



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD MARCH 15-16, 2012

The regular meeting of the Ohio Board of Nursing (Board) was held on March 15-16, 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, March 15, 2012 at 8:31 a.m., President Bertha Lovelace called the Board meeting to order. On Friday, March 16, 2012 at 8:33 a.m., President Lovelace called the Board meeting to order. Vice-President Melissa Meyer read the Board mission on Thursday and Friday. President Lovelace recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Bertha Lovelace, RN, President

Melissa Meyer, LPN, Vice-President

Janet Arwood, LPN

Rhonda Barkheimer, RN

Judith Church, RN, Board Supervising Member for Disciplinary Matters

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

Michelle Sutter informed the Board that she would no longer represent the Board as Assistant Attorney General. The Board recognized M. Sutter's excellent representation and thanked her for her work. M. Sutter introduced Charissa Payer as her replacement. Henry Appel, Courtney Hagele, and C. Payer are the AAGs representing the Board.

Board Meeting Overview

On Thursday, the Board Reception was held at 8:00 a.m.; Executive Session was held at 9:40 a.m. Attorney Dennis C. Belli, Esq., representing Annette Y. McLaughlin, addressed the Board at 1:00 p.m. Executive Session was held at

1:25 p.m. Board deliberations followed Executive Session. On Friday, Open Forum was at 10:00 a.m.

Approval of Minutes of the January 2012 Meeting

Action: It was moved by Susan Morano, seconded by Maryam Lyon, that the Board approve the minutes from the January 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 Board welcomes Debbie Fulk, Kay Nunamaker and Terry Tietz as certification/licensure specialists in licensure, Stephanie Sharp as an administrative assistant in education and practice, and Emily Fischer as an intermittent employee who is working in records management.
- Congratulations to Carol Polanski who is transferring to compliance, to Angela White for 15 years of state service, and to Holly Fischer for 10 years of state service.
- Judith Church attended the Patient Centered Medical Home Education Advisory Group (EAG) meeting in February. There are 44 pilot sites and seven of these are APN practice sites. The EAG discussed the Choose Ohio First Scholarships for 30 nursing students and 50 medical students that are intended to increase the number of students pursuing a career in primary care medicine or nursing.
- The Ohio Hospital Association and the Ohio League for Nursing co-lead the Ohio Action Coalition (OAC), established to develop strategies to implement the IOM Future of Nursing Report recommendations. B. Houchen attended the February OAC meeting where discussion groups focused on nursing education; nursing practice; inter-professional collaboration; leadership and communication; and data collection and research.
- The NCSBN Transition to Practice Study is moving into Phase II. The first phase was for newly licensed RNs in acute care facilities and continues through December 31, 2012. Phase II, for RNs and LPNs in nonhospital settings, begins April 1, 2012 and continues through September 30, 2013. NCSBN held a Phase II Kick-Off meeting. The study and a photograph of the Phase II Ohio participants will be featured in an upcoming issue of *Momentum*.
- Board staff are preparing for the 2012-2014 LPN renewal cycle. Renewal notices will be mailed at the end of March. The Board implemented a more cost-effective method for mailing renewal notices by using a sealed post card style envelope that replaces the letter and envelope used in the past.
- The Compliance Unit developed a Criminal History Fact Sheet that is posted on the Board web site. The resource was developed because of the high number of callers asking about admission to nursing education programs, requirements for licensure, and discipline consequences.

Legislative Report

Tom Dilling presented the legislative report. Rep. Schuring introduced HB 303 on July 26, 2011 to make certain revisions to the Board's Nurse Practice Act. On

December 14, 2011, Rep. Schuring presented testimony before the House Health and Retirement Committee, and the bill had its second hearing on February 28, 2012 when the Nursing Board testified as a proponent to the bill. The Board stated in part, "Consistent with the Board's strategic planning to promote public safety and the safe practice of nursing, the proposed legislation addresses pertinent regulatory issues and requirements for licensees in a common sense manner and provides greater clarity regarding its law to licensees and the public." To date, the Board is not aware of any opposition to the bill and is hopeful that HB 303 will be heard again at the next House Committee hearing, in mid-March following elections.

T. Dilling reported that SB 83, the APN Schedule II prescribing bill, passed and was signed by the Governor. B. Houchen, representing the Board, attended the bill signing ceremony. T. Dilling reported that the Committee on Prescriptive Governance (CPG) is meeting to review and make revisions to the Formulary and make recommendations regarding applicable administrative rules. (Refer to the CPG meeting report below for additional information.)

T. Dilling reported on prescription guidelines for emergency rooms that are being developed by the Professional Education Workgroup of the Governor's Ohio Cabinet Opiate Action Team. He will present the final draft with the Board at the May meeting, if completed.

APPROVALS

Nursing Education Programs – Approval of New Programs

Chamberlain College of Nursing-Cleveland

Action: It was moved by Tracy Ruegg, seconded by Rhonda Barkheimer, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Chamberlain College of Nursing-Cleveland. I further move that the Program submit progress reports to the Board on or before April 22, 2013; April 21, 2014; and April 15, 2015. Motion adopted by unanimous vote of the Board members.

Nursing Education Programs – Determination of Approval Status

Kettering College of Medical Arts Kettering Medical 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 Kettering College of Medical Arts Kettering Medical Center for a period of five years effective March 15, 2012.

Northcoast Medical Training Academy Practical Nursing Program

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board place Northcoast Medical Training Academy Practical Nursing Program in Kent on Provisional approval in accordance with Rule 4723-5-23(B)(4), OAC. The Board will consider restoring the Program to Full approval status when the Program attains NCLEX-PN pass rates that meet or exceed 95% of the national average for first-time test candidates for at least two consecutive years. Motion adopted by unanimous vote of the Board members.

Belmont Technical College Associate Degree Nursing Program

Action: It was moved by Rhonda Barkheimer, seconded by Janet Arwood, that the Board place Belmont Technical College Associate Degree Nursing Program in St. Clairsville on Provisional approval in accordance with Rule 4723-5-23(B)(4), OAC. The Board will consider restoring the Program to Full approval status when the Program attains NCLEX-RN pass rates that meet or exceed 95% of the national average for first-time test candidates for at least two consecutive years. Motion adopted by unanimous vote of the Board members.

Nursing Education Program Requests

Cincinnati State Great Oaks School of Practical Nursing

Action: It was moved by Janet Arwood, seconded by Susan Morano, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Cincinnati State Great Oaks School of Practical Nursing in Cincinnati. Motion adopted by unanimous vote of the Board members.

The Cincinnati State Bethesda School of Nursing

Action: It was moved by Susan Morano, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by The Cincinnati State Bethesda School of Nursing in Cincinnati. Motion adopted by unanimous vote of the Board members.

Fortis College School of Nursing Associate Degree Program (Centerville)

Action: It was moved by Tracy Ruegg, seconded by Rhonda Barkheimer, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Fortis College School of Nursing Associate Degree Program in Centerville. Motion adopted by unanimous vote of the Board members.

Fortis College School of Nursing Practical Nursing Program (Centerville)

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Fortis College School of Nursing Practical Nursing Program in Centerville. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program (Cincinnati)

Action: It was moved by Rhonda Barkheimer, seconded by Tracy Ruegg, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Fortis College Practical Nursing Program in Cincinnati. Motion adopted by unanimous vote of the Board members.

Fortis College Associate Degree in Nursing Program (Cincinnati)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Fortis College Associate Degree in Nursing Program in Cincinnati. Motion adopted by unanimous vote of the Board members.

Fortis College Practical Nursing Program (Ravenna)

Action: It was moved by Janet Arwood, seconded by Roberta Stokes, that the Board approve, in accordance with Rule 4723-5-16, OAC, the curriculum revision submitted by Fortis College Practical Nursing Program in Ravenna. Motion adopted by unanimous vote of the Board members.

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 April 30, 2012. I further move that the program submit progress reports on or before September 4, 2012, and January 4, 2013. Motion adopted by unanimous vote of the Board members.

Training Programs – Approvals and Re-Approvals

Lorain County Community College – Medication Aide Training Program

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-27-07, OAC, Lorain County Community College, Medication Aide Training Program, in Lorain for a period of two years effective March 15, 2012. Motion adopted by unanimous vote of the Board members.

Cincinnati State Technical and Community College Medication Aide Training Program

Action: It was moved by Susan Morano, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-27-07, OAC, Cincinnati State Technical and Community College Medication Aide Training Program in Cincinnati for a period of two years effective March 15, 2012. Motion adopted by unanimous vote of the Board members.

Center Ridge Nursing Home, Inc., 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 Center Ridge Nursing Home, Inc., in North Ridgeville for a period of two years effective March 15, 2012. Motion adopted by unanimous vote of the Board members.

Bayley Medication Aide Training Program

Action: It was moved by Rhonda Barkheimer, seconded by Tracy Ruegg, that the Board approve, in accordance with Rule 4723-27-07, OAC, Bayley Medication Aide Training Program in Cincinnati for a period of two years effective March 15, 2012. Motion adopted by unanimous vote of the Board members.

Fresenius Medical Care-Akron

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-23-07, OAC, Fresenius Medical Care-Akron, Dialysis Technician Training Program, for a period of two years

effective March 15, 2012. Motion adopted by majority vote of the Board members with Maryam Lyon abstaining.

Fresenius Medical Care-Columbus

Action: It was moved by Roberta Stokes, seconded by Susan Morano, that the Board approve, in accordance with Rule 4723-23-07, OAC, Fresenius Medical Care-Columbus, Dialysis Technician Training Program, for a period of two years effective March 15, 2012. Motion adopted by majority vote of the Board members with Maryam Lyon abstaining.

Great Oaks Medication Oaks Training Program

Action: it was moved by Tracy Ruegg, seconded by Roberta Stokes, move that the Board approve, in accordance with Rule 4723-27-07, OAC, Great Oaks Medication Aide Training Program in Cincinnati for a period of two years effective March 15, 2012. Motion adopted by unanimous vote of the Board members.

Retroactive Approval for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board January 1, 2012 through February 29, 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 majority vote of the Board members with J. Jane McFee abstaining on Shannon Tolles only.

EXECUTIVE SESSION

On Thursday, March 15, 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 9:40 a.m. and reported out of Executive Session at 9:50 a.m.

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 1:25 p.m. and reported out of Executive Session at 1:30 p.m.

ADJUDICATION AND COMPLIANCE

On Thursday, March 15, 2012, Dennis C. Belli, representing Annette McLaughlin, LPN, addressed the Board regarding the Report and Recommendation involving Ms. McLaughlin before the Board. Michelle Sutter, AAG responded.

On Friday, March 16, 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 Tracy Ruegg, seconded by Rhonda Barkheimer, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Martin, Nicole S., P.N. 121507 (CASE #11-0150); Copley, Matthew T., R.N. 337577 (CASE #11-2373); Barnes, Utelius, P.N. 120055 (CASE #11-0030); Aldred, Craig S, P.N. 144843 (CASE #11-4966); Burkhart, Cara J., R.N. 286407 (CASE #11-3441); Lucas, Jodi R., R.N. 268877 (CASE #11-4983); Atkins, Marsha, R.N. 303895, NM 07211 (CASE #11-3337); Davis, Clifford P., R.N. 264303 (CASE #11-1532); Wasiniak, Diane M., R.N. 222908 (CASE #11-4175); Boncser, Lisa M., R.N. 267869 (CASE #10-4824); Appling, William A., R.N. 348410 (CASE #09-2369); Adams, Sonya D., R.N. 314853, P.N. 094195 (CASE #12-0307); Lee, Beth A., R.N. 236622 (CASE #12-0308); Robinson, Stephanie A., P.N. 095662 (CASE #11-5227); Delnay, Nancy, R.N. 244660, RX 07225, NP 07225 (CASE #11-2304); Givan, Geoff M., R.N. 356535 (CASE #11-3141); Carpenter, Sarah R., P.N. 111523 (CASE #09-2469); Turner-Hall, Mari A., P.N. 111696 (CASE #10-3748); Sadler, Wendy F., R.N. 212412 (CASE #11-4076); Deemer, Jessica R., R.N. 368356 (CASE #12-0535); Bartolo, Kathryn L., R.N. 283406 (CASE #11-4143); Nussbaum, Jennifer R., R.N. 316626 (CASE #12-0038); Walls, Regina A., P.N. NCLEX (CASE #12-0602); Lawson Jr., Larry L., R.N. 311743 (CASE #11-0120); Overbey, Christina A., P.N. 099345 (CASE #12-0036); and Prewitt, Sandra L., R.N. 258853 (CASE #11-3849).

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

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

IMMEDIATE SUSPENSIONS AND NOTICE OF OPPORTUNITY FOR HEARING

Action: It was moved by Rhonda Barkheimer, 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):

Saunders, Tarrah J., R.N. 324467, P.N. 117731 (CASE #12-0167); Dunburg, Erin N., P.N. 138529 (CASE #12-0404); Filby, Robyn A., R.N. 363577 (CASE #11-4080); Daniels, Pamela S., P.N. 104094 (CASE #11-1808); Jackson, Shawna L., P.N. 133396 (CASE #12-0788); Gray, Nathaniel T., R.N. 336429 (CASE #10-2990); Veon, Luke D., P.N. 135205 (CASE #11-2941); and Tammarine-Martin, Bernadine E., R.N. 320422 (CASE #10-2673).

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

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

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

Action: It was moved by Roberta Stokes, 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):

Johnson, Ryan M., P.N. 144239 (CASE #12-0233); Barton, Carla L., R.N. 303234 (CASE #11-5252); Johnson, Christine A., P.N. 131271 (CASE #11-0422); Dixon, Nancy C., R.N. 257446 (CASE #12-0028); Montavon, Eric D., P.N. 116898 (CASE #12-0240); Camara, Jennifer L., R.N. 285628 (CASE #11-4842); Aman, Margaret C., P.N. 123179 (CASE #12-0429); Greene, Sherry M., P.N. 145335 (CASE #12-0125); Vitello, Theresa M., R.N. 228646 (CASE #12-0428); Lester, Tabitha M., P.N. 106502 (CASE #12-0489); Patterson, Tameka T., P.N. 110311 (CASE #11-5369); Mahaley, Marlo, P.N. 139953 (CASE #12-0491); Stevens, Ebony R., R.N. 356431 (CASE #11-5190); Goff, Michael N., R.N. 255243 (CASE #12-0401); Board, Judy A., R.N. 204367 (CASE #12-0030); Hawkins, Shinitta D., P.N. 145336 (CASE #12-0177); and Ladriagan, Danielle J., R.N. 345956 (CASE #12-0606).

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

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

POST IMMEDIATE SUSPENSIONS AND NOTICE OF OPPORTUNITY FOR

HEARING

Action: It was moved by Susan Morano, seconded by Maryam Lyon, 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):

Schwoeble, Shannon N., R.N. 353558 (CASE #11-1156); and Howard, Mary C., R.N. 331073 (CASE #11-2619).

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

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

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

SURRENDERS

Permanent Voluntary Surrender

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

Corrick, Michelle A., R.N. 297379 (CASE #11-0043); Samas, Kim G., R.N. 356960, P.N. 069498 (CASE #09-4812); and Wheeler, April D., P.N. 106625 (CASE #11-1649).

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

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

WITHDRAWALS

Voluntary Non-Permanent Withdrawal of NCLEX Application

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Examination for the following case(s):

Lundquist, Glenn A., R.N. NCLEX (CASE #11-4877).

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

Complete copies of the Voluntary Non-Permanent Withdrawals of Examination Applications shall be maintained in the exhibit book for the March 2012 Board Meeting.

CONSENT AGREEMENTS

On Friday, March 16, 2012, the Board considered the terms of the following proposed Consent Agreements that were reviewed by Board members.

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, 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):

Selph, Djhonia L., R.N. 357272, P.N. 114538 (CASE #10-1148); Thornton, Lori A., R.N. 354396 (CASE #11-3113); Martin, Lisa J., R.N. 196458, NS11806, RXEX1 11806 (CASE #11-5261); Jackson, Asonjia S., P.N. endorse (CASE #11-5217); Mayhugh, Jeffrey A., R.N. 246418 (CASE #12-0384); Hopper, Brenda E., P.N. 067966 (CASE #10-3970); Endicott, Jamie L., R.N. 322111 (CASE #11-3218); Robinson, Ajhia R., P.N. NCLEX (CASE #11-3270); Jacobs, William F., R.N. 246792 (CASE #12-0259); Wilkins, Gregory S., R.N. endorse (CASE #11-5530); Ivery, Michelle J., P.N. NCLEX (CASE #11-5111); Vandervort, Mary B., R.N. 286620 (CASE #12-0247); Goldean, Caesar W., TC 1 03710, D.T. applicatn (CASE #11-4323); Layne, Sandra L., P.N. 112879 (CASE #11-3724); Roberson, Christopher M., R.N. 305723 (CASE #10-5525); Hipsher, Amy B., P.N. 117912 (CASE #09-1133); Widener, Mary I., P.N. 130885 (CASE #11-1236); Muhammad, Trina Y., P.N. 135047 (CASE #10-2910); Kuhel, James J., R.N. 247510 (CASE #10-3391); Boston, Cody F., P.N. 132398 (CASE #10-4949); McMillan, Alecia N., R.N. 360355 (CASE #11-0044); Ellis, Julie L., R.N. endorse (CASE #11-4750); Sommers, Robert G., R.N. 285467 (CASE #10-3103); Magnuson, Robert C., P.N. 130874 (CASE #10-3971); Spradlin, Tyler N., R.N. 340553 (CASE #11-2061); Grandison, Lois A., R.N. 171181 (CASE #09-4746); Quinn, Carey J., R.N. 292720 (CASE #11-2787); Bailey, Angela Y., P.N. 128155 (CASE #10-5195); Veverka, Lori L., P.N. 101192 (CASE #10-5440); Blank, Robert L., R.N. 277054 (CASE #11-1159); Sanner, Julie A., R.N. 307288 (CASE #11-3503); King, Amber D., R.N. 294858 (CASE #11-2039); Koblitz, Janet A., R.N. 257274 (CASE #09-2367); Williams, Jacquelyn L., R.N. NCLEX (CASE #11-3027); Wagner, Alicia E., P.N. 081220 (CASE #07-0778); Barcomb, Jamie M., P.N. 106791 (CASE #10-2986); Murray, Brittnay D., P.N. 136459 (CASE #10-4552); Kisley, Brianne M., R.N. 375156, P.N. 130732 (CASE #12-0536); Foster, Amanda L., R.N. 269011 (CASE #11-2996); Bowman, James F., P.N. 128721 (CASE #11-1136); Gerhart, Susanne G., R.N. 263969 (CASE #11-1246); Hoskins, Sandra, R.N. 263152, P.N. 084051 (CASE #10-3452); Voorhis, Vonnie J., R.N. 289068 (CASE #11-2914); Edgeworth, Bonita A., R.N. 312644 (CASE #09-5631); Smathers, Flynt J., R.N. 342798 (CASE #11-2770); Lee, Sharon K., R.N. 185820, NP 03673, RX 03673 (CASE #10-0656); Sells, Katharine N., R.N. 329956 (CASE #11-3769); Williams, Erica L., P.N. NCLEX (CASE #11-3847); Akers, Colleen A., P.N. 099781 (CASE #10-0007); Vest, Victoria D., R.N.

352329 (CASE #11-1267); Bowyer, Christie L., P.N. 127083 (CASE #09-4252); Laverock, Melissa A., R.N. NCLEX (CASE #11-4876); Meyer, Kimberly L., P.N. endorse (CASE #11-3593); Walker, Dara M., P.N. 125345 (CASE #08-3908); Toledo School of Practical Nursing, (CASE #12-0869); Ellyson, Kelly J., R.N. 309388 (CASE #11-3086); Yeager, Lottie S., P.N. 126665 (CASE #11-3287); Proctor, Donnell M., P.N. 118798 (CASE #10-5208); Knepper, Heather, R.N. 277536 (CASE #12-0261); Hughes, Christina M., R.N. 339427 (CASE #11-3074); McSheffery, Cheri L., R.N. 228806 (CASE #12-0176); Riffle-Roderus, Amber D., R.N. 276054 (CASE #11-0254); Thompson, Robert C., P.N. 112978 (CASE #07-1743); Rice, Melissa J., R.N. 324180 (CASE #10-0788); Perry, Tania R., R.N. 192428 (CASE #12-0571); Grudus, Edward M., R.N. 203968 (CASE #11-1439); Love, Patrick E., R.N. NCLEX (CASE #11-3266); Workman (Krzys), Penny M., R.N. 247668 (CASE #12-0575); Fernandez, Yvonne M., R.N. 345529 (CASE #11-2888); Dunbar, Sarah J., R.N. 345634 (CASE #11-0078); Houck, Phillip K., R.N. 290198 (CASE #11-4203); Shumaker, Angel D., R.N. 344922, P.N. 117174 (CASE #11-4386); Hipp, Mary J, R.N. 201111 (CASE #11-1032); Blanchard, Michael L., D.T. applicant (CASE #11-4069); King, Shannon A., R.N. endorse (CASE #11-2241); Yeoman, Jennifer, R.N. 274066 (CASE #10-4429); Whitmore, Irvin D., P.N. 141765 (CASE #10-5540); and Ward, Kelly A., P.N. 101283 (CASE #08-1648).

Judith Church abstained from voting on all cases.

Janet Arwood voted no on Smathers, Flynt J., R.N. 342798 (CASE #11-2770) only. Rhonda Barkheimer voted no on Hopper, Brenda E., P.N. 067966 (CASE #10-3970) only. Maryam Lyon voted no on Thornton, Lori A., R.N. 354396 (CASE #11-3113) and Hopper, Brenda E., P.N. 067966 (CASE #10-3970) only. J. Jane McFee voted no on Spradlin, Tyler N., R.N. 340553 (CASE #11-2061) and Smathers, Flynt J., R.N. 342798 (CASE #11-2770) only. Susan Morano voted no on Boston, Cody F., P.N. 132398 (CASE #10-4949) and Proctor, Donnell M., P.N. 118798 (CASE #10-5208) only. Tracy Ruegg voted no on the following cases only: Thornton, Lori A., R.N. 354396 (CASE #11-3113); Hopper, Brenda E., P.N. 067966 (CASE #10-3970); McMillan, Alecia N., R.N. 360355 (CASE #11-0044); Bowman, James F., P.N. 128721 (CASE #11-1136); and Walker, Dara M., P.N. 125345 (CASE #08-3908). Roberta Stokes voted no on the following cases only: Selph, Djhonia L., R.N. 357272, P.N. 114538 (CASE #10-1148); Williams, Jacquelyn L., R.N. NCLEX (CASE #11-3027); and Akers, Colleen A., P.N. 099781 (CASE #10-0007).

Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the March 2012 Board Meeting.

HEARING EXAMINER'S REPORT AND RECOMMENDATION

Zwayer, David M., R.N. 270495 (CASE #10-1094)

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 David Zwayer's license to practice nursing as a registered nurse in the State of Ohio be PERMANENTLY REVOKED.

The rationale for the modification is the following:

Mr. Zwayer has a long history of disciplinary action by the Board beginning in 2002, and prior participation in the Board's Alternative Program beginning in 1998. Further, as set forth in paragraph 2. of the Hearing Examiner's Findings of Fact, Mr. Zwayer substituted Extra Strength Tylenol for Percocet that was ordered for patients.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Frase, Denni, R.N. 227669 (CASE #11-1628)

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 Denni Frase's request for reinstatement be denied and her 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 16th day of March, 2012.

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

Selby, Alisha L., R.N. 344125 (CASE #10-3763)

Action: It was moved by Rhonda Barkheimer, 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 Alisha Selby'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 in below and following reinstatement Ms. Selby's license be subject to 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.

The rationale for the modification is the following:

Ms. Selby has admitted to a history of illegal drug use beginning at the age of fifteen; and a longer period of demonstrated rehabilitation and sobriety and monitoring by the Board is required in order to ensure that Ms. Selby's nursing practice is not a danger to public safety. Further, as set forth in paragraph two of the Hearing Examiner's Findings of Fact, Ms. Selby substituted Tylenol for Percocet and Vicodin. Thus, Ms. Selby should be restricted from access to or administering narcotics and controlled substances during the probationary period.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. SELBY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SELBY** 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. SELBY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SELBY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SELBY'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. SELBY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, ten (10) hours of Chemical Dependency, five (5) hours of Nurses and Substance Abuse, and two (2) hours of Professionalism.

Monitoring

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

Reporting Requirements of MS. SELBY

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

Following reinstatement, the suspension shall be stayed and MS.

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

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SELBY** 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. SELBY** shall notify the Board.
11. **MS. SELBY** 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. SELBY** 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. SELBY** 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. SELBY

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. SELBY 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. SELBY's suspension shall be lifted and MS. SELBY's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. SELBY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SELBY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SELBY** 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. SELBY** has complied with all aspects of this Order; and (2) the Board determines that **MS. SELBY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SELBY** and review of the reports as required herein. Any period during which **MS. SELBY** 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 16th day of March, 2012.

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

Gresh, Joann, P.N. 126952 (CASE #11-2179)

Action: It was moved by Janet Arwood, 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 Joann Gresh's license to practice nursing as a licensed practical nurse in the State of Ohio be PERMANENTLY REVOKED.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

McLaughlin, Annette Y., P.N. 076240 (CASE #11-0229)

Action: It was moved by Roberta Stokes, seconded by Janet Arwood, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that Annette McLaughlin's request for reinstatement of her license to practice as a licensed practical nurse in the State of Ohio be granted subject to conditions for reinstatement including demonstrating six (6) months of clean random drug and alcohol screens and completion of a comprehensive nurse refresher course, and the conditions for reinstatement set forth below; and following reinstatement Ms. McLaughlin's license be subject to the probationary terms, conditions, and limitations set forth in Attachment A for a minimum period of three (3) years, and the temporary narcotic and permanent practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS

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

1. **MS. MCLAUGHLIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
2. **MS. MCLAUGHLIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCLAUGHLIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCLAUGHLIN'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

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

Reporting Requirements of MS. MCLAUGHLIN

11. **MS. MCLAUGHLIN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MS. MCLAUGHLIN** 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. MCLAUGHLIN** 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. MCLAUGHLIN** 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. MCLAUGHLIN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. MCLAUGHLIN** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. MCLAUGHLIN** 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 reinstate **MS. MCLAUGHLIN's** license subject to probation if: (1) **MS. MCLAUGHLIN** submits a written request; (2) the Board determines that **MS. MCLAUGHLIN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MCLAUGHLIN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MCLAUGHLIN** and review of the documentation specified in this Order.

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

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

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

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

Temporary Narcotic Restriction

For a period of six (6) months, MS. MCLAUGHLIN shall not administer, have access to, or possess (except as prescribed for **MS. MCLAUGHLIN's** use by another so authorized by law who has full knowledge of **MS. MCLAUGHLIN's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. MCLAUGHLIN** shall not count narcotics or possess or carry any

work keys for locked medication carts, cabinets, drawers, or containers. **MS. MCLAUGHLIN** 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. MCLAUGHLIN 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. MCLAUGHLIN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

Unless otherwise approved in advance by the Board or its designee, MS. MCLAUGHLIN 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. MCLAUGHLIN** has complied with all aspects of this Order; and (2) the Board determines that **MS. MCLAUGHLIN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MCLAUGHLIN** and review of the reports as required herein. Any period during which **MS. MCLAUGHLIN** 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 16th day of March, 2012.

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

Eyerman, LaJeannia L., P.N. 126636 (CASE #09-0943)

Action: It was moved by Maryam Lyon, seconded by Susan Morano, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that LaJeannia Eyerman'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. Eyerman's license be subject to 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

1. **MS. EYERMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. EYERMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement, MS. EYERMAN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. EYERMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. EYERMAN'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, MS. EYERMAN** 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: one (1) hour of Ohio Nursing Law and Rules; six (6) hours of Medication Administration; six (6) hours of Documentation; and six (6) hours of Chemical Dependency/Substance Abuse.

Monitoring

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

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

Reporting Requirements of MS. EYERMAN

13. **MS. EYERMAN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. EYERMAN** 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. EYERMAN** 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. EYERMAN** 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. EYERMAN** 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. EYERMAN** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. EYERMAN** 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 if: (1) **MS. EYERMAN** submits a written request for reinstatement; (2) the Board determines that **MS. EYERMAN** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. EYERMAN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. EYERMAN** and review of the documentation specified in this Order.

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

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

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. EYERMAN** 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. EYERMAN** shall notify the Board.
11. **MS. EYERMAN** 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. EYERMAN** shall provide her employer(s) with a copy of this Order and Notice 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. EYERMAN** 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. EYERMAN

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. EYERMAN 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. EYERMAN's** suspension shall be lifted and **MS. EYERMAN's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. EYERMAN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. EYERMAN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. EYERMAN** 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. EYERMAN** has complied with all aspects of this Order; and (2) the Board determines that **MS. EYERMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. EYERMAN** and review of the reports as required herein. Any period during which **MS. EYERMAN** 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 16th day of March, 2012.

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

Harmon, Laurie L., R.N. 290846 (CASE #10-1447)

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 the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Laurie Harmon'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 16th day of March, 2012.

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

Qualls, Robert W.C., P.N. 118658 (CASE #10-0639)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board deny Mr. Qualls's motion to file late 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 Robert Qualls's license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below and following reinstatement Mr. Qualls's license be subject to 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.

The rationale for the modification is the following:

A longer period of demonstrated sobriety and rehabilitation is necessary prior to reinstatement in order to ensure that Mr. Qualls's nursing practice is not a danger to public safety.

REQUIREMENTS AND CONDITIONS

1. **MR. QUALLS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. QUALLS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement, MR. QUALLS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. QUALLS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. QUALLS'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, MR. QUALLS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics and fifteen (15) hours of Chemical Dependency/Substance Abuse.

Monitoring

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

to reinstatement.

Reporting Requirements of MR. QUALLS

13. **MR. QUALLS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MR. QUALLS** 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. QUALLS** 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. QUALLS** 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. QUALLS** 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. QUALLS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. QUALLS** 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 if: (1) **MR. QUALLS** submits a written request for reinstatement; (2) the Board determines that **MR. QUALLS** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. QUALLS** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. QUALLS** and review of the documentation specified in this Order.

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

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

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

the reports as required herein. Any period during which **MR. QUALLS** 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 16th day of March, 2012.

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

Brittain, Amanda, R.N. 341404 (CASE #10-4398)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and Ordered that Amanda Brittain'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 retroactive to July 29, 2011, with the conditions for reinstatement set forth below and following reinstatement Ms. Brittain's license be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, and the permanent narcotic and practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS

1. **MS. BRITTAIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRITTAIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement, MS. BRITTAIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BRITTAIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BRITTAIN'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, MS. BRITTAIN** 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: one (1) hour of Ohio Nursing Law and Rules; six (6) hours of Medication Administration; six (6) hours of Documentation; and six (6) hours Ethics and Professionalism; and six (6) hours of Patient Safety.

Monitoring

5. **MS. BRITTAIN** 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. BRITTAIN's** history. **MS. BRITTAIN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. BRITTAIN** shall abstain completely from the use of alcohol.
7. **Prior to submitting a request for reinstatement, MS. BRITTAIN** 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. BRITTAIN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BRITTAIN** 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. BRITTAIN's** license, and a statement as to whether **MS. BRITTAIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. BRITTAIN** 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. BRITTAIN's** license.
9. **Prior to submitting a request for reinstatement, MS. BRITTAIN** shall, at her own 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. BRITTAIN** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BRITTAIN** 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. BRITTAIN's** license, and a statement as to whether **MS. BRITTAIN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. BRITTAIN** 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. BRITTAİN's** license.
11. **Prior to submitting a request for reinstatement, MS. BRITTAİN** shall, at her own expense, obtain a fitness for duty evaluation by a Board approved physician and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BRITTAİN** shall provide the physician with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. BRITTAİN** shall execute releases to permit the physician to obtain any information deemed appropriate and necessary for the evaluation. The physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BRITTAİN's** license, and a statement as to whether **MS. BRITTAİN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 12. **MS. BRITTAİN** 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. BRITTAİN's** license.
 13. **For a minimum, continuous period of one (1) year immediately prior requesting reinstatement, MS. BRITTAİN** 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. BRITTAİN'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. BRITTAİN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRITTAİN's** history.
 14. Within thirty (30) days prior to **MS. BRITTAİN** initiating drug screening, **MS. BRITTAİN** 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. BRITTAİN**.

15. After initiating drug screening, **MS. BRITTAIN** 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. BRITTAIN** 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.
16. **For a minimum, continuous period of one (1) year immediately prior requesting reinstatement, MS. BRITTAIN** 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. BRITTAIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BRITTAIN

17. **MS. BRITTAIN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
18. **MS. BRITTAIN** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
19. **MS. BRITTAIN** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. **MS. BRITTAIN** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
21. **MS. BRITTAIN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
22. **MS. BRITTAIN** shall verify that the reports and documentation required by this Order are received in the Board office.
23. **MS. BRITTAIN** 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 if: (1) **MS. BRITTAIN**

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

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

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. BRITAIN 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. BRITTAIN's** suspension shall be lifted and **MS. BRITTAIN's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BRITTAIN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BRITTAIN** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BRITTAIN** 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. BRITTAIN** has complied with all aspects of this Order; and (2) the Board determines that **MS. BRITTAIN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BRITTAIN** and review of the reports as required herein. Any period during which **MS. BRITTAIN** 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 16th day of March, 2012.

J. Jane McFee opposed the motion. Motion adopted by majority vote of the Board members with Judith Church abstaining.

Massaro, Brenda K., P.N. 085349 (CASE #10-3104)

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 Brenda Massaro'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 six (6) months with the conditions for reinstatement set forth below and following reinstatement Ms. Massaro's license be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, and the temporary narcotic and practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS

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

3. **Prior to reinstatement, MS. MASSARO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MASSARO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MASSARO'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 reinstatement, MS. MASSARO** 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: one (1) hour of Ohio Nursing Law and Rules; five (5) hours of Medication Administration; and ten (10) hours of Chemical Dependency.

Monitoring

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

9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. MASSARO** 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. MASSARO'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. MASSARO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MASSARO's** history.
10. Within thirty (30) days prior to **MS. MASSARO** initiating drug screening, **MS. MASSARO** 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. MASSARO**.
11. After initiating drug screening, **MS. MASSARO** 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. MASSARO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. MASSARO** 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. MASSARO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MASSARO

13. **MS. MASSARO** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. MASSARO** 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. MASSARO** 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. MASSARO** 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. MASSARO** 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. MASSARO** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. MASSARO** 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 if: (1) **MS. MASSARO** submits a written request for reinstatement; (2) the Board determines that **MS. MASSARO** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. MASSARO** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. MASSARO** and review of the documentation specified in this Order.

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

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

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

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

Temporary Narcotic Restriction

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

narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. MASSARO** shall not call in or order prescriptions or prescription refills.

Temporary Practice Restrictions

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

MS. MASSARO 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. MASSARO's** suspension shall be lifted and **MS. MASSARO's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. MASSARO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MASSARO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MASSARO** 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. MASSARO** has complied with all aspects of this Order; and (2) the Board determines that **MS. MASSARO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MASSARO** and review of the reports as required herein. Any period during which **MS. MASSARO** 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 16th day of March, 2012.

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

BOARD HEARING COMMITTEE PANEL

Pierson, Anne C., R.N. 207980 (CASE #11-0553)

Action: It was moved by Rhonda Barkheimer, seconded by J. Jane McFee, that the Board deny Ms. Pierson's motion for an extension of time to file late objections. Further, It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Anne Pierson'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 16th day of March, 2012.

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

Crouch, Heather N., P.N. 111491 (CASE #10-5670)

Action: It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Heather Nicole Crouch's license to practice nursing as a licensed practical nurse in the State of Ohio be PERMANENTLY REVOKED.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Armstrong, Monique, P.N. 114115 (CASE #10-4539)

Action: It was moved by Janet Arwood, seconded by Roberta Stokes that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Monique Armstrong'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. Armstrong has had prior disciplinary actions by the Board beginning in 2006, and multiple violations of the terms of her Consent Agreements with the Board.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Olmstead, Jeffrey J., R.N. 270077 (CASE #08-2483)

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Board Hearing Committee's Report and Recommendation and Ordered that Jeffrey Olmstead's license to practice nursing as a registered nurse in the State of Ohio be fined two hundred and fifty dollars (\$250.00) and subject to random drug screens for a period of three (3) months.

TERMS

1. **For a minimum, continuous period of ninety (90) days, MR. OLMSTEAD** 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. OLMSTEAD'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. OLMSTEAD** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. OLMSTEAD's** history.
2. Within thirty (30) days prior to **MR. OLMSTEAD** initiating drug screening, **MR. OLMSTEAD** 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. OLMSTEAD**.
3. After initiating drug screening, **MS. OLMSTEAD** 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. OLMSTEAD** 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.
4. **By July 1, 2012, MR. OLMSTEAD** shall pay the fine of two hundred and fifty dollars (\$250.00), 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.

Reporting Requirements of MR. OLMSTEAD

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Wheelee, Allison N., R.N. NCLEX (CASE #11-0302)

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 Board Hearing Committee's Report and Recommendation and Ordered that Allison Wheelee's application for licensure to practice nursing as a registered nurse in the State of Ohio be denied with conditions for reapplication.

CONDITIONS FOR REAPPLICATION

1. **MS. WHEELER** shall submit satisfactory documentation of full compliance with the terms and conditions imposed by the Stark County Court of Common Pleas in Case No. 2010CR1172(A).
2. **MS. WHEELER** 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. WHEELER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WHEELER** 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 conditions or restrictions that should be placed on **MS. WHEELER's** future license, and a statement as to whether **MS. WHEELER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
3. **MS. WHEELER** 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. WHEELER's** future license.
4. **MS. WHEELER** shall, at her own 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. WHEELER** shall provide the psychiatrist with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. WHEELER** 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 conditions or restrictions that should be placed on **MS. WHEELER's** future license, and a statement as to whether **MS. WHEELER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. WHEELER** 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. WHEELER's** future license.
6. **MS. WHEELER** shall complete a nurse refresher course approved in advance by the Board.

Reporting Requirements of MS. WHEELLE

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

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

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

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

MS. WHEELLE shall not function in a position that involves financial activity or management of financial activity.

DURATION

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. WHEELLE** has complied with all aspects of this Order; and (2) the Board determines that **MS. WHEELLE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WHEELLE** and review of the reports as required herein. Any period during which **MS. WHEELLE** 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 16th day of March, 2012.

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

NO REQUEST FOR HEARING

Diliberto, Alexandra A., R.N. 349425 (CASE #11-1743)

Action: It was moved by Susan Morano, seconded by Melissa Meyer, that upon consideration of the charges stated against **ALEXANDRA A. DILIBERTO** in the July 29, 2011, Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DILIBERTO** 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. DILIBERTO's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DILIBERTO'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. DILIBERTO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DILIBERTO** 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. DILIBERTO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DILIBERTO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DILIBERTO'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. DILIBERTO** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, two (2) hours of Professional Accountability, three (3) hours of Critical Thinking, and five (5) hours of Chemical Dependency/Substance Abuse.

Monitoring

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

9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. DILIBERTO** 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. DILIBERTO'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. DILIBERTO** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DILIBERTO's** history.
10. Within thirty (30) days prior to **MS. DILIBERTO** initiating drug screening, **MS. DILIBERTO** 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. DILIBERTO**.
11. After initiating drug screening, **MS. DILIBERTO** 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. DILIBERTO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. DILIBERTO** 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. DILIBERTO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. DILIBERTO

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

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

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

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

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

Permanent Narcotic Restriction

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

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

Permanent Practice Restrictions

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

MS. DILIBERTO 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. DILIBERTO's** suspension shall be lifted and **MS. DILIBERTO's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DILIBERTO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DILIBERTO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DILIBERTO** 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. DILIBERTO** has complied with all aspects of this Order; and (2) the Board determines that **MS. DILIBERTO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DILIBERTO** and review of the reports as required herein. Any period during which **MS. DILIBERTO** 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 16th day of March, 2012.

Motion adopted y majority vote of the Board members with Janet Arwood and Judith Church abstaining.

Elbert, Mary E., R.N. 329016 (CASE #11-3151)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that upon consideration of the charges stated against **MARY ELBERT** in the September 23, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ELBERT** 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. ELBERT'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. ELBERT's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

Reporting Requirements of MS. ELBERT

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

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

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

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. ELBERT 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. ELBERT's** suspension shall be lifted and **MS. ELBERT's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. ELBERT** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. ELBERT** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ELBERT** 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. ELBERT** has complied with all aspects of this Order; and (2) the Board determines that **MS. ELBERT** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. ELBERT** and review of the reports as required herein. Any period during which **MS. ELBERT** 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 16th day of March, 2012.

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

Irwin, Nicole E., P.N. 106149 (CASE #11-0003)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **NICOLE ELIZABETH IRWIN** in the March 18, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. IRWIN** 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. IRWIN'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. IRWIN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

2. **MS. IRWIN** 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. IRWIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. IRWIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. IRWIN'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. IRWIN** shall submit documentation of her full compliance with the terms and conditions imposed by the Hamilton County Municipal Court.

Monitoring

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

- prior to requesting reinstatement, MS. IRWIN** 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. IRWIN'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. IRWIN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. IRWIN's** history.
10. Within thirty (30) days prior to **MS. IRWIN** initiating drug screening, **MS. IRWIN** 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. IRWIN**.
 11. After initiating drug screening, **MS. IRWIN** 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. IRWIN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. IRWIN** 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. IRWIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 13. **Prior to requesting reinstatement by the Board, MS. IRWIN** 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. IRWIN** shall provide the psychiatrist with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. IRWIN's** license, and a statement as to whether **MS. IRWIN** is capable of

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

14. **MS. IRWIN** 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. IRWIN's** license.

Reporting Requirements of MS. IRWIN

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

Following reinstatement, MS. IRWIN shall be subject to the following

probationary terms, conditions, and limitations for a minimum period of three (3) years.

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Jadlocki, Erin E., R.N. 356708 (CASE #10-4822)

Action: It was moved by Tracy Ruegg, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **ERIN ELIZABETH JADLOCKI** in the September 23, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JADLOCKI** 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. JADLOCKI's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JADLOCKI's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

BCII to submit **MS. JADLOCKI'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. JADLOCKI** 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. JADLOCKI** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules and ten (10) hours of Chemical Dependency.

Monitoring

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

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. JADLOCKI** 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. JADLOCKI'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. JADLOCKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JADLOCKI's** history.
11. Within thirty (30) days prior to **MS. JADLOCKI** initiating drug screening, **MS. JADLOCKI** 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. JADLOCKI**.
12. After initiating drug screening, **MS. JADLOCKI** 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. JADLOCKI** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. JADLOCKI** 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. JADLOCKI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. **Prior to requesting reinstatement by the Board, MS. JADLOCKI** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. JADLOCKI's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. JADLOCKI's** comprehensive physical examination and with a comprehensive assessment regarding **MS.**

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

15. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. JADLOCKI's** license.

Reporting Requirements of MS. JADLOCKI

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

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

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

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

Temporary Narcotic Restriction

MS. JADLOCKI shall not administer, have access to, or possess (except as prescribed for **MS. JADLOCKI's** use by another so authorized by law who has full knowledge of **MS. JADLOCKI's** history) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **one (1) year** in which **MS. JADLOCKI** is working in a position that requires a nursing license. At any time after the one-year period previously described, **MS. JADLOCKI** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. JADLOCKI** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. JADLOCKI** shall not call in or order prescriptions or prescription refills.

Permanent Practice Restrictions

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

MS. JADLOCKI 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. JADLOCKI's suspension shall be lifted and MS. JADLOCKI's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. JADLOCKI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. JADLOCKI** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. JADLOCKI** 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. JADLOCKI** has complied with all aspects of this Order; and (2) the Board determines that **MS. JADLOCKI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JADLOCKI** and review of the reports as required herein. Any period during which **MS. JADLOCKI** 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 16th day of March, 2012.

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

McKinney, Deauntay F., R.N. 257185 (CASE #08-0067)

Action: It was moved by Rhonda Barkheimer, seconded by J. Jane McFee, that upon consideration of the charges stated against **DEAUNTAY MCKINNEY** in the March 20, 2009, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MCKINNEY** 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. MCKINNEY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DEAUNTAY MCKINNEY** to surrender her frameable wall certificate for her registered nurse license, R.N. #257185, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Vance, Charisse E., D.T. 00684 (CASE #09-2647)

Action: It was moved by Tracy Ruegg, seconded J. Jane McFee, that upon consideration of the charges stated against **CHARISSE ERICA VANCE** in the September 23, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. VANCE** 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. VANCE'S** certificate to practice as a dialysis technician is hereby **REVOKED**.

The Board further Orders **CHARISSE ERICA VANCE** to surrender her frameable wall certificate to practice as a dialysis technician, DT #00684, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Nicastro, Helga J., R.N. 318166 (CASE #10-5757)

Action: It was moved by Susan Morano, seconded by Maryam Lyon, that upon consideration of the charges stated against **HELGA JANINE NICASTRO** in the September 23, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NICASTRO** 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. NICASTRO's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. NICASTRO'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 **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. NICASTRO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. NICASTRO'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. NICASTRO** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, ten (10) hours of Ethics, ten (10) hours of Chemical Dependency/Substance Abuse, and ten (10) hours of Medication Documentation.

Monitoring

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

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

Reporting Requirements of MS. NICASTRO

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

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

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

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

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

Permanent Narcotic Restriction

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

count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. NICASTRO** shall not call in or order prescriptions or prescription refills.

Temporary Practice Restrictions

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

MS. NICASTRO 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. NICASTRO's** suspension shall be lifted and **MS. NICASTRO's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. NICASTRO** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. NICASTRO** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. NICASTRO** 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. NICASTRO** has complied with all aspects of this Order; and (2) the Board determines that **MS. NICASTRO** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. NICASTRO** and review of the reports as required herein. Any period during which **MS. NICASTRO** 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 16th day of March, 2012.

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

Longoria, Susan L., R.N. 255818 (CASE #11-1348)

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **SUSAN LYNN LONGORIA** in the September 23, 2011, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LONGORIA** 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. LONGORIA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LONGORIA's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

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

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

Reporting Requirements of MS. LONGORIA

13. **MS. LONGORIA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. LONGORIA** 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. LONGORIA** 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. LONGORIA** 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. LONGORIA** 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. LONGORIA** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. LONGORIA** 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. LONGORIA** submits a written request for reinstatement; (2) the Board

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

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

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. LONGORIA 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. LONGORIA's** suspension shall be lifted and **MS. LONGORIA's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LONGORIA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LONGORIA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LONGORIA** 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. LONGORIA** has complied with all aspects of this Order; and (2) the Board determines that **MS. LONGORIA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LONGORIA** and review of the reports as required herein. Any period during which **MS. LONGORIA** 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 16th day of March, 2012.

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

Dunn, Christopher A., P.N. 110867 (CASE #10-1678)

Action: It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **CHRISTOPHER A. DUNN** in the January 21, 2011, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DUNN** 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. DUNN'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. DUNN'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. DUNN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MR. DUNN** 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. DUNN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. DUNN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. DUNN'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. DUNN** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to requesting reinstatement by the Board, MR. DUNN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Documentation, and five (5) hours of Pain Assessment.

Monitoring

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

Reporting Requirements of MR. DUNN

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

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

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

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

approved in advance by the Board.

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MR. DUNN 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. DUNN's suspension shall be lifted and MR. DUNN's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. DUNN** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. DUNN** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. DUNN** 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. DUNN** has complied with all aspects of this Order; and (2) the Board determines that **MR. DUNN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. DUNN** and review of the reports as required herein. Any period during which **MR. DUNN** 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 16th day of March, 2012.

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

Coleman, Errick M., P.N. 135095 (CASE #10-0659)

Action: It was moved by Rhonda Barkheimer, seconded by Tracy Ruegg, that upon consideration of the charges stated against **ERRICK MAURICE COLEMAN** in the July 29, 2011, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. COLEMAN** 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. COLEMAN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. COLEMAN'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. COLEMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. COLEMAN** 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. COLEMAN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. COLEMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. COLEMAN'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. COLEMAN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Anger Management, five (5) hours of Chemical Dependency/Substance Abuse, five (5) hours of Professionalism, and five (5) hours of Domestic Violence.

5. **Prior to requesting reinstatement by the Board, MR. COLEMAN** shall submit documentation of his full compliance with the terms and conditions imposed by the Cleveland Municipal Court in Case Number 2010 CRB 001874.

Monitoring

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

COLEMAN shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. COLEMAN's** history.

11. Within thirty (30) days prior to **MR. COLEMAN** initiating drug screening, **MR. COLEMAN** 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. COLEMAN**.
12. After initiating drug screening, **MR. COLEMAN** 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. COLEMAN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. COLEMAN** 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. COLEMAN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. **Prior to requesting reinstatement by the Board, MR. COLEMAN** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. COLEMAN** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. COLEMAN's** license, and a statement as to whether **MR. COLEMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
15. **MR. COLEMAN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. COLEMAN's** license.

Reporting Requirements of MR. COLEMAN

16. **MR. COLEMAN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MR. COLEMAN** 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. COLEMAN** 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. COLEMAN** 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. COLEMAN** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
21. **MR. COLEMAN** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MR. COLEMAN** 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. COLEMAN** submits a written request for reinstatement; (2) the Board determines that **MR. COLEMAN** has complied with all conditions of reinstatement; and (3) the Board determines that **MR. COLEMAN** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MR. COLEMAN** and review of the documentation specified in this Order.

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

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

treatment, **MR. COLEMAN** 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. COLEMAN** shall notify the Board.
11. **MR. COLEMAN** 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. COLEMAN** 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. COLEMAN** 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. COLEMAN

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

Order; and (2) the Board determines that **MR. COLEMAN** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. COLEMAN** and review of the reports as required herein. Any period during which **MR. COLEMAN** 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 16th day of March, 2012.

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

Fingerhut, Diane, R.N. 283362 (CASE #05-2999)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **DIANE J. FINGERHUT** in the July 21, 2006, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FINGERHUT** 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. FINGERHUT'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DIANE J. FINGERHUT** to surrender her frameable wall certificate for her registered nurse license, R.N. #283362, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Pigaga, Marie N., R.N. 368455 (CASE #11-1778)

Action: It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **MARIE N. PIGAGA** in the July 29, 2011, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PIGAGA** 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. PIGAGA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. PIGAGA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. PIGAGA** 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. PIGAGA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PIGAGA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. PIGAGA's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
 4. **MS. PIGAGA** shall successfully comply with the terms, conditions, and limitations imposed on **MS. PIGAGA's** nursing license by the Order of the Commonwealth of Massachusetts Board of Registration in Nursing (Massachusetts Nursing Board). **Prior to requesting reinstatement by the Board, MS. PIGAGA** shall submit satisfactory documentation from the Massachusetts Nursing Board that **MS. PIGAGA** has complied with all terms, conditions, and limitations imposed on **MS. PIGAGA's** Massachusetts nursing license and that **MS. PIGAGA's** license has been fully reinstated in the Commonwealth of Massachusetts.

Reporting Requirements of MS. PIGAGA

5. **MS. PIGAGA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. PIGAGA** 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. PIGAGA** 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. PIGAGA** 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. PIGAGA** 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. PIGAGA** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. PIGAGA** 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. PIGAGA** submits a written request for reinstatement; (2) the Board determines that **MS. PIGAGA** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. PIGAGA** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. PIGAGA** 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 16th day of March, 2012.

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

Seabolt, Pamela A., P.N. 123385 (CASE #11-1954)

Action: It was moved by Susan Morano, seconded by Roberta Stokes, that upon consideration of the charges stated against **PAMELA ANN SEABOLT** in the July 29, 2011, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SEABOLT** 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. SEABOLT's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SEABOLT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

submit documentation of her successful completion of all terms of her 2011 Consent Order and Stipulation with the State of Michigan Department of Community Health Bureau of Health Professions Board of Nursing, effective February 22, 2011.

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

Monitoring

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

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

Reporting Requirements of MS. SEABOLT

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

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

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

29. Prior to accepting employment as a nurse, each time with every employer, **MS. SEABOLT** shall notify the Board.
30. **MS. SEABOLT** 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. SEABOLT** 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. SEABOLT** 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. SEABOLT

31. **MS. SEABOLT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
32. **MS. SEABOLT** 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.
33. **MS. SEABOLT** 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.
34. **MS. SEABOLT** 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.
35. **MS. SEABOLT** 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.
36. **MS. SEABOLT** shall verify that the reports and documentation required by this Order are received in the Board office.
37. **MS. SEABOLT** 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.
38. Prior to working as a nurse, if requested by the Board or its designee, **MS. SEABOLT** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Lavalle, Cheryl M., R.N. 168256 (CASE #06-3248)

Action: It was moved by Roberta Stokes, seconded by Janet Arwood, that upon consideration of the charges stated against **CHERYL M. LAVALLE** in the January 19, 2007 Notice of Opportunity for Hearing and evidence supporting

the charges, the Board finds that **MS. LAVALLE** 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. LAVALLE'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHERYL M. LAVALLE** to surrender her frameable wall certificate for her registered nurse license, R.N. #168256, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Colon, Kimberly D., P.N. 090107 (CASE #11-0618)

Action: It was moved by Janet Arwood, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **KIMBERLY DANIELLE COLON** in the July 29, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COLON** 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. COLON'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. COLON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

Reporting Requirements of MS. COLON

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

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

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

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

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Mazzola, Deann M., R.N. 356836 (CASE #11-3090)

Action: It was moved by Rhonda Barkheimer, seconded by J. Jane McFee, that upon consideration of the charges stated against **DEANN MARIE**

MAZZOLA in the November 18, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MAZZOLA** 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. MAZZOLA'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. MAZZOLA's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. MAZZOLA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MAZZOLA** 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. MAZZOLA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MAZZOLA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MAZZOLA'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. MAZZOLA** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Ethics, five (5) hours of Professionalism, and ten (10) hours of Chemical Dependency.

Monitoring

5. **MS. MAZZOLA** 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. MAZZOLA's** history. **MS. MAZZOLA** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. MAZZOLA** shall abstain completely from the use of alcohol.

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

Reporting Requirements of MS. MAZZOLA

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

interview with **MS. MAZZOLA** and review of the documentation specified in this Order.

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

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. MAZZOLA 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. MAZZOLA's suspension shall be lifted and MS.

MAZZOLA's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. MAZZOLA** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. MAZZOLA** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. MAZZOLA** 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. MAZZOLA** has complied with all aspects of this Order; and (2) the Board determines that **MS. MAZZOLA** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MAZZOLA** and review of the reports as required herein. Any period during which **MS. MAZZOLA** 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 16th day of March, 2012.

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

Bryant, Shamanique R., P.N. 137612 (CASE #11-3415)

Action: It was moved by Maryam Lyon, seconded by Susan Morano, that upon consideration of the charges stated against **SHAMANIQUE RAMIKA BRYANT** in the September 23, 2011, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BRYANT** 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. BRYANT'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. BRYANT** 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. BRYANT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRYANT** 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. BRYANT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BRYANT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BRYANT'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. BRYANT** 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: one (1) hour of Ohio Nursing Law and Rules, five (5) hours of Ethics, and five (5) hours of Nurses and Drug Abuse.

Educational Needs Assessment and Learning Plan

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

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

Monitoring

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

7. **MS. BRYANT** 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. BRYANT's** license.
8. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. BRYANT** 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. BRYANT'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. BRYANT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRYANT's** history.
9. Within thirty (30) days prior to **MS. BRYANT** initiating drug screening, **MS. BRYANT** 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. BRYANT**.
10. After initiating drug screening, **MS. BRYANT** 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. BRYANT** 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. BRYANT** 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. BRYANT** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BRYANT

12. **MS. BRYANT** shall sign release of information forms allowing health

professionals and other organizations to submit requested documentation or information directly to the Board.

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

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

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

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

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

11. **MS. BRYANT** 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. BRYANT** 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. BRYANT** 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. BRYANT

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

Thornton, DeNeik L., P.N. 124909 (CASE #10-2138)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that upon consideration of the charges stated against **DENEIK LASHELL THORNTON** in the July 29, 2011 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. THORNTON** 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. THORNTON'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. THORNTON** 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. THORNTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. THORNTON** 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. THORNTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. THORNTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. THORNTON'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. THORNTON** 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. THORNTON** 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: one (1) hour of Ohio Nursing Law and Rules, and five (5) hours of Nurses and Drug Abuse.

Monitoring

6. **MS. THORNTON** 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. THORNTON's** history. **MS. THORNTON** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. THORNTON** shall abstain completely from the use of alcohol.
8. **Prior to requesting reinstatement by the Board, MS. THORNTON** 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. THORNTON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. THORNTON** 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. THORNTON's** license, and a statement as to whether **MS. THORNTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. THORNTON** 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. THORNTON's** license.
10. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. THORNTON** 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. THORNTON'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. THORNTON** shall be negative, except for substances prescribed,

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

11. Within thirty (30) days prior to **MS. THORNTON** initiating drug screening, **MS. THORNTON** 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. THORNTON**.
12. After initiating drug screening, **MS. THORNTON** 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. THORNTON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. THORNTON** 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. THORNTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. THORNTON

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

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

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

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

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

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

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

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

documentation directly to the Board.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Cook, Deborah L., P.N. 097855 (CASE #11-4405)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **DEBORAH LYNN COOK** in the September 23, 2011, and November 18, 2011, Notices of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. COOK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. COOK'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DEBORAH LYNN COOK** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #097855, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Garcia, Angela D., R.N. 338792 (CASE #10-5212)

Action: It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, that upon consideration of the charges stated against **ANGELA DAWN GARCIA** in November 18, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GARCIA** 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. GARCIA'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA DAWN GARCIA** to surrender her frameable wall certificate for her registered nurse license, R.N. #338792, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

WITHDRAW NOTICE OF OPPORTUNITY FOR HEARING

Tirey, Jason W., P.N. 122035 (CASE #10-4720)

Action: It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board withdraw the July 29, 2011, Notice of Opportunity for Hearing that was Issued to Tirey, Jason W., P.N. 122035 (CASE #10-4720), based upon failure of service, in addition to, the Board's July 29, 2011, Order, in Cases #06-2681 and #09-6263, suspending Mr. Tirey's license for a minimum period of three years with permanent narcotic and permanent practice restrictions.

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

WITHDRAW NOTICE OF OPPORTUNITY FOR HEARING – DECEASED

Kilgore, Angela M., R.N. 287617 (CASE #06-1420)

Action: It was moved by Susan Morano, seconded by Maryam Lyon, that the Board withdraw the November 20, 2006 Notice of Immediate Suspension and Opportunity for Hearing that was issued to Kilgore, Angela M., R.N. 287617 (CASE #06-1420), as Ms Kilgore is deceased.

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

Foster, Kristi A., R.N. 225670 (CASE #10-2525)

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board withdraw the September 23, 2011 Notice of Opportunity for Hearing that was issued to Foster, Kristi A., R.N. 225670 (CASE #10-2525), as Ms. Foster is deceased.

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

TEMPORARY SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Rhonda Barkheimer, seconded by J. Jane McFee, that the Board temporarily suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC, for the following case(s):

Peters, Deirdre A., R.N. 268171 (CASE #11-4816).

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

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

DEFAULT ORDERS

Brink, Tracy M., P.N. 105835 (CASE #11-0631)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board find that **MS. BRINK** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. BRINK's** control, and that in accordance with Section 4723.28(G), ORC, **MS. BRINK** has admitted the truth of the allegations set forth in the November 22, 2011, Examination Order issued to **MS. BRINK** and that **MS. BRINK** has an impairment affecting her ability to provide safe nursing care. The Board **ORDERS** that **MS. BRINK'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. BRINK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRINK** 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. BRINK** 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, Shepherd Hill Addiction Services, (hereinafter "Examiner"), located at 200 Messimer Dr., Newark, Ohio. Prior to the evaluation, **MS. BRINK** shall provide the Examiner with a copy of this Order and the November 22, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. BRINK's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BRINK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. BRINK** 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. BRINK** 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. BRINK** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. BRINK** 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. BRINK** 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. BRINK** 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. BRINK** 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. BRINK** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. BRINK** 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. BRINK** is hereby informed that **MS. BRINK** is entitled to a hearing on this matter. If **MS. BRINK** 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. BRINK is hereby further informed that, if **MS. BRINK** timely requests a hearing, **MS. BRINK** is entitled to appear at such hearing in person, by **MS. BRINK's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. BRINK** may present **MS. BRINK's** position, arguments, or contentions in writing. At the hearing **MS. BRINK** may also present evidence and examine witnesses appearing for and against **MS. BRINK**.

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

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

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. QUAIL** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. QUAIL's** control, and that in accordance with Section 4723.28(G), ORC, **MS. QUAIL** has admitted the truth of the allegations set forth in the October 25, 2011 Examination Order issued to **MS. QUAIL** and that **MS. QUAIL** has an

impairment affecting her ability to provide safe nursing care. The Board ORDERS that **MS. QUAIL'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. QUAIL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. QUAIL** 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. QUAIL** 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, Shepherd Hill Addiction Services, (hereinafter "Examiner"), located at 200 Messimer Dr., Newark, Ohio. Prior to the evaluation, **MS. QUAIL** shall provide the Examiner with a copy of this Order and the October 25, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. QUAIL's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. QUAIL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. QUAIL** 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. QUAIL** 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. QUAIL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.

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

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Sobieski, Judith T., R.N. 105706 (CASE #11-1045)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. SOBIESKI** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. SOBIESKI's** control, and that in accordance with Section 4723.28(G), ORC, has admitted the truth of the allegations set forth in the November 1, 2011 Examination Order issued to **MS. SOBIESKI** and that **MS. SOBIESKI** has an impairment affecting her ability to provide safe nursing care. The Board ORDERS that **MS. SOBIESKI'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. SOBIESKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SOBIESKI** 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. SOBIESKI** 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, Shepherd Hill Addiction Services, (hereinafter "Examiner"), located at 200 Messimer Dr., Newark, Ohio. Prior to the evaluation, **MS. SOBIESKI** shall provide the Examiner with a copy of this Order and the November 1, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. SOBIESKI's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. SOBIESKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. SOBIESKI** 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. SOBIESKI** 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. SOBIESKI** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. SOBIESKI** 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. SOBIESKI** 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. SOBIESKI** 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. SOBIESKI** 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. SOBIESKI** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. SOBIESKI** 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. SOBIESKI** is hereby informed that **MS. SOBIESKI** is entitled to a hearing on this matter. If **MS. SOBIESKI** 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. SOBIESKI is hereby further informed that, if **MS. SOBIESKI** timely requests a hearing, **MS. SOBIESKI** is entitled to appear at such hearing in person, by **MS. SOBIESKI's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. SOBIESKI** may present **MS. SOBIESKI's** position, arguments, or contentions in writing. At the hearing **MS. SOBIESKI** may also present evidence and examine witnesses appearing for and against **MS. SOBIESKI**.

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

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

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. THOMPSON** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. THOMPSON's** control, and that in accordance with Section 4723.28(G), ORC, has admitted the truth of the allegations set forth in the November 22, 2011 Examination Order issued to **MS. THOMPSON** and that **MS. THOMPSON** has an impairment affecting her ability to provide safe nursing care. The Board ORDERS that **MS. THOMPSON'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. THOMPSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. THOMPSON** 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. THOMPSON** 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, University of Cincinnati Physicians Company, (hereinafter "Examiner"), located at 260 Stetson Street, Suite 3200, Cincinnati, Ohio. Prior to the evaluation, **MS. THOMPSON** shall provide the Examiner with a copy of this Order and the November 22, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. THOMPSON's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. THOMPSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. THOMPSON** 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. THOMPSON** 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. THOMPSON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. THOMPSON** 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. THOMPSON** 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. THOMPSON** 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. THOMPSON** 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. THOMPSON** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. THOMPSON** 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. THOMPSON** is hereby informed that **MS. THOMPSON** is entitled to a hearing on this matter. If **MS. THOMPSON** 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. THOMPSON is hereby further informed that, if **MS. THOMPSON** timely requests a hearing, **MS. THOMPSON** is entitled to appear at such hearing in person, by **MS. THOMPSON's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. THOMPSON** may present **MS. THOMPSON's** position, arguments, or contentions in writing. At the hearing

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

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

Betanga, Tony E., P.N. endorse (CASE #11-3238)

Action: It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, that the Board find that **MR. BETANGA** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **Mr. BETANGA's** control, and that in accordance with Section 4723.28(G), ORC, has admitted the truth of the allegations set forth in the November 22, 2011 examination order issued to **MR. BETANGA**, and that **MR. BETANGA** has an impairment that affecting his ability to provide safe nursing care. The Board Orders that **MR. BETANGA's** application for licensure by endorsement to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied for a period of one (1) year with the conditions for reapplication set forth below:

CONDITIONS FOR REAPPLICATION

1. **MR. BETANGA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. BETANGA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reapplication.
3. **MR. BETANGA** 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 treatment recommended and/or restrictions specified by the examining psychiatrist. If the Board and **MR. BETANGA** 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.

4. **MR. BETANGA** shall, at his own expense, obtain a psychiatric evaluation from Dr. Howard Sokolov, OSU Harding Hospital, 1670 Upham Dr., Fifth Floor, Columbus, Ohio 43210, or another psychiatrist approved in advance by the Board and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. BETANGA** shall provide the psychiatrist with a copy of the Board Order and all public documents concerning **MR. BETANGA**, 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, and any restrictions that should be placed on **MR. BETANGA's** practice. The psychiatrist shall provide an opinion to the Board regarding whether **MR. BETANGA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

Reporting Requirements of Applicant

5. **MR. BETANGA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. BETANGA** 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. BETANGA** 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. BETANGA** 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. BETANGA** 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. BETANGA** shall verify that the reports and documentation required by this ORDER are received in the Board office.
11. **MR. BETANGA** 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. BETANGA** is hereby informed that **MR. BETANGA** is entitled to a hearing on this matter. If **MR. BETANGA**

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. BETANGA is hereby further informed that, if **MR. BETANGA** timely requests a hearing, **MR. BETANGA** is entitled to appear at such hearing in person, by **MR. BETANGA's** attorney, or by such other representative as is permitted to practice before the Board, or **MR. BETANGA** may present his position, arguments, or contentions in writing. At the hearing **MR. BETANGA** may also present evidence and examine witnesses appearing for and against **MR. BETANGA**.

Should **MR. BETANGA** 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 at hearing@nursing.ohio.gov**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

East, Yvonne B., R.N. 214300 (CASE #10-5387)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. EAST** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. EAST's** control, and that in accordance with Section 4723.28(G), ORC, has admitted the truth of the allegations set forth in the September 29, 2011 Examination Order issued to **MS. EAST** and that **MS. EAST** has an impairment affecting her ability to provide safe nursing care. The Board ORDERS that **MS. EAST'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. EAST** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. EAST** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **Prior to requesting reinstatement by the Board, MS. EAST** shall submit a request to the Bureau of Criminal Identification and Investigation

(BCII) to conduct a criminal records check of **MS. EAST**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. EAST's** criminal records check reports to the Board.

A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **MS. EAST** shall, at her own expense, submit to a psychiatric examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Richard Friedell, Comprehensive Psychiatric Services, Inc. (hereinafter "Dr. Friedell"), located at 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122, or another psychiatrist approved in advance by the Board or its designee. Prior to the evaluation, **MS. EAST** shall provide the Examiner with a copy of this Order and the September 29, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. EAST's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. EAST** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. EAST** 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 4., above. If the Board and **MS. EAST** 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

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

9. **MS. EAST** 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.
10. **MS. EAST** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. EAST** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. EAST** 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. EAST** is hereby informed that **MS. EAST** is entitled to a hearing on this matter. If **MS. EAST** 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. EAST is hereby further informed that, if **MS. EAST** timely requests a hearing, **MS. EAST** is entitled to appear at such hearing in person, by **MS. EAST's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. EAST** may present **MS. EAST's** position, arguments, or contentions in writing. At the hearing **MS. EAST** may also present evidence and examine witnesses appearing for and against **MS. EAST**.

Should **MS. EAST** 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 16th day of March, 2012.

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

Krivacic, Suzanne, R.N. 268479 (CASE #10-2472)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board find that **MS. KRIVACIC** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond **MS. KRIVACIC's** control, and that in accordance with Section 4723.28(G), ORC, has admitted the truth of the allegations set forth in the November 4, 2011 Examination Order issued to **MS. KRIVACIC** and that **MS. KRIVACIC** has an impairment affecting her ability to provide safe nursing care. The Board ORDERS that **MS. KRIVACIC'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. KRIVACIC** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KRIVACIC** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **Prior to requesting reinstatement by the Board, MS. KRIVACIC** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KRIVACIC**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KRIVACIC's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **MS. KRIVACIC** shall, at her own expense, submit to a psychiatric examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Richard Friedell, Comprehensive Psychiatric Services, Inc. (hereinafter "Dr. Friedell"), located at 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122, or another psychiatrist approved in advance by the Board or its designee. Prior to the evaluation, **MS. KRIVACIC** shall provide the Examiner with a copy of this Order and the November 4, 2011 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. KRIVACIC's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. KRIVACIC** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. **MS. KRIVACIC** 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 4., above. If the Board and **MS. KRIVACIC** 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

6. **MS. KRIVACIC** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. KRIVACIC** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
8. **MS. KRIVACIC** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
9. **MS. KRIVACIC** 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.
10. **MS. KRIVACIC** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
11. **MS. KRIVACIC** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. KRIVACIC** 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. KRIVACIC** is hereby informed that **MS. KRIVACIC** is entitled to a hearing on this matter. If **MS. KRIVACIC** 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. KRIVACIC is hereby further informed that, if **MS. KRIVACIC** timely requests a hearing, **MS. KRIVACIC** is entitled to appear at such hearing in person, by **MS. KRIVACIC's** attorney, or by such other representative as is permitted to practice before the Board, or **MS. KRIVACIC** may present **MS. KRIVACIC's** position, arguments, or contentions in writing. At the hearing **MS. KRIVACIC** may also present evidence and examine witnesses appearing for and against **MS. KRIVACIC**.

Should **MS. KRIVACIC** 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 16th day of March, 2012.

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

Dunlap, Brenda L., R.N. 247489 (CASE #09-3032)

Action: It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the allegations contained in the October 26, 2010, Examination Order and the findings contained in the May 20, 2011, Default Order, the Board finds that **MS. DUNLAP** has committed acts in violation of the Nurse Practice Act, and **MS. DUNLAP**s did not timely request a hearing regarding the May 20, 2011 Default Order, as set forth in the May 2011 Default Order, and the Board orders that **MS. DUNLAP**'s license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of May 20, 2011, with conditions for reinstatement set forth in the May 2011 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of March, 2012.

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

SSUMMARY SUSPENSION

Fontaine, Helena O., P.N. 141691 (CASE #11-5237)

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that the Board Summarily Suspend the license of, and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC retroactive to the date it was issued on January 30, 2012, to Fontaine, Helena O., P.N. 141691 (CASE #11-5237), due to the fact that there is clear and convincing evidence that continued practice by Ms. Fontaine presents a danger of immediate and serious harm to the public.

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

MONITORING

LIFTS OF SUSPENSION/PROBATION

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

Teuschler, Jessica W., P.N. 138357 (CASE #09-5535); Kanu, Kadiatu, P.N. 125963 (CASE #07-1578); Lodge, Alexis S., R.N. 363201 (CASE #10-0817); Scott-Pyatt, Kari J., P.N. 093239 (CASE #03-0534); Goebel, Diane K., R.N. 122873 (CASE #09-0010); Sapp, Gladys M., P.N. 095411 (CASE #06-0443); Elifritz, Wendi L., P.N. 143538 (CASE #10-3330); Harvey, Danielle C., P.N. 143540 (CASE #10-5229); Crane, Rachel E., P.N. 143535 (CASE #10-4408); Schneider, Kelly J., R.N. 356136 (CASE #08-0707); Bruce, Kyla L., R.N. 356956 (CASE #09-4904); Jones, Brandy R., R.N. 366229 (CASE #10-3893); Powell II, Vonzell W.V., P.N. 136327 (CASE #10-5533); Digman, Amy K., P.N. 137516 (CASE #09-3959); Six-Likens, Kimberly, R.N. 285180 (CASE #10-1937); Lamatrice, Mark E., P.N. 142873 (CASE #10-3423); McFarland, Lisa M., R.N. 284110 (CASE #09-4372); Tovanche, Nadia A., P.N. 128519 (CASE #08-1870); Miller, Meighan A., R.N. 364865 (CASE #10-2334); and Damron, Madonna L., P.N. 098987 (CASE #08-2309).

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

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

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, having met the terms and conditions of their Consent Agreements or Adjudication Orders with the Board, be released early from their respective Consent Agreements or Adjudication Orders:

Markovich, Peter, R.N. 222650 (CASE #09-4559).

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

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

Action: It was moved by Rhonda Barkheimer, seconded by J. Jane McFee, 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:

Judy, Annabelle L., R.N. 211072 (CASE #07-3463); Thomson, Linda J., P.N. 075983 (CASE #08-2299); and Sanzen (Lee), Jessica L., R.N. 315813 (CASE #09-5873).

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

LIFT OF SUSPENSION ONLY – PERMANENT PRACTICE AND NARCOTIC RESTRICTION(S) REMAIN

Action: It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, 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 and narcotics restriction(s) that will remain in effect:

Reeves, Tina, P.N. 134775 (CASE #08-1371).

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

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

Action: It was moved by 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:

Greene, Traci L., R.N. 260763 (CASE #09-0685)

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

LIFT OF TEMPORARY NARCOTIC RESTRICTION ONLY

Action: It was moved by Rhonda Barkheimer, seconded by Janet Arwood, 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:

Casey, Michael R., R.N. 320744 (CASE #10-5535); Justus, Lora D., R.N. 296181 (CASE #11-0855); Ryan, Jane M., R.N. 223184 (CASE #08-2525); Lampkins, Brandon D., P.N. 145200 (CASE #10-3741); Gill, Gurkiran K., R.N. 337034 (CASE #10-5439); Erd, Leilani M., R.N. 231425 (CASE #10-4635); Cook, Pamela S., R.N. 161375 (CASE #07-2758); and Mott, Mark A., R.N. 341283 (CASE #10-3272).

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

REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT

Action: It was moved by Janet Arwood, seconded by Rhonda Barkheimer, that the following, with the recommendation by Judith Church, Supervising Member

for Disciplinary Matters, be reinstated subject to the probationary terms of the September 2007 Consent Agreement:

Tidmore, Atrienne S., P.N. 116056 (CASE #07-1733).

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

MOTION TO APPROVE

Action: It was moved by Maryam Lyon, seconded by Susan Morano, that the Board accept the following approval made by Judith Church, Supervising Member for Disciplinary Matters:

Risner, Tralisha A., P.N. 123272 (CASE #09-5310) – Approved to resume employment with Visiting Angels;

Henley, Sherin A., P.N. 134210 (CASE #10-1285) – Approved to seek nursing employment; and

Griggs, Holly A., P.N. 145855 (CASE #11-1784) – Approved to seek nursing employment.

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

MISCELLANEOUS MONITORING MOTIONS

Williams, Jeaneen, P.N. 145349 (CASE #11-1297)

Action: It was moved by Janet Arwood, seconded by Rhonda Barkheimer, that the Board accept the 25 hour continuing education course in Surviving and Thriving in Nursing for Williams, Jeaneen, P.N. 145349 (CASE #11-1297).

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

Applegarth, Darla J., R.N. 245737 (CASE #98-0059)

Action: It was moved by J. Jane McFee, seconded by Rhonda Barkheimer, that the Board release Applegarth, Darla J., R.N. 245737 (CASE #98-0059), from the January 1999 Consent Agreement with the Board with the permanent practice restrictions in paragraph five to remain in effect.

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

MODIFICATION OF TEMPORARY PRACTICE RESTRICTION SPECIFIC ONLY TO CURRENT POSITION.

Heine, Leslie A., R.N. 368745 (CASE #10-4986)

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that Heine, Leslie A., R.N. 368745 (CASE #10-4986), be approved for employment as an RN with Complete Healthcare Home Care Agency.

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

Salaam, Jamilah L., P.N. 138354 (CASE #09-4801)

Action: It was moved by Rhonda Barkheimer, seconded by Janet Arwood, that Salaam, Jamilah L., P.N. 138354 (CASE #09-4801), be approved for employment as a Home Health Nurse with Comprehensive Healthcare Services.

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

REPORTS TO THE BOARD

Open Forum – Friday, March 16, 2012

There were no participants for Open Forum.

Advisory Group Reports

CPG (January 23 and February 13)

Tracy Ruegg and Lisa Emrich reported on the CPG meetings. In anticipation of SB 83 passing, the CPG began meeting in January to discuss revisions to the Formulary. The goal is to complete the Formulary revisions by June 8, 2012, the effective date of the law.

At the February 13 meeting, the CPG grouped schedule II controlled substances into three subcategories of drugs and types of drugs and made prescribing recommendations related to each group: schedule II amphetamines and stimulants; schedule II opioid analgesics, and schedule II sedatives and hynotics. For schedule II opioid analgesics, the CPG recommended that the Certificate to Prescribe (CTP) holder initially prescribe a seven day supply; if an additional supply is needed, the CTP holder is not prohibited from prescribing an additional supply, rather the CTP holder would prescribe an additional supply based on physician initiation or physician consultation. The CPG will further discuss these and additional recommendations at the next meeting on March 19, 2012.

The CPG also discussed recommendations for the administrative rules. The Board reviewed a CPG Memorandum that outlined the proposed rule amendments and a new rule for the continuing education requirement. Board staff recommended “fast-tracking” the administrative rules necessitated by SB 83 for an anticipated effective date of November 1, 2012, to provide APNs ample time to complete the continuing education. The Board agreed by general consensus.

Continuing Education (February 10)

Rhonda Barkheimer and Lesleigh Robinson reported on the Advisory Group on Continuing Education meeting. The group continues to review the proposed revisions to the continuing education rules, Chapter 4723-14, OAC. After a review and discussion of the information provided by a CE Broker representative at previous meetings, the Advisory Group agreed not to use the CE Caddy product at this time due to additional costs for nurses and CE providers, and additional processing steps for CE providers. In addition, electronic transcripts are not currently accepted, and nurses are required to maintain CE documents for six years. Pam Dickerson discussed ANCC documents entitled, "Definition, Identification, and Resolution of Conflict of Interest for Continuing Nursing Education Activities" and Content Integrity Standards for Industry Support in Continuing Nursing Educational Activities." The group was informed that the medication aide renewal cycle has begun and medication aides are required to obtain CE for renewal of their certificates.

Nursing Education (March 8)

J. Church and L. Emrich reported on the Advisory Group on Nursing Education meeting. The group welcomed four new members, reviewed the Carnegie nursing education report and the IOM Future of Nursing recommendations for nursing education, and received an update regarding legislation. The Advisory Group noted that the NCSBN Education Committee is making recommendations regarding approval processes for nursing education programs, and in relation to this, the Advisory Group will review and compare accrediting standards and regulatory requirements for programs. The next meeting is scheduled for June 14, 2012 and J. Church invited other Board members to attend.

Other Reports

Strategic Plan – Status

B. Houchen presented the status of the Strategic Plan. She noted that the Board would review and discuss the objectives and outcome measures at the Board Retreat. The Board complimented staff on the status report.

Nursing Education Programs – NCLEX Pass Rates

L. Emrich presented the NCLEX Pass Rate report for nursing education programs. Board members expressed concern about the number of programs that are not meeting the required pass rate. The Board requested to review the NCLEX pass rates for all nursing education programs and a summary of education surveyors' citations regarding requirements not met by education programs. These topics will be added to the Board Retreat agenda and also referred to the Advisory Group on Nursing Education. The Board also asked Board staff to post the NCLEX Pass Rate Report on the Board web site.

NEGP First Quarter Report

L. Emrich presented the NEGP Report that reflected the first quarter expenditures.

GENERAL INFORMATION (FYI)

The Board reviewed the general information items and had no questions. The Board stated that they appreciated the development and use of the Criminal History Fact Sheet and asked that it be distributed to education programs.

BOARD GOVERNANCE

Reminder – Financial Disclosure Statements

Board members were reminded that Financial Disclosure Statements (FDS) are due no later than April 16, 2012. Board members may file the FDS directly with the Ohio Ethics Commission, or may return their FDS to Joseph Kirk by April 6, 2011 and he will file the forms for them.

Completion of Ethics Affiliation Forms

Board staff will provide the Ethics Affiliation Forms at the Retreat for Board members to complete.

Report on NCSBN Mid-Year Meeting

B. Lovelace, Melissa Meyer, and Jane McFee reported on the NCSBN Mid-Year Meeting. B. Lovelace stated that there was a panel discussion that focused on single state, multi-state, and national licensure models. She recommended that the Board discuss multi-state (compact) licensure at the Retreat. The Board members agreed to add it to the Retreat agenda. The NCSBN Education Committee reported on their work regarding board approval processes and requirements in relation to accreditation. J. McFee reported on a LPN panel; work settings, education, research, the use of unlicensed personnel, and the role of LPNs in Canada were topics discussed. M. Meyer reported on the Area II Meeting where generational differences in nursing were discussed, i.e., technology, social media, etc.

Board Retreat

Joseph Kirk reminded Board members that the Board Retreat dates were changed to April 16-17, 2012. The Board Retreat will be held at the Drury Inn and Suites, 6170 Parkcenter Circle, Dublin, Ohio, 43017. J. Kirk confirmed who will be attending and stated he will make the necessary arrangements.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on Friday, March 16, 2012 at 10:05 a.m.

Bertha Lovelace, RN, CRNA
President

Handwritten signature of Bertha M. Lovelace in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Executive Director

Handwritten signature of Betsy J. Houchen in cursive script.