well received.

### **Fiscal Report**

Kathy King provided the fourth quarter and the end of year report for FY 2012. Board members complimented her on the clarity of the report.

## **NEW BUSINESS**

### **Administrative Rule Review**

Holly Fischer presented the administrative rules and H. Fischer, Lisa Emrich, and Lesleigh Robinson answered questions. The Board agreed by general consensus to the revisions specified below.

### **Chapters 4723-8 and 4723-9**

SB 83 requires that the Board adopt rules that conform to recommendations submitted by the Committee on Prescriptive Governance (CPG). The Board reviewed the CPG recommendations, and approved rule language, at the May meeting. Since the May meeting, additional input from the public was received, including comments provided during a June 27, 2012 meeting with interested parties, including representatives from the Ohio Nurses Association (ONA), the Ohio Association of Advanced Practice Nurses (OAAPN), and the Council for

Ohio Health Care Advocacy (COHCA). Comments received following the May meeting are noted. Also included in the Chapter 8 and 9 rule changes are technical changes made to rules occurring in those chapters. Chapters 8 and 9 will be initially filed in August 2012, with a public hearing conducted at the September Board meeting. It is anticipated that the remaining rules will be filed in October and the public hearing will be held in November.

### **Chapter 4723-8 Advanced Practice Nurse Certification and Practice**

Throughout the Chapter, multiple references to “client” were changed to “patient” and in Rule 4723-8-01 the definition of client was deleted and replaced with patient. The Board indicated previously that it prefers the word patient to be used throughout the administrative code and requested the code be updated as rule language is reviewed annually.

#### Rule 4723-8-04

- Paragraph (C)(12)(c): The CPG recommended, and the Board agreed at the May meeting, to require a review, at least semiannually, of “a representative sample” of all schedule II prescriptions written.
- Paragraph (C)(12)(d): A comment was received that the word “indicia” in the first draft of the rule be changed as the general public may not understand this word. The paragraph was revised and the word indicia was deleted.

### **Chapter 4723-9 Prescriptive Authority**

#### Rule 4723-9-01

- Paragraph (E): Changed to sixty minutes as discussed at the May meeting.
- Paragraph (F): the Advisory Group on Continuing Education recommended that “planned classroom and clinical study” be deleted, since the Group had recommended that Rule 9-02(A)(5) be revised to allow for independent study. However, the law itself requires that the course of study in advanced pharmacology required for the CTP “shall consist of planned classroom and clinical instruction”, thus, this change has not been made. See Section 4723.482(B)(2), ORC. For this reason, the independent study language that was added in the last draft of Rule 9-02 has been removed in the current draft presented.
- Paragraph (F)(2): Revised as recommended by the Advisory Group on Continuing Education consistent with Chapter 14. Refer to Rule 9-02 regarding whether an approved provider unit should be “headquartered in Ohio.” Further, the Board agreed by general consensus to delete repetitive language at the end of the paragraph, “or offered by an OBN approved provider unit, as defined in rule 4723-14-01 of the Administrative Code.”

#### Rule 4723-9-02

Paragraph (A)(2): SB 83 amends Section 4723.482, ORC, to mandate that new CTP applicants obtain at least six hours of instruction specific to schedule II

controlled substances. With this new requirement, CTP applicants must obtain a minimum of 45 hours in advanced pharmacology, including:

- 36 hours in pharmacokinetic principles and clinical application, and principles of use of drugs and therapeutic devices in the prevention of illness and maintenance of health (9-02 (A)(2)(a));
- 6 hours in fiscal/ethical implications that apply to prescribing, and state and federal laws that apply to the authority to prescribe (note that the law requires this content, but Rule 9-02 establishes the 6 hour minimum) (9-02(A)(2)(b));
- 6 hours in schedule II controlled substances (9-02 (A)(2)(c)).

Because the total number of hours would equal 48 (rather than 45), at the May meeting, the Board approved the following language:

“(d) Up to three hours of instruction specific to schedule II controlled substances as set forth in paragraphs (A)(2)(c)(iii) and (A)(2)(c)(iv) of this rule may be credited toward satisfying the six hours of instruction required by paragraphs (A)(2)(b)(i) and (A)(2)(b)(ii) of this rule.”

This will allow the Board to accept overlap between the content in schedule II substances that relates to fiscal/ethical considerations and state/federal laws, up to three hours.

Language was added in 9-02(A)(2)(c)(iii) (the 6-hour course in schedule II controlled substances required by SB 83), regarding the use of stimulant therapies. Although this language is not contained in SB 83, input was received during the June 27, 2012 meeting with interested parties that the focus on pain medications may overshadow needed education in other categories of schedule II medications, for example, medications used in the treatment of ADHD. The same language appears in Rule 4723-9-13.

Note: The Advisory Group on Continuing Education met on June 15, and recommended that 9-02 be revised so that the pharmacology course content referenced in (A)(2)(b) and (c) be separated into new paragraphs so these content areas would not need to be “specific to the nursing specialty.” These changes were not made because the law requires that in order to qualify as a course of study in advanced pharmacology, “the content of the course of study shall be specific to the applicant’s nursing specialty.” Section 4723.482(B)(4), ORC.

The Advisory Group on Continuing Education questioned whether, to the extent some of the pharmacology course of study is required to include education in Ohio-specific guidelines and recommendations for pain management therapies, and “state laws” in prescribing schedule IIs (9-02 (A)(2)(c)(ii) and (c)(iv)), the Board should require that if this educational content is satisfied by an (A)(5)(b) continuing education program approved by an OBN provider unit, that unit should

be headquartered in Ohio. The issues with this include drafting challenges to clearly identify Ohio-components that would require an Ohio-headquartered provider unit, and more significantly, the burden this may place on both education providers and the Board (from an enforcement standpoint) in trying to separate out Ohio-components, when the content may be best presented in an integrated manner. The Board agreed by general consensus that providers other than Ohio-headquartered providers could provide the continuing education for schedule IIs.

As discussed above, the Advisory Group on Continuing Education had also recommended that (A)(5) be revised to allow for independent study. However, the law itself requires that the course of study in advanced pharmacology required for the CTP “shall consist of planned classroom and clinical instruction,” thus, this change was not made. See Section 4723.482 (B)(2), ORC. The independent study language that was added in the last draft of Rule 4723-9-02 was removed.

In paragraph (A)(5)(b), the Board agreed by general consensus to delete repetitive language at the end of the paragraph, “or offered by an OBN approved provider unit, as defined in rule 4723-14-01 of the Administrative Code.”

#### Rule 4723-9-07

Paragraph (A)(2): The CPG and the Board, at the May meeting, agreed to add language that the 12 hours of continuing education required for CTP renewal include “instruction specific to controlled substances” without specifying any minimum number of hours in schedule II drugs.

#### Rule 4723-9-10

Paragraph (D)(4): The Formulary rule is changed as discussed at the May meeting to include the expanded schedule II prescribing authority.

#### Rule 4723-9-11

Paragraph (A)(1): Updated as discussed at the May meeting to include reference to Rule 4723-9-12 (OARRS).

#### Rule 4723-9-12

Paragraph (A)(4): Updated to delete separate reference to drug products containing carisoprodol as that drug is now a scheduled drug.

#### Rule 4723-9-13

This is a new rule specific to schedule II continuing education and was reviewed at the May meeting. Changes were made as recommended by the Advisory Group on Continuing Education to paragraph (B)(2), consistent with language in Chapter 14.

Language was added regarding the use of stimulant therapies. Although this language is not contained in SB 83, input was received during the June 27 meeting with interested parties that the focus on pain medications may overshadow needed education in other categories of schedule II medications, for

example, medications used in the treatment of ADHD. The same language appears in Rule 4723-9-02.

H. Fischer discussed that there was a question regarding the possibility that the continuing education would be provided in segments rather than in one six-hour course. She explained that a “course” could be presented in segments if the segments are provided by the same CE provider for a total of six-hours and met all other requirements.

Tracy Ruegg and Judith Church questioned whether APNs should have the option to waive the required continuing education once during their certification. Because APNs are held accountable for a greater knowledge base for their specific field and prescribing authority, if they waive the CE are they maintaining and updating their knowledge about medications and prescribing? Other Board members questioned how often APNs request the use of the waiver. Staff will review data and provide information at a future Board meeting.

The following rule chapters were reviewed according to the five-year review process:

### **Chapter 1 Board organization and records**

#### Rule 4723-1-01

Paragraph (F): Updated to reference the 11<sup>th</sup> edition of Robert’s Rules of Order, Newly Revised (2011).

#### Rule 4723-1-03

Paragraph (E): Revised to prohibit “falsification or alteration” of documents issued by the Board, and to specifically include wall certificates. Eliminated language regarding photocopying as this language as originally intended to prevent copying of wallet cards. The Board has discontinued issuing wallet cards in almost all license/certification categories, and employers routinely print the Elicense credential screen as proof of license verification. Also, the reason photocopying was prohibited was to prevent alteration and imposterism, both of which have been addressed by replacing wallet cards with online verification.

#### Rule 4723-1-04

Paragraph (C): Language was added clarifying “certified or cashier’s or money order” check, as the Board no longer accepts personal checks.

Rules 4723-1-05 and 4723-1-06: Minor changes made to simplify language.

Rules 4723-1-07 through 4723-1-11: Minor changes made to simplify language and correct legal citations.

### **Chapter 3 Definitions**

#### Rule 4723-3-01

This rule contains definitions of terms used throughout Chapter 4723, OAC. Changes include (1) eliminate the term “client” and insert the term “patient” and

(2) eliminate references to “endorsement” for dialysis technicians and community health workers as the Board does not endorse these certificate groups.

### **Chapter 14 Continuing Education**

The Advisory Group on Continuing Education has been working on rule language for the past two years. Their recommended language is incorporated into the attached rules.

#### Rule 4723-14-01

New Paragraphs (A), (B), (D) and (E): The Advisory Group on Continuing Education recommended changes to distinguish between “accredited provider” and “approved provider unit”; and to add definitions for a “commercial interest entity” (based on a definition used by the American Nurses Credentialing Center), and “commercial support”, associated with a for-profit business, as distinguished from “sponsorship support”, which is given by a non-commercial entity.

New Paragraph (C): Traditionally, “category A” has referred to continuing education in Ohio law and rules. This label occurred because originally, the rule listed multiple types of continuing education as “paragraphs B, C, D” according to paragraph numbering that existed in the rule. As time went by, the other paragraph references were deleted, leaving only “category A” today. With the addition of definitions, “category A” will no longer be located in paragraph (A) of the rule.

The Board discussed whether to discontinue references to the required continuing education in Ohio law/rule as “category A”? The consensus of the Advisory Group, in reviewing this question, was that it took many years to educate licensees on what “category A” means, and the reference should continue in order to avoid creating confusion. The Board agreed by general consensus to continue the use of the terminology, category A.

It is recommended that the definition of category A be revised to include approved “by the board” to clarify that the Board itself can approve of CE in Ohio law and rules. This is consistent with the law (Section 4723.08 (A)(8) authorizes and requires that the Board itself “approve” of CE, although it may authorize other persons to perform this function on its behalf) (see also Rule 4723-14-05 (A)(9), the Board itself may award contact hours for board-approved CE).

New Paragraph (G)(2). The Advisory Group on Continuing Education recommended changing the current definition of “continuing education” (new G) to say “health care career goals” instead of “professional career goals” to prevent credit being awarded to someone taking a course non-related to their licensure, i.e., in pursuit of a career change or other field of study. The Advisory Group reworded “Independent study” to “Independent study continuing education activity” and added “for which contact hours may be awarded.”

New Paragraph (G)(3): The Advisory Group recommended replacing the term

“interdisciplinary” with “interprofessional.”

New Paragraph (H): “Entity” is defined to basically include any corporate form of business as opposed to a natural person.

#### Rule 4723-14-03

Changes to eliminate redundant language and simplify language were made. Also, the Advisory Group recommended that paragraph (E) be revised so that for reinstatement or reactivation, a nurse who is inactive or lapsed less than two years, or who holds a current, valid license in another jurisdiction, is not required to obtain the more detailed continuing education content. If the nurse does not hold a current, valid license in another state, and is lapsed/inactive for two years or more, then the detailed course content provided in (E)(2) (a) through (e) is required.

#### Rule 4723-14-04

Paragraph (C): The Advisory Group recommended changing “approving entity” to “educational provider.” Since “provider” is a defined term, the language is changed to “provider” rather than “educational provider.” Other changes were made for clarification.

#### Rule 4723-14-05

The Advisory Group on Continuing Education recommended re-referencing “Category A” in this rule, however, since this term is defined in Rule 4723-14-01, it would be redundant to again define the term here, so that change is not included. The Advisory Group recommends, in paragraph (A)(6), the new term “interprofessional” instead of “interdisciplinary”. Other changes are made for clarification.

#### Rules 4723-14-06 and 4723-14-07

Minor changes were made for clarification and to eliminate redundant language. In Rule 4723-14-07, the Advisory Group recommended adding paragraph (E) to prevent a licensee/certificate holder from invoking the one-time “waiver” after receiving an audit notice.

#### Rule 4723-14-08

Minor changes were made for clarification and to eliminate redundant language. The Advisory Group recommended adding, “headquartered in the state of Ohio” to paragraph (A).

#### Rule 4723-14-09

The Advisory Group recommended deleting current paragraph (A)(1)(b) regarding “philosophy of the proposed OBN approver” and adding, in new (A)(1)(h) a requirement that the registered nurse directing peer review hold a current, valid license in Ohio. Other changes were made to eliminate redundant and unclear language.

Rule 4723-14-10

Changes were made to simplify and consolidate language. In (B)(2), the reasons to deny re-approval will match the reasons for termination from approval in rule 4723-14-11.

Rule 4723-14-11

Paragraph (B)(4): Added to include as a basis for termination providing false, misleading or deceptive statements or information to the board, consistent with the rules for education programs, licensees and certificate holders. Language added to (C) to allow for settlement agreements.

Rule 4723-14-12

Changes recommended by the Advisory Group including replacing word “policies” with “processes”; adding “responsibilities” to (A)(2); adding new (A)(4); and deleting old (A)(18) and (B). Other changes were to refer to “approved provider unit” consistent with new definition proposed by the Advisory Group, and to simplify language.

Rule 4723-14-13

Changes were made to simplify language.

Rule 4723-14-14

Changes were recommended by the Advisory Group and to simplify language.

Rule 4723-14-15

Changes recommended by the Advisory Group included changing “advertising” to “marketing”; adding a new (A)(8) related to disclosure of commercial support or sponsorship support; and adding new language in (B)(1) and (2) related to marketing materials and disclosure. Other changes simplify the language. (C)(7)(c) is revised to include a reference to Rule 4723-9-07 regarding the advanced pharmacology course.

Rule 4723-14-16 and 4723-14-17

Changes recommended by the Advisory Group and to simplify language.

Rule 4723-14-18

Changes were made as recommended by the Advisory Group and language in (A)(4) and (B) is suggested to address transfer of records of the OBN approver to a custodian in both a planned and unanticipated termination situation.

**Medication Aides**

Rule 4723-27-01

Paragraph (H) is revised to update cross-references to new numbering in Rule 4723-14-01.

Rule 4723-27-06

Staff recommended adding a CE waiver option for medication aides as this option exists for other certificate holders. The Board discussed this option and

agreed by general consensus not to provide a CE waiver provision for medication aides. The Board stated that they believe the continuing CE requirement is important so that medication aides remain current on medication administration.

#### Rule 4723-27-08

The company the Board contracts with for the written and skills exam is requesting that the written exam be electronic, necessitating a re-wording of this rule.

#### **Education Programs**

Corrected typos in Rules 4723-5-08 and 4723-5-21. In Rule 4723-5-23(A)(4) added language to address programs on conditional approval status with low NCLEX rates.

#### **Advanced Practice Nurse Certification and Practice**

In Rules 4723-8-01, 8-02, 8-03, 8-04, 8-05, deleted reference to “client” and inserted “patient” consistent with the Board’s overall objective to move away from use of the term client.

#### **EXECUTIVE SESSION**

On July 26, 2012:

**Action:** It was moved by Melissa Meyer that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Motion adopted by roll call vote.

The Board entered Executive Session at 10:12 a.m. and reported out of Executive Session at 10:38 a.m.

#### **APPROVALS**

##### **Nursing Education Programs – Approval of New Programs**

###### Acadia Career Institute Registered Nurse Program

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Acadia Career Institute Registered Nurse Program in Findlay. It was further moved that the Program submit progress reports to the Board on or before January 10, 2013, and May 10, 2013. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

###### Lincoln College of Technology RN Education 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 Lincoln College of Technology RN Education Program in Dayton. It was further moved that the Program submit progress reports to the Board on or before May 10, 2013, and December 10, 2013. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

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

###### Kent State University Regional College Associate Degree in Nursing

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Kent State University Regional College Associate Degree in Nursing in Twinsburg for a period of five years effective July 26, 2012. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Kent State University College of Nursing, BSN Program

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Kent State University College of Nursing, BSN Program in Kent for a period of five years effective July 26, 2012. It was further moved that the Program submit progress reports to the Board on or before January 24, 2013, and July 21, 2013. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Ohio Valley College of Technology School of Nursing-Associate Degree in Nursing

The Board reviewed information regarding the Ohio Valley College of Technology School of Nursing-Associate Degree in Nursing Program.

EHOVE School of Practical Nursing EHOVE Career Center

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to EHOVE School of Practical Nursing EHOVE Career Center in Milan for a period of five years effective July 26, 2012. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Trumbull Career and Technical Center School of Practical Nursing-Post Secondary

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board place Trumbull Career and Technical Center School of Practical Nursing Post-Secondary in Warren on Provisional approval in accordance with Rule 4723-5-04 (B)(2), OAC, for a period of eighteen months effective July 26, 2012, after fully considering the survey visit report and the response to the report, which demonstrates that the Program failed to meet or maintain the requirements established in Rules 4723-5-06 (C); 4723-5-09(B); 4723-5-11(A); 4723-5-12 (A); 4723-5-14 (C) and (D); 4723-5-15 (A),(B), and (C); 4723-5-17 (A) and (B); 4723-5-19 (A); 4723-5-20 (B); and 4723-5-21 (D), OAC. It was further moved that the Program submit progress reports to the Board on or before October 25, 2012; January 24, 2013; July 25, 2013; and November 14, 2013. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Columbiana County Career and Technical Center Practical Nurse Program

**Action:** It was moved by Tracy Ruegg, seconded by Susan Morano, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Columbiana County Career and Technical Center Practical Nurse Program for a period of five years effective July 26, 2012. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Tri-Rivers School of Nursing Diploma Program

**Action:** It was moved by J. Jane McFee, seconded by Roberta Stokes, that the Board continue Full approval, in accordance with Rule 4723-5-04, OAC, of Tri-Rivers School of Nursing Diploma Program in Marion until January 2016. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Sinclair Community College Associate Degree Nursing Program

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Sinclair Community College Associate Degree Nursing Program in Dayton for a period of five years effective July 26, 2012. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Miami University Bachelor of Science in Nursing Program

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Miami University Bachelor of Science in Nursing Program in Hamilton for a period of five years effective July 26, 2012. It was further moved that the program submit progress reports to the Board on or before July 18, 2013, and July 17, 2014. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

Mount Vernon Nazarene University School of Nursing & Health Sciences Nursing Department

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board continue Full approval, in accordance with Rule 4723-5-04, OAC, of Mount Vernon Nazarene University School of Nursing & Health Sciences Nursing Department in Mount Vernon until July 2015. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

**Nursing Education Program Requests**

Felbry College School of Nursing

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in the implementation date of Felbry College School of Nursing in Columbus to September 2012. It was further moved that the program submit progress reports on or before December 19, 2012 and March 19, 2013. Motion adopted by majority vote of the Board members with Janet Arwood abstaining.

**Dialysis Technician Training Programs**

American Renewal Associates

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board approve, in accordance with Rule 4723-23-07, OAC, the dialysis technician training program of American Renal Associates in Reynoldsburg for a period of two years effective July 26, 2012. Motion adopted by majority vote of the Board members.

Kidney Services of W. Central Ohio Dialysis Technician Training Program

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-23-07, OAC, Kidney Services of W. Central Ohio Dialysis Technician Training Program in Lima for a period of two years effective July 26, 2012. Motion adopted by majority vote of the Board members.

Dialysis Partners of Northwest Ohio

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-23-07, OAC, the dialysis technician training program of Dialysis Partners of Northwest Ohio in Toledo for a period of two years effective July 26, 2012. Motion adopted by majority vote of the Board members.

**Medication Aide Training Program**

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board approve, in accordance with Rule 4723-27-07, OAC, the Medication Aide Training Program of Arden Court's Parma for a period of two years effective July 26, 2012. Motion adopted by majority vote of the Board members.

**Retroactive Approval for Licensees and Certificate Holders**

**Action:** It was moved by J. Jane McFee, seconded by Roberta Stokes, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board May 1, 2012 through June 30, 2012, to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

**ADJUDICATION AND COMPLIANCE**

On Thursday, July 26, 2012, Charissa Payer, AAG, addressed the Board regarding the Report and Recommendation involving Andrea Samloff. Ms. Samloff and her attorney, Richard Cline, Esq., responded.

Henry Appel, AAG, addressed the Board regarding the approval status of Ohio American Health Care, Inc., Registered Nursing Program. Ronald Noga, Esq., representing Ohio American Health Care, Inc., Registered Nursing Program, responded.

Henry Appel, AAG, addressed the Board regarding the approval status of Ohio American Health Care, Inc., Practical Nursing Program. Ronald Noga, Esq. representing Ohio American Health Care, Inc., Practical Nursing Program, and Dr. Yemi Oladimeji, President of Ohio American Health Care, Inc., responded.

Tina Marie Mortaro and her attorney, Steven Sindell, Esq., addressed the Board regarding the Report and Recommendation involving Ms. Mortaro. Henry Appel, AAG, responded.

Eric Plinke, Esq., representing Lisa Kroeger, addressed the Board regarding the Report and Recommendation involving Ms. Kroeger. Henry Appel, AAG, responded.

On Friday, July 27, 2012, 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.

## **Board Actions**

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

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

Lilly, Megan J., P.N. 133803 (CASE #12-0627); Dennis, Casey L., P.N. 122954 (CASE #10-4727); Ruark, Julie A., R.N. 311369 (CASE #11-2791); Moyer, Tina N., P.N. 126932 (CASE #12-0897); Brown, Robin A., P.N. 108628 (CASE #10-3981); Colley, Billie M., R.N. 246224 (CASE #11-3954); Campbell, Laura E., R.N. 296185 (CASE #11-3579); Rawnsley, Ann K., R.N. 221142 (CASE #10-4661); Bays, Nichole L., R.N. 297949 (CASE #11-1625); Morris, Joseph S., R.N. 309177 (CASE #12-0785); Swisher, Pamela S., P.N. 097886 (CASE #12-0274); Haslage, Marcelle M., P.N. 142143 (CASE #12-0550); Gardner, Gail M., R.N. 286838 (CASE #10-5020); Leyde, Cynthia E., R.N. 287835 (CASE #11-3355); Ackerman, Robert J., R.N. 227916 (CASE #11-3446); Armstrong, Kelly A., R.N. 255774 (CASE #11-4760); Melvin, Tammi M., R.N. 293235 (CASE #12-0068); Woods, Stephanie, R.N. NCLEX (CASE #12-0860); Hunter, Ashley M., R.N. 347015 (CASE #11-4922); Steck, Tracy L., P.N. 129809 (CASE #11-0668); Antonio, Michele J., P.N. 116939 (CASE #11-3444); Ruffin, Lapetha M., P.N. 099459 (CASE #11-2680); Redrick, Ebony M., P.N. 134610 (CASE #10-0101); Will, Amy K., R.N. 195085 (CASE #12-1601); Smith, Nancy M., P.N. 098666 (CASE #10-1647); Norton, Margaret A., R.N. 234658 (CASE #12-2347); Fitzwater, Tina M., R.N. 275577 (CASE #11-1943); Allen, Gail L., R.N. 328364 (CASE #11-2033); Cornelia, Christina F., R.N. 322796 (CASE #12-0890); Hazelton, Dawn N., R.N. 279517 (CASE #12-1162); Jacklin, Jessica L., R.N. 322313 (CASE #11-4997); Mahone, Alicia K., P.N. 130204 (CASE #12-1335); Roberts, Sharde N., P.N. 126453 (CASE #12-0605); Snyder, James L., P.N. 116211 (CASE #11-4093); Waddell, Kelly G., P.N. 140593 (CASE #10-

5752); Raitz, Nicole M., P.N. 125116 (CASE #11-4709); Counts, Daphne L., R.N. 288760, P.N. 089053 (CASE #11-3762); Parks, Ayana D., P.N. 133568 (CASE #11-4204); Seals, Rebecca M., R.N. 298345 (CASE #12-2850); Vacha, Michelle L., P.N. 133436 (CASE #11-5350); Cummins, Cathy J., P.N. 059802 (CASE #12-0201); Staggers, Donald C., R.N. 340171 (CASE #11-4967); Coble, Sarah R., R.N. 290703 (CASE #12-1080); Blagovich, Dawn R., R.N. 322909 (CASE #11-4317); Burkey, Joseph R., R.N. 250953 (CASE #12-1643); Hutson, Leslie A., R.N. 284115 (CASE #09-4908); Conley, Tracy A., R.N. 278294 (CASE #12-2665); and Stone, Tammy A., P.N. 105737 (CASE #12-3509).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2012 Board Meeting.

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

**Action:** It was moved by Janet Arwood, 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):

Bush, Lea D., R.N. 354912 (CASE #12-0938); Kennedy, Charlotte R., P.N. 109309 (CASE #11-4614); McCall, Tina M., P.N. 132354 (CASE #12-1885); Loges, Lori D., R.N. 307913 (CASE #11-4601); Lilly, Jeanine M., P.N. 118516 (CASE #12-0463); Sword, Regina A., P.N. 091431 (CASE #11-4687); Fitzsimmons, Ashley M., R.N. 333862 (CASE #12-2491); Worrell, Theresa C., R.N. 338767, P.N. 124308 (CASE #11-4789); Eade, Andrew L., R.N. 272575 (CASE #11-3679); Burgess, Jennifer, P.N. 124265 (CASE #12-3083); Shumaker, Crystal G., P.N. 125556 (CASE #11-1914); Waller, Julie A., R.N. 329823 (CASE #12-2881); French, Megan D., R.N. 348755 (CASE #12-3094); Haitz, Cindy L., R.N. 241374 (CASE #12-0114); and Camron, Cary, P.N. 072341 (CASE #11-1447).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2012 Board Meeting.

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

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

Stephenson, Kimberlee Y., R.N. 277061 (CASE #12-1272); Thomas, Benita M., P.N. 144850 (CASE #12-2559); Stricklan, Carol A., R.N. 316656 (CASE #12-1394); Hayes, Kevin, TC1 03792 (CASE #12-1560); Torres, Esther, P.N. 140697 (CASE #12-1741); Keys, Delishia D., P.N. 145337 (CASE #12-2103); Doepke, Angela L., R.N. 375152 (CASE #12-2732); Walkin, Ryan L., R.N. 288620 (CASE #12-2726); Hartley, Jessica A., P.N. 116558 (CASE #12-2649); Spradlin, Tyler, R.N. 340553 (CASE #12-2000); Rice, Lisa A., D.T. 02883 (CASE #12-2104); Stewart, Joshua A., R.N. 327845 (CASE #12-1614); Long, Nicole L., P.N. 142874 (CASE #12-2349); Chapman, Julia M., P.N. 104279 (CASE #12-2733); Koblitz, Janet A., R.N. 257274 (CASE #12-2663); Gordon, Jodi L., R.N. 311931 (CASE #12-2241); Hempker, Darcy Anne, R.N. 233710 (CASE #12-1642); Von Bauer, Diana L., P.N. 105650 (CASE #12-2411); Smith, Leshia M., P.N. 146310 (CASE #12-1944); Conant, Alicia M., P.N. 147874 (CASE #12-1952); Flynn, Heather L., P.N. 147385 (CASE #12-1946); Stafford, Shawn E., P.N. 119412 (CASE #12-1949); Matt, Alexandra N., P.N. 142875 (CASE #12-2469); and Eakle, Leslie C., P.N. 105799 (CASE #12-1957).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the July 2012 Board Meeting.

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

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, 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):

Eubanks, Erika S., R.N. 308455 (CASE #12-2064); Gum, Anmarie, R.N. 346524 (CASE #11-3108); Leimbach, Christine K., P.N. 124830 (CASE #11-5182); Persinger, Melody J., P.N. 131277 (CASE #11-4478); Pitoscia, Rocky, R.N. 351068 (CASE #11-4056); Sherban, Lisa A., P.N. 106261 (CASE #11-3286); Malley, Kelly C., R.N. 353688 (CASE #12-2527); Ballinger, Peggy L., P.N. 078512 (CASE #11-4838); and Daigle, David P., P.N. 142565 (CASE #12-2588).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes 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 2012 Board Meeting.

## **SURRENDERS**

### **Permanent Voluntary Surrender**

**Action:** It was moved by Janet Arwood, seconded by Susan Morano, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Coffin, Barbara E., R.N. 258210 (CASE #12-0591); Killian (Shaffer), Corie L., R.N. 311590 (CASE #09-5722); Brown, Mary M., R.N. 139972 (CASE #11-1401); Charlton, Jamie L., R.N. 359753 (CASE #11-4882); Arrizola Jr, Alredo R., P.N. 126869 (CASE #11-4682); James, J. Tracy, R.N. 214495, NS 03351 (CASE #11-1689); Kalaher, Michele C., P.N. 061495 (CASE #12-2721); Dobranski (Robinson), Amy C., P.N. 122936 (CASE #12-2901); Meyer, Kimberly, P.N. 148382 (CASE #12-3088); Foxx, Letrice D., P.N. 115340 (CASE #10-5537); and Post, Kristin K., D.T. 00817 (CASE #12-2037).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the July 2012 Board Meeting.

## **CONSENT AGREEMENTS**

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, 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):

DiSalvio, Cindy J., R.N. 230188 (CASE #11-0872); Brillhart, Melody C., P.N. NCLEX (CASE #12-0711); Sust, Christy L., R.N. NCLEX (CASE #12-1533); Fowkes, Thomas L., R.N. 323602 (CASE #12-2098); Knox, Kecia M-J, P.N. NCLEX (CASE #11-4829); Betts, Kimberly A., R.N. 289517 (CASE #11-1247); Bowman, Charles R., P.N. 070793 (CASE #11-2681); Rochester, Tamara M., R.N. NCLEX, P.N. 117898 (CASE #12-1158); Redmond, Matthew K., R.N. NCLEX (CASE #11-4259); Hejny, Elizabeth J., R.N. 260409 (CASE #12-2099); Sherrill, Kirby, R.N. 331955 (CASE #10-5073); Dodson, Karen S., P.N. 085430 (CASE #10-4309); Thompson, Robert C., P.N. 112978 (CASE #07-1743); Kauffman, Whitney M., R.N. 364864 (CASE #12-2610); Smith, Michelle, P.N. 132975 (CASE #09-0964); Hofacker, LaSonya D., R.N. NCLEX (CASE #11-4437); Flanery, Maribeth, R.N. 321740 (CASE #12-2032); Kilcorse, Michael, R.N. 316740 (CASE #12-1728); Peters, Deirdre A., R.N. 268171 (CASE #11-4816); Holbrook, Sherry K., R.N. 313079 (CASE #11-3511); Turay, Sina H., P.N. 105931 (CASE #11-4097); Howard, Mary C., R.N. 331073 (CASE #11-2619); Schwoeble, Shannon N., R.N. 353558 (CASE #11-1156); Christy,

Cynthia K., R.N. 145266 (CASE #11-0509); Kreider, Brandy L., P.N. 127959 (CASE #10-5681); Erdely, Kathryn M., P.N. 073284 (CASE #12-1641); Stovall, Melissa A., P.N. NCLEX (CASE #11-4503); Filby, Robyn A., R.N. 363577 (CASE #11-4080); Dixon, Nancy C., R.N. 257446 (CASE #12-0028); Mills, Jennifer L., R.N. 252322 (CASE #12-2101); Snodgrass, Terese, R.N. 271792 (CASE #12-1282); Taylor, Shirley L., R.N. 253666 (CASE #10-3081); Smith, Richard W., R.N. 290242 (CASE #11-5172); Stevens, Ebony R., R.N. 356431 (CASE #11-5190); Figuly, Rachael J., R.N. 321115 (CASE #12-2100); Olding, Danielle R., R.N. 308707, NP 12409, RX 12409 (CASE #11-3185); Delnay, Nancy, R.N. 244660, NP 07225, RX 07225 (CASE #11-2304); Chwojdak, Gregory J., R.N. 350207 (CASE #11-1006); Plasky, Shelly L., P.N. 126910 (CASE #11-2198); Geraci, Martha Jo, R.N. 190687 (CASE #11-1096); Bolton, Lisa M., R.N. 222530 (CASE #11-0488); Mazur, Lynn M., R.N. 228587 (CASE #11-1347); Carr, Janine C., P.N. 096015 (CASE #11-1044); Falls, Carol J., P.N. 111092 (CASE #12-2651); Gold, Kandi R., R.N. 207202 (CASE #11-2143); Butcher, Kimberly P., R.N. 324465 (CASE #12-1204); Hargreaves, Carey A., P.N. 122751 (CASE #12-1582); Pennybacker, John R., R.N. 326925 (CASE #11-4775); Hopper, Judith, R.N. 107310 (CASE #09-3979); McDougall, David J., R.N. 356639 (CASE #11-2263); Cocchi, Kim M., P.N. 089792 (CASE #11-0309); Gladish, Anne Mary G., R.N. 210169 (CASE #11-2989); Wallace, Cynthia M., R.N. NCLEX, P.N. 107771 (CASE #12-0479); Hessler, Christine R., R.N. 289644 (CASE #11-4128); Day, Pamela A., P.N. NCLEX (CASE #12-0476); Lee, Beth A., R.N. 236622 (CASE #12-0308); Whitt, Janet L., P.N. 113015 (CASE #12-1256); Mattoni, Cynthia L., R.N. 270359, NP 10788, RX 10788 (CASE #12-1028); Daniels, Laura K., R.N. 353182 (CASE #12-1221); Hargrove, Ashlie D., R.N. NCLEX (CASE #12-1845); Powell, Zachary W., P.N. NCLEX (CASE #12-1654); Riecke, Amberlee N., P.N. NCLEX (CASE #12-2259); Salmons, Rachel A., TC1 applicant (CASE #12-2189); Vechery, Stefani B., R.N. 292926 (CASE #11-3093); Impala, Theresa M., R.N. 277368 (CASE #10-5203); Lester, Tabitha M., P.N. 106502 (CASE #12-0489); Endress, Shannon M., P.N. 109072 (CASE #11-3051); Williams, Lakiesha R., P.N. 141519 (CASE #12-1787); Holcomb, Kimberly J., R.N. 269804 (CASE #09-2420); Snyder, Danielle L., D.T. applicant (CASE #12-2341); Lux, Patrick F., R.N. Endorse (CASE #12-2447); Davis, Misty J., P.N. 112997 (CASE #09-3259); Hall, Douglas L., R.N. 280451 (CASE #11-3010); Fairley, Cathy A., R.N. 331990 (CASE #09-1033); Miller, Tad A., R.N. NCLEX (CASE #12-1078); Dugan, Nicole, P.N. 103198 (CASE #10-4815); Braden, Clarice O., P.N. NCLEX (CASE #12-2201); Madewell, Lesley M., P.N. 138613 (CASE #12-0271); Blakesley, Debbora L., R.N. 177525 (CASE #12-0053); Stih, Shannon L., P.N. NCLEX (CASE #12-2133); Brantley, Mia L., P.N. 123457 (CASE #10-3394); Shaver, Amy J., P.N. 057315 (CASE #12-3516); Koch, Mark E., R.N. 172619, NA 00580 (CASE #10-2518); Rako, Laura L., R.N. 277663 (CASE #12-3186); Rodriguez, Andrea D., R.N. 265716 (CASE #12-3148); Ryan, Deidre L., R.N. 239854 (CASE #10-3855); Crawford, Stephanie L., P.N. 101475 (CASE #11-0957); Ritchey, Sandi J., R.N. 250513 (CASE #11-3759); Ohio Valley College of Technology School of, Nursing Associate Degree in Nursing, (CASE #12-3656); and Wise, Christine L., P.N. 141234 (CASE #12-0511).

Judith Church, Lisa Klenke and Roberta Stokes abstained from voting on all cases.

Janet Arwood abstained from voting on Sherrill, Kirby, R.N. 331955 (CASE #10-5073) and Ohio Valley College of Technology School of, Nursing Associate Degree in Nursing, (CASE #12-3656) only. Susan Morano abstained from voting on the following cases only: Kauffman, Whitney M., R.N. 364864 (CASE #12-2610); Howard, Mary C., R.N. 331073 (CASE #11-2619); Dixon, Nancy C., R.N. 257446 (CASE #12-0028); and Wallace, Cynthia M., R.N. NCLEX, P.N. 107771 (CASE #12-0479).

Maryam Lyon voted no on Stih, Shannon L., P.N. NCLEX (CASE #12-2133) only. J. Jane McFee voted no on the following cases only: Snodgrass, Terese, R.N. 271792 (CASE #12-1282); Endress, Shannon M., P.N. 109072 (CASE #11-3051); and Stih, Shannon L., P.N. NCLEX (CASE #12-2133). Melissa Meyer voted no on Brillhart, Melody C., P.N. NCLEX (CASE #12-0711) only. Susan Morano voted no on Snodgrass, Terese, R.N. 271792 (CASE #12-1282) and Hessler, Christine R., R.N. 289644 (CASE #11-4128). Tracy Ruegg voted no on the following cases only: Schwoeble, Shannon N., R.N. 353558 (CASE #11-1156); Dixon, Nancy C., R.N. 257446 (CASE #12-0028); Geraci, Martha Jo, R.N. 190687 (CASE #11-1096); Butcher, Kimberly P., R.N. 324465 (CASE #12-1204); and Ryan, Deidre L., R.N. 239854 (CASE #10-3855).

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 2012 Board Meeting.

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

Kroeger, Lisa, R.N. 356003 (CASE #11-1298)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board deny the motion filed on the morning of July 26, 2012 by Ms. Kroeger to delay the Board's adjudication of her case until the September 2012 Board meeting. The rationale for the denial is that the matter is ripe for adjudication, and the basis for the motion, that counsel for Ms. Kroeger has not been able to establish whether Ms. Kroger will attend the appearance that was requested, is not a reasonable basis to delay the adjudication in this matter by two months. Motion adopted by majority vote of the Board members with Judith Church abstaining.

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **LISA KROEGER'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 five (5) years with the conditions for reinstatement set forth below,

and following reinstatement **MS. KROEGER'S** license be subject to the probationary terms and conditions set forth below for a minimum period of three (3) years and the permanent practice restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that a five-year minimum suspension period with conditions for reinstatement is sufficient to determine **MS. KROEGER'S** ability to return to safe nursing practice in lieu of a revocation that would also require **MS. KROEGER** to submit an application for licensure by examination.

Further, the Board has determined in its expertise that a minimum three-year probationary period with probationary terms and conditions following reinstatement and the permanent practice restrictions set forth in below are necessary for protection of the public and effective monitoring of **MS. KROEGER'S** practice following reinstatement of her license based upon **MS. KROEGER'S** continued issues with alcohol and relapses and violations of Board monitoring restrictions.

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

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

#### **Monitoring**

4. **MS. KROEGER** 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. KROEGER's** history. **MS. KROEGER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. KROEGER** shall abstain completely from the use of alcohol and products containing alcohol.

6. **Prior to requesting reinstatement by the Board, MS. KROEGER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. KROEGER** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. KROEGER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The 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. KROEGER's** license, and a statement as to whether **MS. KROEGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. KROEGER** 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 chemical dependency professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. KROEGER's** license.
8. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. KROEGER** 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. KROEGER'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. KROEGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KROEGER's** history.
9. Within thirty (30) days prior to **MS. KROEGER** initiating drug screening, **MS. KROEGER** 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. KROEGER**.
10. After initiating drug screening, **MS. KROEGER** 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. KROEGER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. KROEGER** 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. KROEGER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. KROEGER**

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

### **DURATION**

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

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

**Following reinstatement, the suspension shall be stayed and MS. KROEGER's license shall be subject to the following probationary terms, conditions, and limitations for not less than three (3) years.**

1. **MS. KROEGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KROEGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. KROEGER** 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. KROEGER's** history. **MS. KROEGER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. KROEGER** shall abstain completely from the use of alcohol and products containing alcohol.
5. **MS. KROEGER** 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. KROEGER'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. KROEGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KROEGER's** history.
6. Within thirty (30) days prior to **MS. KROEGER** initiating drug screening, **MS. KROEGER** 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. KROEGER**.
7. After initiating drug screening, **MS. KROEGER** 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. KROEGER** 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.
8. **MS. KROEGER** 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. KROEGER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Employment Conditions**

9. Prior to accepting employment as a nurse, each time with every employer, **MS. KROEGER** shall notify the Board.
10. **MS. KROEGER** 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. KROEGER** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. KROEGER** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. KROEGER**

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

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

#### **Permanent Practice Restrictions**

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

**MS. KROEGER** 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. KROEGER's suspension shall be lifted and MS. KROEGER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. KROEGER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KROEGER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KROEGER** 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. KROEGER** has complied with all aspects of this Order; and (2) the Board determines that **MS. KROEGER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KROEGER** and review of the reports as required herein. Any period during which **MS. KROEGER** 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 27th day of July, 2012.

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

Crawford-Halloran, Margaret 'Peggy', R.N. 196800 (CASE #10-4498)

**Action:** It was moved by Tracy Ruegg, seconded by Roberta Stokes, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **MARGARET CRAWFORD-HALLORAN'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 27th day of July, 2012.

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

Samloff, Andrea K., R.N. 348135 (CASE #10-5748)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **ANDREA SAMLOFF'S** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time and that the suspension be stayed subject to the probationary terms and conditions set forth below for a minimum period of two (2) years and the temporary practice restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that a two-year minimum probationary period with a comprehensive psychiatric evaluation within ninety (90) days of the effective date of the Board's Order; continuing education requirements; conditions for monitoring of **MS. SAMLOFF'S** current nursing practice; and practice restrictions from high risk, unsupervised, and high acuity settings during the probationary period will protect the public. In making a determination, the Board considered the evidence presented that **MS. SAMLOFF** has practiced without further incident for the past eighteen months.

The Board has also determined that the additional probationary conditions set forth below are necessary to monitor **MS. SAMLOFF'S** nursing employment and to ensure that **MS. SAMLOFF** is practicing safe nursing care.

## **PROBATIONARY TERMS**

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

1. **MS. SAMLOFF** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SAMLOFF** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within six (6) months of the effective date of this Order, **MS. SAMLOFF** shall complete and submit satisfactory documentation of her successful completion of the following continuing education approved in advance by the Board; Law and Rules, Stress Management, and Managing Difficult Situations.
4. **Within ninety (90) days of the effective date of this Order, MS. SAMLOFF** shall, at her expense, obtain a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SAMLOFF** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. SAMLOFF** 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. SAMLOFF's** license, and a statement as to whether **MS. SAMLOFF's** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. SAMLOFF** 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 psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SAMLOFF's** license.

**Employment Conditions**

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

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

### **Temporary Practice Restrictions**

**MS. SAMLOFF** 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) as a nurse 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; (5) for an individual or group of individuals who

directly engage **MS. SAMLOFF** to provide nursing services for fees, compensation, or other consideration or as a volunteer; or (6) in critical care areas including emergency room settings, intensive care areas, and critical care areas.

**MS. SAMLOFF** 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.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. SAMLOFF** has complied with all aspects of this Order; and (2) the Board determines that **MS. SAMLOFF** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SAMLOFF** and review of the reports as required herein. Any period during which **MS. SAMLOFF** 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 27th day of July, 2012.

Roberta Stokes opposed the motion.

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

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board withdraw the original motion for Samloff, Andrea K., R.N. 348135 (CASE #10-5748).

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

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **ANDREA SAMLOFF'S** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time and that the suspension be stayed subject to the probationary terms and conditions set forth below for a minimum period of two (2) years and the temporary practice restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that a two-year minimum probationary period with a comprehensive psychiatric evaluation within ninety (90) days of the effective date of the Board's Order; continuing education requirements; conditions for monitoring of **MS. SAMLOFF'S** current nursing practice; and practice restrictions from high risk, unsupervised, and high acuity settings during the probationary period will protect the public. In making a determination, the Board considered the evidence presented that **MS. SAMLOFF** has practiced without further incident for the past eighteen months.

The Board has also determined that the additional probationary conditions set forth below are necessary to monitor **MS. SAMLOFF'S** nursing employment and to ensure that **MS. SAMLOFF** is practicing safe nursing care.

### **PROBATIONARY TERMS**

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

1. **MS. SAMLOFF** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SAMLOFF** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within six (6) months of the effective date of this Order, **MS. SAMLOFF** shall complete and submit satisfactory documentation of her successful completion of the following continuing education approved in advance by the Board; Law and Rules, Stress Management, and Managing Difficult Situations.
4. **Within ninety (90) days of the effective date of this Order, MS. SAMLOFF** shall, at her expense, obtain a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SAMLOFF** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. SAMLOFF** 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. SAMLOFF's** license, and a statement as to whether **MS. SAMLOFF's** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. SAMLOFF** 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 psychiatrist's recommendations and conclusions from the evaluation

as a basis for additional terms, conditions, and limitations on **MS. SAMLOFF's** license.

### **Employment Conditions**

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

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

residential or home address or telephone number.

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

### **Temporary Practice Restrictions**

**MS. SAMLOFF** 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) as a nurse 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; (5) for an individual or group of individuals who directly engage **MS. SAMLOFF** to provide nursing services for fees, compensation, or other consideration or as a volunteer; or (6) in critical care areas including emergency room settings, intensive care areas, and critical care areas.

**MS. SAMLOFF** 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.

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. SAMLOFF** has complied with all aspects of this Order; and (2) the Board determines that **MS. SAMLOFF** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SAMLOFF** and review of the reports as required herein. Any period during which **MS. SAMLOFF** 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 27th day of July, 2012.

Roberta Stokes opposed the motion.

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

Ivie, Melinda M., P.N. 113615 (CASE #11-1139)

**Action:** It was moved by Melissa Meyer, seconded by Susan Morano, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and

ordered that **MELINDA IVIE'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. IVIE** has had numerous violations of the nursing law and exhibits significant cognitive, psychiatric, and substance abuse issues. The Board has determined in its expertise that **MS. IVIE'S** practice 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 27th day of July, 2012.

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

Petrilla, Heidi N., R.N. 296312 (CASE #11-1630)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **HEIDI PETRILLA'S** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension be stayed subject to the probationary terms, conditions set forth below for a minimum period of three (3) years and the permanent practice restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that the additional requirements and restrictions set forth below are necessary for effective monitoring of **MS. PETRILLA'S** practice.

**MS. PETRILLA's license shall be subject to the following probationary terms, conditions, and limitations for not less than three (3) years.**

1. **MS. PETRILLA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio and the terms and conditions imposed in Franklin County Common Pleas Court Number 10 CR 3548.
2. **MS. PETRILLA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within six (6) months of the effective date of this Order, **MS. PETRILLA** shall complete and submit satisfactory documentation of her successful completion of the following continuing education approved in advance by the Board: Documentation; Critical Thinking; Ethics; Professionalism; Establishing and Maintaining Professional Boundaries.

4. Within six (6) months of the effective date of this Order, **MS. PETRILLA** shall pay a fine of five hundred dollars (\$500.00) by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. Within thirty (30) days of the effective date of this Order, **MS. PETRILLA** shall notify her current employer of her criminal conviction in Franklin County Common Pleas Court Number 10 CR 3548. **MS. PETRILLA** shall have her employer send documentation to the Board, along with the first employer report, of notification of **MS. PETRILLA's** conviction.

### **Employment Conditions**

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

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

#### **Permanent Practice Restrictions**

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

**MS. PETRILLA** 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.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. PETRILLA** has complied with all aspects of this Order; and (2) the Board determines that **MS. PETRILLA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PETRILLA** and review of the reports as required herein. Any period during which **MS. PETRILLA** 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 27th day of July, 2012.

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

Ohio American Health Care, Inc., Registered Nursing Program, (CASE #11-2803JUL) (CASE #11-2803NOV) (CASE #11-2803JAN)

**Action:** It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that the conditional approval status of the **OHIO AMERICAN HEALTH CARE, INC. REGISTERED NURSING PROGRAM (PROGRAM)** is hereby permanently withdrawn and full approval status is hereby permanently denied, effective July 27, 2012.

This Order is based on the totality of evidence presented in this matter. However, the following deficiencies are among those found to be most compelling to the Board in issuing this Order:

- 1) The Program was provided multiple opportunities to correct the problems identified in its program and did not do so. In response to complaints from students, former employees, and clinical agencies, the Board conducted an initial unannounced survey visit in March 2011 (Report and Recommendation (R & R), Page 3), followed by announced survey visit in May 2011, a visit in September 2011 and October 2011. The Board provided the Program survey visit reports detailing the identified problems and three (3) separate Notices of Opportunity for Hearing related to unresolved problems. Despite this, as of the time of the third Notice, the Program was still not in compliance with one of the most fundamental rules concerning the curriculum for a registered nursing program, i.e, the Program was not providing appropriate clinical and/or lab experiences for its students (Findings of Fact #16 and #14). In fact, some students received no clinical experience at all in any course, some received no laboratory experience in Medical/Surgical (Findings of Fact #14), and with respect to the third cohort, no students were evaluated with respect to whether they could successfully perform clinical skills (Findings of Fact #16);
- 2) The Program failed to implement established student policies as written in critical areas including student admission, student progression, and student tuition, fees and/or refunds (Findings of Fact #3, #10, #13). Most significant to public safety, the Program progressed students from one course to the next without students' having completed the requirements of an earlier course (Findings of Fact #3, #4, #13), and even issued certificates of program completion for students without evidence that the students completed the necessary lab and clinical hours or final examination for the course (Findings of Fact #13);
- 3) The Program did not implement its curriculum plan as written (Findings of Fact #4) and/or provide clinical experience, including supervision of

clinical experience and evaluation of clinical experience, in critical practice areas (Findings of Fact #7, #14, #16);

- 4) The Program utilized individuals who did not meet the minimum requirements to teach nursing courses (Findings of Fact #12) or serve in an administrative capacity (Findings of Fact #11).

The critical deficiencies of this Program, including but not limited to those referenced above, permeated all aspects of the Program. The Program has shown disregard for the quality of education it provided to its students and ultimately, to consumers of healthcare who expect that registered nurses in Ohio will be educated according to the standards established by the State.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27<sup>th</sup> day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Melissa Meyer abstaining.

Mortaro, Tina M., P.N. 096746 (CASE #11-0273)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **TINA MORTARO'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 following reinstatement **MS. MORTARO's** license be subject to the probationary terms and conditions set forth below for a minimum period of two (2) years and the temporary practice and temporary narcotic restrictions set forth below.

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

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

## Monitoring

4. **MS. MORTARO** 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. MORTARO's** history. **MS. MORTARO** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. MORTARO** shall abstain completely from the use of alcohol and products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. MORTARO** shall, at her expense, obtain a chemical dependency, mental health, and fitness to practice evaluation by a Board approved physician and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MORTARO** shall provide the physician with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. MORTARO** shall execute releases to permit the physician to obtain any information deemed appropriate and necessary for the evaluation. The 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. MORTARO's** license, and a statement as to whether **MS. MORTARO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. MORTARO** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the physician described above until released. Further, the Board may utilize the physician's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. MORTARO's** license.
8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MORTARO** 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. MORTARO'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. MORTARO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MORTARO's** history.
9. Within thirty (30) days prior to **MS. MORTARO** initiating drug screening,

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

#### **Reporting Requirements of MS. MORTARO**

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

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

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

1. **MS. MORTARO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MORTARO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. MORTARO** 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. MORTARO's** history. **MS. MORTARO** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. MORTARO** shall abstain completely from the use of alcohol and products containing alcohol.
5. **MS. MORTARO** 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. MORTARO'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. MORTARO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MORTARO's** history.
6. Within thirty (30) days prior to **MS. MORTARO** initiating drug screening, **MS. MORTARO** 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. MORTARO**.
7. After initiating drug screening, **MS. MORTARO** 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. MORTARO** 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.
  8. **MS. MORTARO** 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. MORTARO** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Employment Conditions**

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

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

Board or to employers or potential employers.

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

**MS. MORTARO** 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. MORTARO's suspension shall be lifted and MS. MORTARO's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MORTARO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MORTARO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MORTARO** 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. MORTARO** has complied with all aspects of this Order; and (2) the Board determines that **MS. MORTARO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MORTARO** and review of the reports as required herein. Any period during which **MS. MORTARO** 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 27th day of July, 2012.

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

Ohio American Health Care, Inc., Practical Nursing Program, (CASE #11-4356NOV) (CASE #11-4356JAN)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law and the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that the conditional approval status of the **OHIO AMERICAN HEALTH CARE, INC. PRACTICAL NURSING PROGRAM (PROGRAM)** is hereby permanently withdrawn and full approval status is hereby permanently denied, effective July 27, 2012.

This Order is based on the totality of evidence presented in this matter. However, the following deficiencies are among those found to be most compelling to the Board in issuing this Order:

- 1) The Program failed to implement an orientation process for new faculty (Findings of Fact #2) (see also Report and Recommendation (R & R), Pages 5-6);

- 2) The Program failed to implement established student policies as written in critical areas including student admission (Findings of Fact #3), student progression (Findings of Fact #4), and student tuition and fees (Findings of Fact #5). Most significant to public safety, the Program progressed students from one course to the next without students' having completed the requirements of an earlier course (R & R, Page 9), or progressed students without them having completed the clinical hours required for the earlier course (R & R, Pages 9-13);
- 3) The Program did not implement its curriculum as written by representing that clinical hours would be provided in critical areas, when in fact, either the Program utterly failed to provide students clinical hours, in fundamental areas of practice including Medical/Surgical Nursing I and IV Therapy (Findings of Fact #6, #14), provided less hours than the curriculum represented, and/or provided clinical experience *after* the classroom portion of the course had been completed, rather than concurrently as required by law (Findings of Fact #6; R & R, Pages 15-22). Similarly, the Program failed to provide its students clinical and laboratory experiences that met course objectives or provided the students an opportunity to practice skills learned in the theory portion of the course (Findings of Fact #13), and failed to evaluate whether students were successfully able to perform clinical skills (Findings of Fact #16);
- 4) The Program utilized individuals who did not meet the minimum requirements to teach nursing courses (Findings of Fact #11) or serve in an administrative capacity (Findings of Fact #10 and 11).

The critical deficiencies of this Program, including but not limited to those referenced above, permeated all aspects of the Program. The Program has shown disregard for the quality of education it provided to its students and ultimately, to consumers of healthcare who expect that licensed practical nurses in Ohio will be educated according to the standards established by the State.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27<sup>th</sup> day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Melissa Meyer abstaining.

Jarabek, Kimberly, R.N. 268738 (CASE #12-0923)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board deny Respondent's filing of additional evidence with the Objections to the Report and Recommendation. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **KIMBERLY JARABEK'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 five (5) years with the conditions for reinstatement set forth below, and following reinstatement **MS. JARABEK'S** license be subject to the probationary terms and conditions set forth below for a minimum period of three (3) years and the permanent practice and temporary narcotic restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that a longer period of suspension with conditions for reinstatement is necessary to monitor **MS. JARABEK'S** sobriety and to determine **MS. JARABEK'S** ability to return to safe nursing practice and for effective monitoring of **MS. JARABEK'S** practice following reinstatement of her license.

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

1. **MS. JARABEK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JARABEK** 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. JARABEK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. JARABEK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. JARABEK'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. JARABEK** shall complete and submit satisfactory documentation of her successful completion of the following continuing education approved in advance by the Board: four (4) hours of Substance Abuse; five (5) hours of Anger Management; one (1) hour Law and Rules.

#### **Monitoring**

5. **MS. JARABEK** 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. JARABEK'S** history. **MS. JARABEK** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. JARABEK** shall abstain completely from the use of alcohol and products containing alcohol.

7. **Prior to requesting reinstatement by the Board, MS. JARABEK** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. JARABEK** shall provide the chemical dependency professional with a copy of this Order and the Order of Summary Suspension and Notice of Opportunity for Hearing. Further, **MS. JARABEK** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The 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. JARABEK's** license, and a statement as to whether **MS. JARABEK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. JARABEK** 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 chemical dependency professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. JARABEK's** license.
9. **Prior to requesting reinstatement by the Board, MS. JARABEK** shall, at her expense, obtain a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. JARABEK** shall provide the psychiatrist with a copy of this Order and the Order of Summary Suspension and Notice of Opportunity for Hearing. Further, **MS. JARABEK** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The 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. JARABEK's** license, and a statement as to whether **MS. JARABEK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. JARABEK** 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 psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. JARABEK's** license.
11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. JARABEK** 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. JARABEK'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. JARABEK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JARABEK's** history.
12. Within thirty (30) days prior to **MS. JARABEK** initiating drug screening, **MS. JARABEK** 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. JARABEK**.
  13. After initiating drug screening, **MS. JARABEK** 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. JARABEK** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  14. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. JARABEK** 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. JARABEK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. JARABEK**

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

#### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. JARABEK's license shall be subject to the following probationary terms, conditions, and limitations for not less than three (3) years.**

1. **MS. JARABEK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. JARABEK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. JARABEK** 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. JARABEK's** history. **MS. JARABEK** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. JARABEK** shall abstain completely from the use of alcohol and products containing alcohol.
5. **MS. JARABEK** 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. JARABEK'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. JARABEK** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JARABEK's** history.
6. Within thirty (30) days prior to **MS. JARABEK** initiating drug screening, **MS. JARABEK** 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. JARABEK**.
  7. After initiating drug screening, **MS. JARABEK** 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. JARABEK** 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.
  8. **MS. JARABEK** 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. JARABEK** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Employment Conditions**

9. Prior to accepting employment as a nurse, each time with every employer, **MS. JARABEK** shall notify the Board.
10. **MS. JARABEK** 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. JARABEK** shall provide her employer(s) with a copy of this Order and the Order of Summary Suspension 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 the Order of Summary Suspension and Notice of Opportunity for Hearing, including the date they were received. Further, **MS. JARABEK** is under a continuing duty to provide a copy of this Order and the Order of Summary

Suspension and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. JARABEK**

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. JARABEK** 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. JARABEK's suspension shall be lifted and MS. JARABEK's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. JARABEK** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JARABEK** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JARABEK** 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. JARABEK** has complied with all aspects of this Order; and (2) the Board determines that **MS. JARABEK** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JARABEK** and review of the reports as required herein. Any period during which **MS. JARABEK** 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 27th day of July, 2012.

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

**BOARD HEARING COMMITTEE PANEL**  
Severt, Leah J., R.N. 282682 (CASE #10-4231)

**Action:** It was moved by Janet Arwood, seconded by Susan Morano, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and ordered that **LEAH SEVERT'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 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke, Bertha Lovelace, Melissa Meyer and Tracy Ruegg abstaining.

Voelker, Cynthia A., R.N. 323667 (CASE #10-0097)

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and ordered that **CYNTHIA VOELKER'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 two (2) years with the conditions for reinstatement set forth below, and following reinstatement **MS. VOELKER'S** license be subject to the probationary terms and conditions set forth below for a minimum period of two (2) years and the permanent practice and narcotic restrictions set forth below.

The rationale for the modification is the following:

The Board has determined that the additional requirements and restrictions set forth in below are necessary to determine **MS. VOELKER'S** ability to return to safe nursing practice and for effective monitoring of **MS. VOELKER'S** practice should her license be reinstated.

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

1. **MS. VOELKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio and the terms and conditions imposed by the Lorain County Court of Common Pleas.
2. **MS. VOELKER** 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. VOELKER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. VOELKER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. VOELKER'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. VOELKER** shall pay a 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. VOELKER** 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. VOELKER's** history. **MS. VOELKER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. VOELKER** shall abstain completely from the use of alcohol and products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. VOELKER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. VOELKER** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. VOELKER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The 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. VOELKER's** license, and a statement as to whether **MS. VOELKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. VOELKER** 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 chemical dependency professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. VOELKER's** license.
9. **Prior to requesting reinstatement by the Board, MS. VOELKER** shall, at her expense, obtain a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. VOELKER** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension

- and Opportunity for Hearing. Further, **MS. VOELKER** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The 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. VOELKER's** license, and a statement as to whether **MS. VOELKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. VOELKER** 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 psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. VOELKER's** license.
  11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. VOELKER** 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. VOELKER'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. VOELKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VOELKER's** history.
  12. Within thirty (30) days prior to **MS. VOELKER** initiating drug screening, **MS. VOELKER** 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. VOELKER**.
  13. After initiating drug screening, **MS. VOELKER** 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. VOELKER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  14. **For a minimum, continuous period of two (2) years immediately prior**

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

### **Reporting Requirements of MS. VOELKER**

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. VOELKER's license shall be subject to the following probationary terms, conditions, and limitations for not less than two (2) years.**

1. **MS. VOELKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. VOELKER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. VOELKER** 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. VOELKER's** history. **MS. VOELKER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. VOELKER** shall abstain completely from the use of alcohol and products containing alcohol.
5. **MS. VOELKER** 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. VOELKER'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. VOELKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. VOELKER's** history.
6. Within thirty (30) days prior to **MS. VOELKER** initiating drug screening, **MS. VOELKER** 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. VOELKER**.
7. After initiating drug screening, **MS. VOELKER** 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. VOELKER** 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.

8. **MS. VOELKER** 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. VOELKER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Employment Conditions**

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

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. VOELKER** 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. VOELKER's suspension shall be lifted and MS. VOELKER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. VOELKER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. VOELKER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. VOELKER** 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. VOELKER** has complied with all aspects of this Order; and (2) the Board determines that **MS. VOELKER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. VOELKER** and review of the reports as required herein. Any period during which **MS. VOELKER** 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 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke, Bertha Lovelace, Melissa Meyer and Tracy Ruegg abstaining.

Smith, Patricia A., P.N. 072288 (CASE #10-5118)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board grant the State's Motion to Include Additional Evidence. It was further moved that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and Ordered that **PATRICIA A. SMITH'S** license to practice nursing as a licensed practical nurse in the State of Ohio be subject to probation for a period of three (3) months with the terms and conditions set forth below.

The rationale for the modification is the following:

The Board has determined that the additional requirements and restrictions set forth below are necessary for effective monitoring of **MS. SMITH'S** nursing practice during the probationary period.

**MS. SMITH's license shall be subject to the following probationary terms, conditions, and limitations for three (3) months.**

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

#### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MS. SMITH** shall notify the Board.
4. **MS. SMITH** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. SMITH** shall provide her employer(s) with a copy of this Order and Notice of 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. SMITH** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

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

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke, Bertha Lovelace, Melissa Meyer and Tracy Ruegg abstaining.

Elkins, Steven R., P.N. 116725 (CASE #10-1165)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board deny Respondent's Motion to Submit Additional Evidence dated July 11, 2012. It was further moved that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and ordered that **STEVEN ELKINS'S** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time and that the suspension be stayed subject to the probationary terms and conditions set forth below for a minimum period of two (2) years and the permanent practice restrictions and temporary narcotic restrictions set forth below.

The rationale for the modification is the following:

The Board finds there is no evidence of harm to patients and there is no evidence of a police report or criminal investigation of **MR. ELKINS** for theft. The Board has determined that a suspension period with conditions for reinstatement is not necessary prior to probationary monitoring of **MR. ELKINS'S** nursing practice. However, the additional requirements and restrictions set forth below are necessary for effective monitoring of **MR. ELKINS'S** nursing practice during the probationary period.

**MR. ELKINS's license shall be subject to the following probationary terms, conditions, and limitations for not less than two (2) years.**

1. **MR. ELKINS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. ELKINS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Within six (6) months of the effective date of this Order, **MR. ELKINS** shall complete and submit satisfactory documentation of his successful completion of the following continuing education approved in advance by the Board: eight (8) hours of Medication Administration.
4. Within six (6) months of the effective date of this Order, shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. ELKINS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. ELKINS's** criminal records check reports to the

- Board. A request for release will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
5. **MR. ELKINS** 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. ELKINS's** history. **MR. ELKINS** shall self-administer the prescribed drugs only in the manner prescribed.
  6. **Within ninety (90) days of the effective date of this Order, MR. ELKINS** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. ELKINS** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. ELKINS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The 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. ELKINS's** license, and a statement as to whether **MR. ELKINS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  7. **MR. ELKINS** 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 chemical dependency professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. ELKINS's** license.
  8. **Within sixty (60) days of the effective date of this Order and for a minimum, continuous period of six (6) months thereafter, MR. ELKINS** 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. ELKINS'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. ELKINS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ELKINS's** history.
  9. Within thirty (30) days prior to **MR. ELKINS** initiating drug screening, **MR. ELKINS** 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. ELKINS**.
10. After initiating drug screening, **MR. ELKINS** 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. ELKINS** 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.

### **Employment Conditions**

11. Prior to accepting employment as a nurse, each time with every employer, **MR. ELKINS** shall notify the Board.
12. **MR. ELKINS** 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. ELKINS** 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, **MR. ELKINS** 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. ELKINS**

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MR. ELKINS** 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.

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. ELKINS** has complied with all aspects of this

Order; and (2) the Board determines that **MR. ELKINS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. ELKINS** and review of the reports as required herein. Any period during which **MR. ELKINS** 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 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke, Bertha Lovelace, Melissa Meyer and Tracy Ruegg abstaining.

### **NO REQUEST FOR HEARING**

Barton, Carla L., R.N. 303234 (CASE #11-5252)

**Action:** It was moved by Roberta Stokes, seconded by Tracy Ruegg, that upon consideration of the charges stated against **CARLA LYNN BARTON** in the March 16, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BARTON'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. BARTON'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 one (1) year and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. BARTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BARTON** 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. BARTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BARTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BARTON'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. BARTON** 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: six (6) hours of Substance Abuse.

### **Monitoring**

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

#### **Reporting Requirements of MS. BARTON**

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

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

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

6. **MS. BARTON** 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. BARTON** 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. BARTON** 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. BARTON** 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. BARTON** 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. BARTON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BARTON** 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. BARTON** shall notify the Board.
11. **MS. BARTON** 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. BARTON** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BARTON** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. BARTON**

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

**MS. BARTON** 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. BARTON's suspension shall be lifted and MS. BARTON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BARTON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BARTON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BARTON** 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. BARTON** has complied with all aspects of this Order; and (2) the Board determines that **MS. BARTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BARTON** and review of the reports as required herein. Any period during which **MS. BARTON** 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 27th day of July, 2012.

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

Frey, Mary D., R.N. 207214 (CASE #09-5895)

**Action:** It was moved by Janet Arwood, seconded by Tracy Ruegg, that upon consideration of the charges stated against **MARY D. FREY** in the May 21, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FREY** 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.**

**FREY'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. FREY'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.

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

1. **MS. FREY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. FREY** 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. FREY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. FREY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. FREY'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. FREY** 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. FREY** shall submit documentation of restitution made to the victim of the crime in Franklin County Court of Common Pleas Case Number 09CR-06-3876.

#### **Monitoring**

6. **Prior to requesting reinstatement by the Board, MS. FREY** 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. FREY** 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. FREY's** license, and a statement as to whether **MS. FREY** is capable of practicing nursing according to

acceptable and prevailing standards of safe nursing care.

7. **MS. FREY** 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. FREY's** license.

#### **Reporting Requirements of MS. FREY**

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

**Following reinstatement, the suspension shall be stayed and MS. FREY's license shall be subject to the following probationary terms, conditions,**

**and limitations for a minimum period of three (3) years.**

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

5. **MS. FREY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. FREY** 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. FREY** 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. FREY** 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. FREY** 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. FREY** shall verify that the reports and documentation required by this

Order are received in the Board office.

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

### **FAILURE TO COMPLY**

The stay of **MS. FREY's** suspension shall be lifted and **MS. FREY's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. FREY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. FREY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. FREY** 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. FREY** has complied with all aspects of this Order; and (2) the Board determines that **MS. FREY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. FREY** and review of the reports as required herein. Any period during which **MS. FREY** 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 27th day of July, 2012.

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

Jackson, Shawna L., P.N. 133396 (CASE #12-0788)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board consolidate the January 2012 Notice of Immediate Suspension and Opportunity for Hearing and the March 2012 Notice of Immediate Suspension and Opportunity for Hearing. It was further moved that upon consideration of the charges stated against **SHAWNA LYNN JACKSON** in the January 20, 2012, and March 16, 2012 Notices of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JACKSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS.**

**JACKSON'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 March 22, 2012, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JACKSON'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, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

### **Reporting Requirements of MS. JACKSON**

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

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

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

### **Reporting Requirements of MS. JACKSON**

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JACKSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JACKSON** 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. JACKSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. JACKSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JACKSON** and review of the reports as required herein. Any period during which **MS. JACKSON** 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 27th day of July, 2012.

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

Aldred, Craig S., P.N. 144843 (CASE #11-4966)

**Action:** It was moved by J. Jane McFee, seconded by Susan Morano, that upon consideration of the charges stated against **CRAIG STEVEN ALDRED** in the March 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ALDRED** 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. ALDRED'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. ALDRED'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 **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MR. ALDRED** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. ALDRED** 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. ALDRED** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. ALDRED**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. ALDRED'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. ALDRED** 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: six (6) hours of Drugs and the Nurse, six (6) hours of Ethics, six (6) hours of Professionalism, and six (6) hours of Critical Thinking.

#### **Monitoring**

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

#### **Reporting Requirements of MR. ALDRED**

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

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

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

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

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

### **Temporary Narcotic Restriction**

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

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

### **Permanent Practice Restrictions**

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

**MR. ALDRED** 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. ALDRED's suspension shall be lifted and MR. ALDRED's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. ALDRED** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. ALDRED** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. ALDRED** 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. ALDRED** has complied with all aspects of this Order; and (2) the Board determines that **MR. ALDRED** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. ALDRED** and review of the reports as required herein. Any period during which **MR. ALDRED** 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 27th day of July, 2012.

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

Bartolo, Kathryn L., R.N. 283406 (CASE #11-4143)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **KATHRYN LEE (PARKS) BARTOLO** in the March 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARTOLO** 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. BARTOLO's** application for Licensure Renewal/Reinstatement or Reactivation to Practice Nursing as a Registered Nurse in Ohio is hereby denied, and her license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. BARTOLO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BARTOLO** 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. BARTOLO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BARTOLO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BARTOLO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. BARTOLO** shall submit documentation of her successful completion of all terms of the 2004 Final Order issued by the State of Michigan Department of Community Health Bureau of Health Professions Board of Nursing Disciplinary Subcommittee, and reinstatement of her license in the State of Michigan.

#### **Reporting Requirements of MS. BARTOLO**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Davis, Clifford P., R.N. 264303 (CASE #11-1532)

**Action:** It was moved by Susan Morano, seconded by J. Jane McFee, that upon consideration of the charges stated against **CLIFFORD PAUL DAVIS** in the March 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DAVIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. DAVIS'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CLIFFORD PAUL DAVIS** to surrender his frameable wall certificate for his registered nurse license R.N. #264303, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Michael, Monika R., P.N. 109796 (CASE #09-1169)

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

The Board further Orders **MONIKA R. MICHAEL** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #109796, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Olmeda, Wanda E., R.N. 221629, P.N. 075903 (CASE #11-2870)

**Action:** It was moved by Roberta Stokes, seconded by Susan Morano, that upon consideration of the charges stated against **WANDA ELISE MENDEZ OLMEDA** in the January 20, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. OLMEDA** 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. OLMEDA'S** licenses to practice nursing as a registered nurse and as a licensed practical nurse are hereby **PERMANENTLY REVOKED**.

The Board further Orders **WANDA ELISE MENDEZ OLMEDA** to surrender her frameable wall certificates for her registered nurse license, R.N. #221629, and her licensed practical nurse license, P.N. #075903, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Ringler, Maribeth, P.N. 032781 (CASE #10-1142)

**Action:** It was moved by Janet Arwood, seconded by Susan Morano, that upon consideration of the charges stated against **MARIBETH RINGLER** in the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RINGLER** 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. RINGLER's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. RINGLER'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, with **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

drugs only in the manner prescribed.

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

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

#### **Reporting Requirements of MS. RINGLER**

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

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

1. **MS. RINGLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RINGLER** 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. RINGLER** 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. RINGLER's** history. **MS. RINGLER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RINGLER** shall abstain completely from the use of alcohol and products containing alcohol.
5. During the probationary period, **MS. RINGLER** 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. RINGLER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RINGLER's** history.
6. **MS. RINGLER** 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. RINGLER** 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. RINGLER** 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. RINGLER** 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. RINGLER** 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. RINGLER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RINGLER** 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. RINGLER** shall notify the Board.
11. **MS. RINGLER** 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. RINGLER** 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. RINGLER** 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. RINGLER**

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. RINGLER** 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. RINGLER's suspension shall be lifted and MS. RINGLER's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. RINGLER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RINGLER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RINGLER** 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. RINGLER** has complied with all aspects of this Order; and (2) the Board determines that **MS. RINGLER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RINGLER** and review of the reports as required herein. Any period during which **MS. RINGLER** 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 27th day of July, 2012.

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

Robson, Tanya L., R.N. 314526 (CASE #07-2636)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **TANYA LYNN ROBSON** in the May 21, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ROBSON** 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. ROBSON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. ROBSON'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 **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

### **Monitoring**

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

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

#### **Reporting Requirements of MS. ROBSON**

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

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

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

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

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

### **Permanent Narcotic Restriction**

**MS. ROBSON** shall not administer, have access to, or possess (except as prescribed for **MS. ROBSON's** use by another so authorized by law who has

full knowledge of **MS. ROBSON's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. ROBSON** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. ROBSON** shall not call in or order prescriptions or prescription refills.

### **Permanent Practice Restrictions**

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

**MS. ROBSON** 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. ROBSON's** suspension shall be lifted and **MS. ROBSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. ROBSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ROBSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ROBSON** 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. ROBSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. ROBSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ROBSON** and review of the reports as required herein. Any period during which **MS. ROBSON** 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 27th day of July, 2012.

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

Raupach, Brian L., P.N. 098218 (CASE #11-5127)

**Action:** It was moved by J. Jane McFee, seconded by Melissa Meyer, that upon consideration of the charges stated against **BRIAN L. RAUPACH** in the January 20, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. RAUPACH** 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. RAUPACH'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **BRIAN L. RAUPACH** to surrender his frameable wall certificate for his licensed practical nurse license P.N. #098218, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Stephens, Ashley R., TC 1 03661 (CASE #11-4848)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **ASHLEY R. STEPHENS** in the January 20, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STEPHENS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. STEPHENS's** temporary certificate one to practice as a dialysis technician is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. STEPHENS's** temporary certificate one to practice as a dialysis technician shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year and the **Temporary Practice Restrictions** set forth below.

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

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

3. **Prior to seeking reinstatement by the Board, MS. STEPHENS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. STEPHENS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. STEPHENS'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. STEPHENS** shall, in addition to fulfilling the requirements necessary to maintain a certificate to practice as a dialysis technician, shall successfully complete and submit satisfactory documentation of successful completion of the following continuing education courses or other comparable course(s) approved in advance by the Board, taken subsequent to the effective date of this Order: eight (8) hours of Legal & Ethical Dilemmas.

#### **Reporting Requirements of MS. STEPHENS**

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

**Following reinstatement, the suspension shall be stayed and MS. STEPHENS's temporary certificate one to practice as a dialysis technician shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.**

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

#### **Reporting Requirements of MS. STEPHENS**

3. **MS. STEPHENS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
4. **MS. STEPHENS** shall submit any and all information that the Board may request regarding her ability to practice as a dialysis technician according to acceptable and prevailing standards of safe practice.
5. **MS. STEPHENS** 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.
6. **MS. STEPHENS** 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.
7. **MS. STEPHENS** 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.
8. **MS. STEPHENS** shall verify that the reports and documentation required by this Order are received in the Board office.
9. **MS. STEPHENS** 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.

10. Prior to working as a dialysis technician, if requested by the Board or its designee, **MS. STEPHENS** shall complete a dialysis technician refresher course or extensive orientation approved in advance by the Board.

### **Temporary Practice Restrictions**

**MS. STEPHENS** shall not practice as a dialysis technician (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) as a dialysis technician for staffing agencies or pools; (4) as an independent provider where the dialysis technician provides dialysis technician care and is reimbursed for services by the State of Ohio through State agencies or agents of the State.

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Stevens, Karen C., P.N. 107404 (CASE #11-3447)

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that upon consideration of the charges stated against **KAREN CELESTE STEVENS** in the January 20, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STEVENS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. STEVENS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. STEVENS'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, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

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

#### **Monitoring**

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

(24) hours of release from hospitalization or medical treatment.

11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. STEVENS** 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. STEVENS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. STEVENS**

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

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

1. **MS. STEVENS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STEVENS** 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. STEVENS** 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. STEVENS's** history. **MS. STEVENS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. STEVENS** shall abstain completely from the use of alcohol and products containing alcohol.
5. During the probationary period, **MS. STEVENS** 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. STEVENS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STEVENS's** history.
6. **MS. STEVENS** 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. STEVENS** 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. STEVENS** 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. STEVENS** 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. STEVENS** 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. STEVENS** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. STEVENS** 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. STEVENS** shall notify the Board.
11. **MS. STEVENS** 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. STEVENS** shall provide her employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. STEVENS** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

### **Reporting Requirements of MS. STEVENS**

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. STEVENS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. STEVENS** 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. STEVENS** has complied with all aspects of this Order; and (2) the Board determines that **MS. STEVENS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STEVENS** and review of the reports as required herein. Any period during which **MS. STEVENS** 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 27th day of July, 2012.

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

Smith, Jonas L., P.N. 111793 (CASE #11-4408)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **JONAS SMITH** in the January 20, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SMITH** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. SMITH'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JONAS SMITH** to surrender his frameable wall certificate for his licensed practical nurse license P.N. #111793, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Daniels, Pamela S., P.N. 104094 (CASE #11-1808)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **PAMELA SUE DANIELS** in the March 16, 2012 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS.**

**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, and the Ohio Board of Nursing ORDERS that **MS. DANIELS'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. DANIELS'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, with **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. DANIELS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DANIELS** 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. DANIELS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DANIELS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DANIELS'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. DANIELS** 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: six (6) hours of Substance Abuse.

#### **Monitoring**

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

### **Reporting Requirements of MS. DANIELS**

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

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

1. **MS. DANIELS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DANIELS** 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. DANIELS** 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. DANIELS's** history. **MS. DANIELS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DANIELS** shall abstain completely from the use of alcohol and products containing alcohol.
5. During the probationary period, **MS. DANIELS** 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. DANIELS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DANIELS's** history.
6. **MS. DANIELS** 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. DANIELS** 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. DANIELS** 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. DANIELS** 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. DANIELS** 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. DANIELS** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DANIELS** 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. DANIELS** shall notify the Board.
11. **MS. DANIELS** 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. DANIELS** 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. DANIELS** 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. DANIELS**

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. DANIELS** 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. DANIELS's suspension shall be lifted and MS. DANIELS's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. DANIELS** has violated or

breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DANIELS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DANIELS** 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. DANIELS** has complied with all aspects of this Order; and (2) the Board determines that **MS. DANIELS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DANIELS** and review of the reports as required herein. Any period during which **MS. DANIELS** 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 27th day of July, 2012.

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

Mikula, Michael A., R.N. 181111 (CASE #10-5126)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board consolidate the September 2010 Notice of Automatic Suspension and the July 2011 Notice of Immediate Suspension and Opportunity for Hearing. It was further moved that upon consideration of the charges stated against **MICHAEL A. MIKULA** in the Notices and evidence supporting the charges, the Board finds that **MR. MIKULA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MR. MIKULA'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MICHAEL A. MIKULA** to surrender his frameable wall certificate for his registered nurse license R.N. #181111, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Goff, Michael N., R.N. 255243 (CASE #12-0401)

**Action:** It was moved by J. Jane McFee, seconded by Melissa Meyer, that upon consideration of the charges stated against **MICHAEL NELSON GOFF** in the March 16, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. GOFF** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code

Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. GOFF'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, **MR. GOFF'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.

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

1. **MR. GOFF** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. GOFF** 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. GOFF** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. GOFF**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. GOFF'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. GOFF** 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: six (6) hours of Alcohol and the nurse, ten (10) hours of Professionalism, and one (1) hour of Ohio Nursing Law and Rules.

#### **Monitoring**

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

### **Reporting Requirements of MR. GOFF**

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

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

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

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

### **Reporting Requirements of MR. GOFF**

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

### **FAILURE TO COMPLY**

**The stay of MR. GOFF's suspension shall be lifted and MR. GOFF's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. GOFF** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. GOFF** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. GOFF** 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. GOFF** has complied with all aspects of this Order; and (2) the Board determines that **MR. GOFF** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. GOFF** and review of the reports as required herein. Any period during which **MR. GOFF** 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 27th day of July, 2012.

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

Barnes, Utelius, P.N. 120055 (CASE #11-0030)

**Action:** It was moved by Melissa Meyer, seconded by Tracy Ruegg, that upon consideration of the charges stated against **UTELIUS BARNES** in the March 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BARNES** 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. BARNES's** license to practice nursing as a licensed practical nurse is hereby suspended and that suspension is stayed subject the probationary

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

**MR BARNES's license to practice nursing as a licensed practical nurse shall be subject to the following probationary terms, conditions, and limitations:**

1. **MR. BARNES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. BARNES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Within six (6) months of the effective date of this Order, MR. BARNES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. BARNES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. BARNES's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Within six (6) months of the effective date of this Order, MR. BARNES** 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. BARNES** 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. BARNES's** history. **MR. BARNES** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. BARNES** shall abstain completely from the use of alcohol and products containing alcohol.
7. **Within three (3) months of the effective date of this Order, MR. BARNES** 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. BARNES** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. BARNES** 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. BARNES's** license, and a statement as to whether **MR. BARNES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. BARNES** 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. BARNES's** license.
  9. **Within forty-five (45) days of the effective date of this Order, during the probationary period, MR. BARNES** shall begin submitting, 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. BARNES** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. BARNES's** history.
  10. **MR. BARNES** 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. BARNES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Treating Practitioners and Reporting**

11. **Prior to initiating screens, MR. BARNES** 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. BARNES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
12. **MR. BARNES** 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.**

**BARNES** throughout the duration of this Order.

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

### **Employment Conditions**

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

16. **MR. BARNES** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
17. **MR. BARNES** 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.
18. **MR. BARNES** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
19. **MR. BARNES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
20. **MR. BARNES** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
21. **MR. BARNES** shall verify that the reports and documentation required by this Order are received in the Board office.

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

### Temporary Practice Restrictions

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

**MR. BARNES** 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. BARNES's** suspension shall be lifted and **MR. BARNES's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. BARNES** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. BARNES** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. BARNES** 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. BARNES** has complied with all aspects of this Order; and (2) the Board determines that **MR. BARNES** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. BARNES** and review of the reports as required herein. Any period during which **MR. BARNES** 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 27th day of July, 2012.

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

Lamb, Trisha M., P.N. 125704 (CASE #10-1160)

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **TRISHA M. LAMB** in the January 21, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LAMB** 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. LAMB'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TRISHA M. LAMB** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #125704, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

Walls, Regina A., PN NCLEX (CASE #12-0602)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that upon consideration of the charges stated against **REGINA ANN WALLS** in the March 16, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WALLS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. WALLS's** application for licensure by examination to practice nursing as a registered nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

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

#### **WITHDRAW NOTICE OF OPPORTUNITY FOR HEARING**

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board withdraw the Notices of Opportunity for the Prewitt, Sandra L., R.N. 258853 (CASE #11-3849) and Gundrum, Lukas A., P.N. 133529 (CASE #10-4345).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

#### **TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by Susan Morano, 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. for Eaton, Alicia R., P.N. 100003 (CASE #12-1615).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

#### **DEFAULT ORDERS**

McGlosson, Bradley D., P.N. NCLEX (CASE #10-5687)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the May 5, 2011 examination order and the findings contained in the September 2011 Default Order, the Board finds that **MR. MCGLOSSON** has committed acts in violation of the Nurse Practice Act, as set forth in the September 2011 Default Order, and the Board orders that **MR. MCGLOSSON's** application to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, as of September 23, 2011, with conditions for reapplication set forth in the September 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Yeager, Terrell L., P.N. endorse (CASE #09-1758)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the February 8, 2011 examination order and the findings contained in the September 2011 Default Order, the Board finds that **MR. YEAGER** has committed acts in violation of the Nurse Practice Act, as set forth in the September 2011 Default Order, and the Board orders that **MR. YEAGER's** application to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, as of September 23, 2011, with conditions for reapplication set forth in the September 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Gibson, Robert W., R.N. 246230 (CASE #10-4840)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the October 25, 2011 examination order and the findings contained in the May 2012 Default Order, the Board finds

that **MR. GIBSON** has committed acts in violation of the Nurse Practice Act, as set forth in the May 2012 Default Order, and the Board orders that **MR. GIBSON's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 18, 2012, with conditions for reinstatement set forth in the May 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Quail , Sherry C., R.N. 270181 (CASE #11-3519)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the October 25, 2011 examination order and the findings contained in the March 2012 Default Order, the Board finds that **MS. QUAIL** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2012 Default Order, and the Board orders that **MS. QUAIL's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of March 16, 2012, with conditions for reinstatement set forth in the March 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Thompson, Gaila A., P.N. 095142 (CASE #11-0852)

**Action:** It was moved by Tracy Ruegg, seconded by Janet Arwood, that upon consideration of the allegations contained in the November 22, 2011 examination order and the findings contained in the March 2012 Default Order, the Board finds that **MS. THOMPSON** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2012 Default Order, and the Board orders that **MS. THOMPSON's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of March 16, 2012, with conditions for reinstatement set forth in the March 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Hunter, Carol M., R.N. 223461 (CASE #11-4126)

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the January 12, 2012 examination order and the findings contained in the May 2012 Default Order, the Board finds

that **MS. HUNTER** has committed acts in violation of the Nurse Practice Act, as set forth in the May 2012 Default Order, and the Board orders that **MS. HUNTER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 18, 2012, with conditions for reinstatement set forth in the May 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

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

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the allegations contained in the February 10, 2011 examination order and the findings contained in the July 2011 Default Order, the Board finds that **MR. EDMUNDS** has committed acts in violation of the Nurse Practice Act, as set forth in the July 2011 Default Order, and the Board orders that **MR. EDMUNDS's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of July 29, 2011, with conditions for reinstatement set forth in the July 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Farley, Regina M., R.N. 275125 (CASE #11-2098)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that the board find that **MS. FARLEY** 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 **MS. FARLEY** has admitted the truth of the allegations set forth in the March 16, 2012 Examination Order issued to **MS. FARLEY** and that **MS. FARLEY's** ability to provide safe nursing care is impaired. The Board ORDERS that **MS. FARLEY'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. FARLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MS. FARLEY** 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. FARLEY** shall, at her own expense, submit to a mental health examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Scott Bresler, (hereinafter "Examiner"), located at 260 Stetson St., Suite 3200, Cincinnati, Ohio 45219. Prior to the evaluation, **MS. FARLEY** shall provide the Examiner with a copy of this Order and the March 16, 2012 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. FARLEY's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. FARLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. FARLEY** 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. FARLEY** 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. FARLEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. FARLEY** 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. FARLEY** 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. FARLEY** 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. FARLEY** 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. FARLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. FARLEY** 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. FARLEY** is hereby informed that **MS. FARLEY** is entitled to a hearing on this matter. If **MS. FARLEY** 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. FARLEY** is hereby further informed that, if **MS. FARLEY** timely requests a hearing, **MS. FARLEY** is entitled to appear at such hearing in person, by **MS. FARLEY's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. FARLEY** may present **MS. FARLEY's** position, arguments, or contentions in writing. At the hearing **MS. FARLEY** may also present evidence and examine witnesses appearing for and against **MS. FARLEY**.

Should **MS. FARLEY** 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](mailto:hearing@nursing.ohio.gov)**.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Summerford, Carrie A., R.N. 290538 (CASE #11-0707)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board find that **MS. SUMMERFORD** 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 **MS. SUMMERFORD** has admitted the truth of the allegations set forth in the February 22, 2012 Examination Order issued to **MS. SUMMERFORD** and that **MS. SUMMERFORD's** ability to provide safe

nursing care is impaired. The Board ORDERS that **MS. SUMMERFORD'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. SUMMERFORD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SUMMERFORD** 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. SUMMERFORD** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, (hereinafter "Examiner"), Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MS. SUMMERFORD** shall provide the Examiner with a copy of this Order and the February 22, 2012 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. SUMMERFORD's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. SUMMERFORD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. SUMMERFORD** 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. SUMMERFORD** 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. SUMMERFORD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.

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

Should **MS. SUMMERFORD** 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](mailto:hearing@nursing.ohio.gov).**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Todd, Alan J., R.N. 291061 (CASE #11-2879)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board find that **MR. TODD** 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 **MR. TODD** has admitted the truth of the allegations set forth in the March 16, 2012 Examination Order issued to **MR. TODD** and that **MR. TODD's** ability to provide safe nursing care is impaired. The Board **ORDERS** that **MR. TODD'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. **MR. TODD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. TODD** 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. TODD** shall, at his expense, submit to a psychiatric examination, specifically addressing his capacity to function in a clinical nursing capacity, by Dr. Stephen Pariser, The Ohio State University Harding Hospital, located at 1670 Upham Dr., Fifth Floor, Columbus, Ohio ("Examiner"). Prior to the evaluation, **MR. TODD** shall provide the Examiner with a copy of this Order and the March 16, 2012 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. TODD's** practice. The Examiner shall provide an opinion to the Board regarding whether **MR. TODD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MR. TODD** 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 treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MR. TODD** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

Should **MR. TODD** 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](mailto:hearing@nursing.ohio.gov).**

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Gadberry, Joy L., R.N. 256767 (CASE #11-1158)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that the Board find that **MS. GADBERRY** has admitted the truth of the allegations set forth in the March 16, 2012 Examination Order issued to **MS. GADBERRY** and that **MS. GADBERRY's** ability to provide safe nursing care is impaired. The Board ORDERS that **MS. GADBERRY'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. GADBERRY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GADBERRY** 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. GADBERRY** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, (hereinafter "Examiner"), Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MS. GADBERRY** shall provide the Examiner with a copy of this Order and the March 16, 2012 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. GADBERRY's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. GADBERRY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. GADBERRY** 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. GADBERRY** 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. GADBERRY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. GADBERRY** 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. GADBERRY** 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. GADBERRY** 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. GADBERRY** 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. GADBERRY** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. GADBERRY** 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. GADBERRY** is hereby informed that **MS. GADBERRY** is entitled to a hearing on this matter. If **MS. GADBERRY** 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. GADBERRY** is hereby further informed that, if **MS. GADBERRY** timely requests a hearing, **MS. GADBERRY** is entitled to appear at such hearing in person, by **MS. GADBERRY's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. GADBERRY** may present **MS. GADBERRY's** position, arguments, or contentions in writing. At the hearing

**MS. GADBERRY** may also present evidence and examine witnesses appearing for and against **MS. GADBERRY**.

Should **MS. GADBERRY** 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 and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

Shelly, Brenda F., P.N. 104046 (CASE #10-0562)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board find that **MS. SHELLY** has admitted the truth of the allegations set forth in the February 27, 2012 Examination Order issued to **MS. SHELLY** and that **MS. SHELLY's** ability to provide safe nursing care is impaired. The Board ORDERS that **MS. SHELLY'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. **MS. SHELLY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SHELLY** 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. SHELLY** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, (hereinafter "Examiner"), Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055. Prior to the evaluation, **MS. SHELLY** shall provide the Examiner with a copy of this Order and the February 27, 2012 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. SHELLY's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. SHELLY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MS. SHELLY** 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. SHELLY** 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. SHELLY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. SHELLY** 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. SHELLY** 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. SHELLY** 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. SHELLY** 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. SHELLY** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. SHELLY** 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. SHELLY** is hereby informed that **MS. SHELLY** is entitled to a hearing on this matter. If **MS. SHELLY** 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. SHELLY** is hereby further informed that, if **MS. SHELLY** timely requests a hearing, **MS. SHELLY** is entitled to appear at such hearing in person, by **MS. SHELLY's** attorney, or by such other representative as is permitted to practice

before the Board, or **MS. SHELLY** may present **MS. SHELLY's** position, arguments, or contentions in writing. At the hearing **MS. SHELLY** may also present evidence and examine witnesses appearing for and against **MS. SHELLY**.

Should **MS. SHELLY** 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 and is hereby entered upon the Journal of the Board for the 27th day of July, 2012.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

#### **VOLUNTARY RETIREMENT**

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for Cornwell, Margie, P.N. 102979 (CASE #11-4705) and Board, Judy A, R.N. 204367 (CASE #12-0030).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Robeta Stokes abstaining.

#### **MONITORING**

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

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

Bauer II, Rocky M., R.N. 317048 (CASE #09-5865); Johnson, Tracie L., R.N. 258220 (CASE #09-2951); Staffrey, Brenda M., P.N. 131989 (CASE #07-0589); Indermuhle, Cori A., P.N. 138868 (CASE #10-1140); Chalfant, Sandra S., R.N. 252945 (CASE #08-1198); Peterson, Miesha V., P.N. 144845 (CASE #11-0952); West, Natasha N., P.N. 144242 (CASE #10-3243); Stone, Amanda D., P.N. 125676 (CASE #08-0589); Terry, Lesleigh M., TC1 03344 (CASE #09-5341); Dial, Teasha S., R.N. 370044 (CASE #11-0184); Blackburn, Deborah J., P.N. 082298 (CASE #09-4967); Grills, Keirra M., P.N. 144238 (CASE #10-4845); Addison, Mike, R.N. 350264 (CASE #09-3130); Alm, Kelsey L., P.N. 136316 (CASE #09-3961); Bockmiller, Nicholas M., P.N. 141757 (CASE #10-2896); Lineback, Jeffrey W., P.N. 144230 (CASE #10-5272); Valdry, Sherie L.,

P.N. 140698 (CASE #09-6157); and Hitchcock, Lynne A., R.N. 193188 (CASE #07-0891).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

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

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

Demarchi, Ryan J., R.N. 304164 (CASE #07-2393); Hamilton, Antoinette J., R.N. 363197 (CASE #10-2274); Schwartz, Barbara A., R.N. 306361 (CASE #10-0458); Sanchez, Elizabeth E., P.N. 071002 (CASE #05-0601); Freeman, Melissa S., P.N. 099540 (CASE #05-2555); and Holman, Tonesia T., P.N. 139071 (CASE #09-5045).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

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

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their respective Consent Agreements with the exception of the permanent practice restrictions that will remain in effect:

Flanigan, Lucinda L., R.N. 252228 (CASE #09-3140).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

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

**Action:** It was moved by Janet Arwood seconded by Tracy Ruegg, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their respective Consent Agreements with the exception of the temporary practice restrictions that will remain in effect:

Taylor, Debbie R., D.T. 00463 (CASE #10-0003).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

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

**Action:** It was moved by J. Jane McFee, seconded by Susan Morano, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their respective Consent Agreements with the exception of the permanent practice and narcotic restrictions that will remain in effect:

Davis, Arthur J., R.N. 164687 (CASE #06-0593) and Orr, Laurie D. R., R.N. 217322 (CASE #08-4044).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**LIFT OF TEMPORARY PRACTICE 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 practice restriction(s) within their Consent Agreements:

Clay, Beverly A., P.N. 121878 (CASE #05-2993).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**LIFT OF TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Janet Arwood, 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 restriction(s) within their Consent Agreements:

Gavaliar, Kara M., R.N. 261582 (CASE #09-4456); Bujakowski, Raven, R.N. 302818 (CASE #11-1192); Wright, Carolyn C., R.N. 329825 (CASE #11-2558); Myers, Julie A., P.N. 147880 (CASE #11-3442); Kratko, Meghan C., R.N. 292091 (CASE #09-5874); Leasure, Katrina M., R.N. 344045 (CASE #10-0489); Wesley, and Linda D., R.N. 273721, P.N. 093422 (CASE #08-3266).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**LIFT OF SUSPENSION ON CERTIFICATE TO PRESCRIBE**

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that the Board reinstate the certificate to prescribe for Coffey, Barbara E., R.N. 102475, NP 08600, RX 08600 (CASE #11-0738).

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**MOTION TO APPROVE**

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

Harding, Christina L., P.N. 118588 (CASE #07-2943)- Administration of narcotics, other controlled substances, and mood altering drugs during employment with Hearth and Care Rehabilitation and Nursing in Greenfield, Ohio.

Michell, Leslie, R.N. 353449, P.N. 120937 (CASE #10-2230)- Director of Nursing position with Traditions of Stygler Road in Gahanna, Ohio.

Abbott (Short), Paula F., NP 08849, RX 08849 (CASE #12-1237)- Employment as a Nurse Practitioner with Infinity NP.

Williams, Jacquelyn L., R.N. 380325 (CASE #11-3027)- Approval to seek nursing employment.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**MOTION TO ACCEPT SPECIFIC EMPLOYMENT ONLY**

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that the temporary practice restriction for Heine, Leslie A., R.N. 368745 (CASE #10-4986), be modified to include employment as an RN performing home care for her current employer, Complete Healthcare Services.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**Action:** It was moved by Maryam Lyon, seconded by Sue Morano that Benson, Clista L., R.N. 329975 (CASE #09-3757) be approved for employment as a supervisory Resource Nurse with Riverview Health Institute.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that Hans, Lisa K., R.N. 243730 (CASE #10-3853) be approved to accept a nursing position as a Team Supervisor for the American Red Cross.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

### **MISCELLANEOUS MOTIONS**

**Action:** It was moved by J. Jane McFee, seconded by Janet Arwood, that the completion of the nurse refresher course for Watson , Kim R., R.N. 304007 (CASE #09-3172) be approved pursuant to Ms. Watson's May 2011 Adjudication Order.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

**Action:** It was moved by Susan Morano, seconded by Maryam Lyon, that Donkor, Victoria, P.N. 147884 (CASE #11-4539) be released from the temporary practice restriction regarding adults 65 years and older.

Motion adopted by majority vote of the Board members with Judith Church, Lisa Klenke and Roberta Stokes abstaining.

### **REPORTS TO THE BOARD**

#### **Open Forum – Friday, July 27, 2012 at 10:00 a.m.**

Garalynn Thomas, RN, CRNA, President of the Ohio Association of Nurse Anesthetists, addressed the Board regarding the scope of CRNA practice and Senate Bill 228/House Bill 485.

Doris Edwards, RN, EdD, Dean of Nursing Emerita at Capital University, addressed the Board regarding support of a legislative mandate that would require nurses to obtain a baccalaureate degree within ten years of licensure, and a resolution to NCSBN to support such a mandate as a means to meet the IOM recommendation that 80 percent of nurses attain a baccalaureate degree in nursing by 2020.

Mary Beth Mathews, RN, PhD, addressed the Board regarding support of a legislative mandate that would require nurses to obtain a baccalaureate degree within ten years of licensure, and a resolution to NCSBN to support such a mandate as a means to meet the IOM recommendation that 80 percent of nurses attain a baccalaureate degree in nursing by 2020.

Jeri Milstead, RN, PhD, retired Dean of Nursing, University of Toledo, addressed the Board regarding support of a legislative mandate that would require nurses to obtain a baccalaureate degree within ten years of licensure, and a resolution to NCSBN to support such a mandate as a means to meet the IOM recommendation that 80 percent of nurses attain a baccalaureate degree in nursing by 2020.

Scott Rodger, Executive Director of Ohio Valley College of Technology (OVCT), and Carla Douglas, RN, Program Administrator for OVCT School of Nursing Associate Degree in Nursing Program, addressed the Board about the Program's commitment to provide quality nursing education and comply with the Consent Agreement.

### **Advisory Group Reports**

#### **Continuing Education (June 15)**

L. Robinson reported that the Advisory Group on Continuing Education reviewed the proposed revisions for Chapter 4723-14, OAC, and the proposed rules related to continuing education requirements based on the passage of SB 83. In addition, a continuing education activity was provided.

#### **Nursing Education (June 14)**

J. Church and L. Emrich reported that the meeting of the Advisory Group on Nursing Education focused on a comparison of accrediting standards to the regulatory requirements of Chapter 4723-5, OAC, for nursing education programs. The accrediting entities are the National League of Nursing Accrediting Commission (NLNAC) and the Commission on Collegiate Nursing Education (CCNE).

The review was conducted due to the recommendation by the NCSBN Education Committee that all pre-license nursing education programs become accredited by a U.S. Department of Education recognized national nursing accredited agency (either NLNAC or CCNE) no later than 2020. Further, the recommendation specifies that nursing boards could accept programs' national accreditation status and the program materials prepared for accreditation to demonstrate that the education program would be eligible for board approval. Boards could conduct program surveys "as necessary."

This recommendation will be included in the proposed revised Model Act and Rules that will be voted on at the 2012 NCSBN Annual Meeting and Delegate Assembly. The Advisory Group was asked for its review and comments on the proposed changes.

The Advisory Group identified requirements of Chapter 4723-5, OAC, that are not contained in the NLNAC or CCNE standards, and also expressed the following comments and concerns:

- Education programs could incur additional business expenses to obtain and maintain CCNE or NLNAC accreditation.
- NLNAC or CCNE accreditation is voluntary and intended to "build" upon the foundation of existing regulatory requirements, e.g., Chapter 4723-5, OAC, not to replace state requirements.
- Accreditation is renewed every eight years, which is too long. Board surveys are conducted every five years and more frequently as necessary.

- There is value in the Board conducting surveys to ensure that the education program continues to meet fundamental, regulatory requirements.
- The accreditation standards require a qualification standard for faculty that could create an even greater faculty shortage. The accreditation standard requires each faculty member to have a graduate degree with a major in nursing, while Chapter 4723-5, OAC, allows for a BSN prepared nurse to have a graduate degree in another field.
- Both the NLNAC and CCNE require education program NCLEX pass rates to be at or above the national average. This is a higher standard than the Board requirement that is 95% of the national average.

The Advisory Group concluded that they were not in favor of requiring programs to be accredited and accepting accreditation status and/or materials in lieu of conducting Board survey visits to educational programs.

Although there is no requirement that nursing boards implement the Model Rules if they are adopted by the Delegate Assembly, the Ohio Delegates and representatives attending the meeting asked for the Board's direction. After discussion, the Board stated they agreed with the concerns of the Advisory Group. B. Lovelace stated that the Board monitoring and evaluation of compliance with regulatory requirements assists programs remain in compliance or correct areas of deficiency that results in the goal of a quality nursing education for students and future practicing nurses.

In addition, L. Emrich discussed an inconsistency between the NCSBN Model Act and the Model Rules. The Model Act includes the teaching of nursing theory and practice within the scope of registered nursing practice. However the Model Rules for prelicensure nursing education programs allow for interprofessional faculty, which means that individuals who are not licensed nurses, could teach nursing courses.

### **Dialysis (June 12)**

Maryam Lyon, L. Emrich, and L. Robinson reported that the Advisory Group on Dialysis discussed continuation of Board approval of dialysis technician training programs that are federally certified. Federal regulations are now in effect so that programs are federally certified and also approved by the Board. The intent of reviewing the certification of dialysis technician training programs is for the Board to streamline processes and decrease regulatory duplication, if possible.

Board staff compared the federal and state regulations to delineate the similarities and differences and discuss the approval of dialysis technician training programs. The Advisory Group raised additional questions and the Board staff agreed to contact the Ohio Department of Health to learn more about their survey processes.

### **Appointment to the Advisory Group on Dialysis**

**Action:** It was moved by Susan Morano, seconded by Roberta Stokes, that the Board appoint Susan Blankschaen as the Renal Network representative for the Advisory Group on Dialysis for the term of 2012 through 2013. Motion adopted by unanimous vote of the Board members.

### **Appointment to Committee on Prescriptive Governance**

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board appoint Jeanne Bauer, Certified Nurse Midwife, to the Committee on Prescriptive Governance, in accordance with Section 4723.49 ORC, for a term of three years effective July 26, 2012. Motion adopted by unanimous vote of the Board members.

## **Other Reports**

### **NEGP Second Quarter Report**

The Board reviewed the second quarter report for the Nurse Education Grant Program (NEGP).

### **Request for APN Advisory Group**

On April 19, 2012, B. Lovelace and Board staff met with representatives from the Ohio Nurses Association (ONA), Ohio Association of Advanced Practice Nurses (OAAPN), and Ohio State Association of Nurse Anesthetists (OSANA) and their lobbyists. The associations requested that the Board establish an APN Advisory Group.

Board staff researched how other boards of nursing use APN committees/advisory groups and provided that information to the Board. The Board discussed the use of both Advisory Groups and Board Committees. T. Ruegg supported focusing on APN issues through an Advisory Group. J. Church asked about the role of the professional organization related to APN issues. Lisa Klenke related that in the past she served as Chairs for Board Committees and participated in Advisory Groups. Based on her experience, she views Board Committees as more open and dynamic, noting that generally there are not as many actions or accomplishments generated by Advisory Groups, when compared to Board Committees. She stated that Board Committees have a greater focus on issues and benefit from a larger and more diverse participation. J. Church stated that she believed a Board Committee would be more beneficial than an Advisory Group. The Board agreed by general consensus that if an APN group convenes, the best structure would be a Board Committee.

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that discussion on the topic be extended by 15 minutes. Motion adopted by unanimous vote of the Board members.

T. Ruegg asked about the number and type of APN practice questions the Board receives. Staff will compile this information and provide it to the Board at a future meeting. B. Houchen stated she could contact the APN representatives to discuss convening a Board Committee. Several Board members expressed confusion regarding the intent for convening a committee and asked what issues have not been discussed or are not being handled by the Board.

**Action:** It was moved by Tracy Ruegg, seconded by J. Jane McFee, that discussion on the topic be extended by 15 minutes. Motion adopted by unanimous vote of the Board members.

It was noted that there are currently five APNs on the Board and there is a statutory requirement that there always be one APN representative on the Board. J. McFee expressed her belief that the Board should be careful to represent all of nursing and she does not want to fragment the Board by creating additional specialty groups. M. Meyer stated that if a committee is convened, it is important for the Board to be clear and transparent about the intent of the committee. She noted that the Board always has the ability to convene Board Committees as issues arise. B. Lovelace asked if the Board would like her and staff to meet with the representatives again, and the Board agreed.

#### **Report on the Ohio Action Coalition**

Sue Morano provided a report about the meeting of the Ohio Action Coalition (Coalition) held on June 21, 2012. She and B. Houchen attended along with other participants representing nursing education, practice, and administration.

The speaker and facilitator was Patricia D. Farmer, DNP, FNP-BC, RN, Consultant to the Center to Champion Nursing in America (CCNA), who discussed four models of education progression that other states are successfully implementing. She encouraged Ohio to pursue one or more of the models or identify its own model. Additional highlights of Dr. Farmer's presentation were as follows:

- She noted there is disharmony between proprietary schools and traditional schools, but the two must connect. On-line and proprietary programs are here to stay. Their strengths are scheduling, location, and convenience.
- CCNA is only supporting schools that have national accreditation, for both the institution and the nursing education program.
- Many contend there are enough RN to BSN education programs available, however, the existing ones are expensive and the on-line programs are not conducive to all students. Further, for nurses in rural

areas, broadband capability is often unavailable or so limited that on-line courses or programs are not practical.

- CCNA takes no stand on a legislative mandate for a BSN in Ten and she stated it is not appropriate for any Action Coalition to take a stand on a legislative mandate. The focus of the Coalition is to identify strategies for nursing education to develop education progression models to enable larger numbers of nurses to advance their education.

On July 23<sup>rd</sup>, the Coalition convened a Steering Committee conference call. Most of the discussion was about re-organization and convening the workgroups.

S. Morano stated that it is a pleasure to represent the Board on the Coalition, and that it represents a unique opportunity for nursing in Ohio to move forward in a united manner to accomplish the recommendations of the IOM Report.

The Board received an article, "Analyzing the Relationship Between Nursing Education and Patient Outcomes," published in the *Journal of Nursing Regulation*, July 2012.

### **Peripherally Inserted Central Catheters**

L. Emrich reported that the Board requested information from the Medical Board in February 2012 regarding physician practices concerning verification of Peripherally Inserted Central Catheter (PICC) tip location utilizing a new technology called the Sapiens TCS. The Sapiens TCS incorporates EKG "P-wave" changes as the PICC is inserted, enabling the clinician to verify PICC tip location for purposes of initiating the infusion through the PICC. As a result, patients who meet certain criteria for use of the Sapiens TCS may avoid x-ray exposure to verify the PICC tip location and their infusion therapy may be initiated at the time the PICC is placed and its location is verified.

**Action:** It was moved by Susan Morano, seconded by Melissa Meyer, that discussion on the topic be extended by 15 minutes. Motion adopted by unanimous vote of the Board members.

The Board discussed PICC lines and clarified that this topic is about verification of the PICC line with the use of new technology.

**Action:** It was moved by Tracy Ruegg, seconded by Susan Morano, that discussion on the topic be extended by 15 minutes. Motion adopted by unanimous vote of the Board members.

After discussion, the Board agreed by general consensus that staff would draft an Interpretative Guideline for the Board to review about registered nurses using the this device to verify PICC tip location.

**GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

**BOARD GOVERNANCE**

**Designation of Hotel for 2013**

Board members agreed by general consensus to continue to use the same hotel in 2013. Joseph Kirk will provide information for Board members to make their reservations for 2013 at the September meeting.

**Board Governance Survey**

The Board agreed by general consensus that B. Houchen will incorporate the proposed additional revisions to the survey questions and send a copy of the survey to Board members.

**Appointment of Hearing Officer**

**Action:** It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board, pursuant to Section 119.09, Ohio Revised Code, appoint Brian Forbes as a Hearing Examiner. Motion adopted by unanimous vote of the Board members.

**EVALUATION OF MEETING AND ADJOURNMENT**

The meeting adjourned on Thursday, July 26, 2012 at 3:06 p.m. The meeting adjourned on Friday, July 27, 2012 at 12:46 p.m.

Bertha Lovelace, RN, CRNA  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

