



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD MAY 18-19, 2016

The regular meeting of the Ohio Board of Nursing (Board) was held on May 18-19, 2016 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 Wednesday, May 18, 2016, at 8:36 a.m., President Maryam Lyon called the Board meeting to order, welcomed guests and requested that Board Members introduce themselves. On Thursday, May 19, 2016, at 9:00 a.m., President Maryam Lyon called the Board meeting to order. Vice-President, Janet Arwood, read the Board mission each day.

#### **BOARD MEMBERS**

Maryam Lyon, RN, President  
Janet Arwood, LPN, Vice-President  
Judith Church, RN  
Brenda Boggs, LPN (Absent Wednesday and Thursday)  
Nancy Fellows, RN  
Lisa Klenke, RN  
Lauralee Krabill, RN  
J. Jane McFee, LPN  
Sandra Ranck, RN  
John Schmidt, RN  
Patricia Sharpnack, RN (Absent Thursday)  
Sheryl Warner, Consumer Member

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

#### **ADMINISTRATIVE MATTERS**

##### **Board Meeting Overview**

On Wednesday, beginning at 1:00 p.m., the following addressed the Board: Attorney Diane Knoblauch, Amy Lucas, LPN, RN NCLEX, and AAG Henry Appel; and Attorney Elizabeth Collis, Karly McEndree, RN, and AAG Steven Kochheiser. On Thursday, Open Forum was held at 10:05 a.m.; and Executive Session was at 10:10 a.m.

##### **Approval of Minutes of the March 2016 Meeting**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board approve the minutes from the March 2016 Board meeting, as

submitted. Motion adopted by a majority vote of the Board members with Judith Church, Lauralee Krabill and Maryam Lyon abstaining.

### **Approval of Minutes of the April 2016 Retreat**

**Action:** It was moved by Lauralee Krabill, seconded by Patricia Sharpnack, that the Board approve the minutes from the April 2016 Board retreat as submitted. Motion adopted by a majority vote of the Board members with Judith Church abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomed Lana Momani, a new intermittent staff attorney, to the Compliance Unit.
- NCSBN asked that the Board participate in an expert panel to discuss the approaches to studying the effectiveness of practice-related remediation programs. Lisa Emrich attended on behalf of the Board.
- The Committee on Prescriptive Governance was scheduled for Sunset Review this year. The Board presented testimony to the legislative Sunset Review Committee on May 3, 2016, and recommended that the CPG continue.
- Board staff continue to meet with DAS/OIT and the vendor to prepare for implementation on or about July 1 of the new Ohio eLicense system. Board staff have been providing alerts, articles, emails, and notifications on the website to licensees and applicants. The Board is preparing to mail a letter in mid-June to LPNs who are renewing this year. The letter will provide them with an individual security code/ID, which is needed for registration.

DAS/OIT advised Board staff that DAS/OIT will need up to two weeks to convert data from the current system to the new 3.0 system, which means staff will not be able to process applications or make any changes in the old or new system. The last day to process any type of application is June 17<sup>th</sup> until the new system is operational. The Board will be unable to license new nursing program graduates between June 17<sup>th</sup> deadline, and the final date of the conversion. Patricia Sharpnack asked about processing any backlog after the June 17<sup>th</sup> deadline. Lesleigh Robinson shared that there should not be a backlog because staff will have processed all paper applications received.

- Compliance Board Agents Dennis Corrigan, John Cover, and Melissa Knauss conducted training on nurse drug diversion in April for approximately twenty-three investigators from the Ohio Department of Health (ODH) and from the Attorney General's Office. Compliance had two

Board attorneys attend the *Ohio's 2016 Opiate Conference* held May 2 and 3, 2016.

- To follow-up on the discussion at the April Retreat, the dialysis information will be prepared for the Board's review at the September meeting. Staff held a conference call with ODH, but additional information is needed.

### **Legislative Report**

Tom Dilling presented the Legislative Report and summarized the status of pending and recently passed legislation highlighted in the written Legislative Report. He reported that for HB 216, Advanced Practice Registered Nurses, there is an 8<sup>th</sup> version being developed. He stated he met with lobbying representatives of the OAAPN to review Board concerns, primarily regarding the Board governance provisions of the bill as discussed at the April Board Retreat. The individuals stated they would take the Board concerns to the OAAPN and respond to the Board by the May meeting, but no response has been received yet. Board members discussed that the Board governance provisions should not have been included in the bill, and the Board should have been involved starting with the initial discussions. Further, Board members expressed that the strategy used has resulted in a fragmented bill, as well as fragmented processes and communications.

T. Dilling reported on HB 548, CRNAs-Prescribing. In 2013, the Board received an Attorney General's Opinion 2013-018 that stated that Ohio Revised Code Section 4723.43(B) does not authorize a certified registered nurse anesthetist (CRNA) to order or prescribe a preoperative or postoperative medication to be administered by another licensed healthcare professional, such as a registered nurse (RN) or licensed practical nurse (LPN). Recently introduced HB 548 proposes to permit such practice if it is authorized by the clinical privileges of the facility where the CRNA works. The bill does not include any requirements for the CRNA to obtain a Certificate To Prescribe or any specified coursework or hours of education or training.

SB 319, Opioids-MBR, includes numerous provisions regarding opioid prescription limitations, office-based treatment provider terminal distributor licenses, naloxone, etc. The State of Ohio Board of Pharmacy requested a letter of support. The Board agreed by general consensus to provide a letter of support to the Pharmacy Board.

The Board provided an interested party letter for HB 483, Department of Developmental Disabilities-MBR.

### **Fiscal Report**

Kathy King, Fiscal Officer, presented the fiscal report for the third quarter of fiscal year 2016.

## **EXECUTIVE SESSION**

On Thursday, May 19, 2016:

**Action:** It was moved by Janet Arwood that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. A roll call vote was taken. The Board entered Executive Session at 10:10 a.m. and reported out of Executive Session at 10:31 a.m.

## **NEW BUSINESS**

### **Administrative Rule Review**

Holly Fischer reviewed the proposed rule revisions, as distributed, for the Board's consideration. Five-year review rules include Ohio Administrative Code Chapters 4723-5, Nursing Education Programs; 4723-7, Examination and Licensure; 4723-13, Delegation of Nursing Tasks; 4723-27, Medication Administration by Certified Medication Aides. H. Fischer also reviewed the revisions to individual rules that are not slated for five-year review, but are either required to be revised, or recommended to be updated, due to recent legislative action, or for technical reasons. At the April meeting, the Board approved numerous proposed revisions which are included for the Board's review. The following summarizes comments from interested parties and the Board's discussion and review.

### **Five-Year Review Rules**

#### **Chapter 4723-5 (Nursing Education Programs)**

Rule 5-01: At the April meeting, the Board reviewed both long and short definitions of "high fidelity", "mid or moderate fidelity" and "low fidelity" and decided to include the shorter versions of the definitions in the rule. The Board agreed by general consensus with the language included in the rule.

Rules 5-09, 5-10: The Ohio Council of Deans and Directors of Baccalaureate and Higher Degree Nursing Programs (OCDD) submitted recommended changes on May 6, 2016:

- Rule 4723-5-09(A)(2): OCDD requested that "and students" be removed from "The program shall have and implement a plan of organization and administration that clearly shows: How faculty and students are involved in determining academic and program policies and procedures, planning curriculum, and program evaluation." OCDD recommended instead: "opportunities for students to provide input on program policies and procedures."
  - Sandra Ranck, Lauralee Krabill and John Schmidt recommended the current language be retained because it more clearly assures student participation and it promotes a shared governance model. The Board agreed by general consensus.
- Rule 4723-5-09(B)(10): OCDD requested that the word "erroneous" be replaced with "invalid" in the following: "...Submitting to the board a corrective action plan any time the program administrator submits one or

more erroneous certifications of program completion to the board.”

- The Board discussed that erroneous is a broader term than invalid, and erroneous encompasses invalid completion letters. If erroneous completion letters are provided to the Board, the education program is to submit a plan of correction that consists of a letter from the program describing how the program will assure that accurate completion letters are provided in the future. The Board agreed by general consensus to keep the current language.
- Rule 4723-5-09(D)(2): OCDD requested that the Board further define what absence of a program administrator means, i.e., vacation, illness, termination; OCDD also stated “physical presence vs. contact by phone or mail.”
  - The Board noted that termination and vacancies are addressed elsewhere in the rule. The Board also noted that there could be reasons for absences other than vacation or illness, such as jury duty, personal leave, etc., so it would be difficult to list all the reasons and could become overly prescriptive. The Board also discussed that if the program administrator was present by telephone or email, such as working at a home office, then the employer would decide if this constitutes an absence. The Board agreed by general consensus not to make any revisions.
- Rule 4723-5-10(A)(1)(c): OCDD requested that the word “graduate degree with a major in nursing” be used instead of a “Master’s degree.”
  - The Board noted that a Master’s degree is a minimum requirement and therefore, a doctorate in nursing practice would be acceptable. The Board agreed by general consensus not to change the language.
- Rule 4723-5-10(A)(5)(b): OCDD requested the Board “consider one year of nursing practice with demonstrated competency for those nurses who have at least a BSN to be an appropriate preceptor” instead of experience for at least two years in the practice of nursing.
  - The Board stated they believe two years of experience provides a better assurance that the preceptor is experienced in the type of practice and work setting where the nursing student is being precepted. The Board agreed by general consensus to not change the requirement of two years experience.

Rule 5-11(A)(2): Request from J. Denker/Brown Mackie (November 2013) to change minimum requirements for PN program associate administrator so two years of experience can include “teaching in the clinical or laboratory setting”

instead of being limited to serving as a “faculty member.” The Advisory Group has recommended, in general, that the current minimum requirements should not be changed.

- The Board agreed with the Advisory Group not to make this change.

Rule 5-12(B): Request from C. Wilkins/Muskingum University (August 2015) to create an “appeal process” for programs who want to change their program content/curriculum as to currently enrolled students. OCDD made a similar request. At the April meeting, the Board discussed that this change would not be needed because of recommended changes to Rule 5-13 and 5-14.

- The Board agreed by general consensus to not make a change because there would be increased flexibility for programs based on the recommended changes to Rule 5-13 and 5-14, allowing programs to interchange clinical and laboratory hours within a course.

Rule 5-12(C)(8): OCDD recommends changing “universal” to “standard and transmission-based precautions,” however, the law uses “universal and standard precautions” (Section 4723.07(K), ORC), and Chapter 4723-20, OAC, is consistent with the law and defines “universal and standard precautions” to broadly include a number of infection prevention practices. Chapter 5 needs to reflect the law and Chapter 4723-20 rules.

- After reviewing the language in Chapter 4723-20, OAC, and to be consistent with the Nurse Practice Act, the Board agreed by general consensus not to make changes in the rules. Chapter 4723-20, OAC, is inclusive of the precautions to be taken for infection prevention practices regardless of what terminology is used.

Rules 5-13 and 5-14: At the April meeting, the Board agreed not to include a new position for “personnel operating simulators and running computerized simulation scenarios,” and instead add language requiring that faculty operating patient simulators have the necessary knowledge, skills and education to do so and that this be maintained on a continuing basis.

- Language requiring that faculty operating patient simulators have the necessary knowledge, skills and education to do so and that this be maintained on a continuing basis is added in Rules 5-13(F)(8)(d) and 5-14(E)(12). The Board agreed by general consensus to the language presented.

Rule 5-13 and 5-14: Request from K. Rogers (November 2015) to add language requiring course content in human sexuality (addressing transgender). If this is added, staff suggested adding to 5-13(F)(7) and 5-14(E)(2): “Social and behavioral sciences that are necessary to understand the effect of the patient’s religious, spiritual, gender identity, cultural, and growth and development

experiences . . .” At the April meeting, the Board agreed to this change.

- On May 4, 2016, J. Milstead requested that curriculum content in “humanities” be added to Rule 5-13.
  - The Board noted that the education programs generally include humanities as part of the curriculum at this time. The Board agreed by general consensus to add the word humanities in this rule.

Rule 5-13(D), 5-14(D): The Advisory Group on Nursing Education recommended new language that would allow patient simulation to replace clinical experience in obstetrical/immediate newborn care.

- At the April meeting, the Board agreed to this change if high fidelity or mid or moderate fidelity simulation is used; in addition, the Board determined that patient simulation should also be allowed for pediatrics.

Rule 5-13(F)(2)(a): OCDD requested that the curriculum for the manager of care role include “prioritization and resource allocation.”

- The Board noted that the registered nurse’s role as a case manager for patient care is evolving and agreed by general consensus to add subparagraph (v) to include prioritization and resource allocation.

Rule 5-13(F)(6)(f): OCDD requested that “physics” be changed to “body mechanics.”

- The Board discussed that the term physics is used because it includes not only body mechanics, but also principles of traction, IV flow, etc. The Board agreed by general consensus to make no change.

Rule 5-13(F)(6)(i): OCDD requested that “computer operations” be changed to “nursing informatics.”

- The Board stated they believe the topic of computer operations is still pertinent and different than nursing informatics, and both are important. The Board agreed by general consensus to include both computer operations and nursing informatics.

Rule 5-13(F)(8), 5-14(E)(12): As noted above, the Advisory Group recommended new language to allow simulation to replace clinical experience in obstetrical/immediate newborn care. OCDD requested the addition of simulation.

- At the April Board meeting, the Board agreed to this and added pediatrics.
- The Board discussed how the use of simulation, and knowledge, skills,

and abilities in using simulation would be identified. H. Fischer responded that this would be evaluated on a case-by-case basis similar to how competency to practice beyond basic nursing preparation is evaluated under Chapter 4723-4, OAC. It was discussed that competency would be evaluated based on quizzes/tests and return demonstrations, and that additionally during survey visits, Board staff could observe a demonstration of a simulation scenario and review the faculty member's education and training records. The Board discussed that while faculty would operate/conduct the simulation, this would not preclude the use of IT or other assistive support staff.

Rule 5-15(A)(5): OCDD commented that this paragraph, which specifies "evaluation plan," is redundant, as the stem of the Rule discusses "a written systematic plan of evaluation."

- The Board discussed that evaluation plan refers to the plan specifying how the education program will conduct its evaluation; the stem of the paragraph refers to the systemic (total) evaluation that includes all of the components specified in (A)(1) through (11). The Board agreed by general consensus to not make changes.

Rule 5-16(B): OCDD requested to change this rule, if Rule 5-12 regarding curriculum changes is revised.

- The Board determined at the April meeting not to revise the rule to allow curriculum changes for enrolled students due to the recommended changes to Rules 5-13 and 5-14. Rules 5-13 and 5-14 provide for increased flexibility for programs, allowing programs to interchange clinical and laboratory hours within a course. (Refer to the discussion above regarding Rule 5-12(B).)

Rule 5-19(A)(7): OCDD requested that the Board consider allowing the use of experts in pharmacology for multi-disciplinary teaching.

- The Board noted that the current rule permits nursing faculty to incorporate multidisciplinary teaching by non-nurses, such as pharmacists, to teach as part of a nursing course. The Board agreed by general consensus to make no changes in the rule.

Rule 5-21(D)(3): OCDD requested the Board to define the required length of time that various documents need to be retained.

- The Board believes OCDD is referring to the retention of records listed in paragraph (D)(3), "Verification of current, valid licensure as a registered nurse in Ohio at the time of appointment, and at each licensure renewal." The Board agreed by general consensus that the education program should retain verification of the faculty and teaching assistant licensure

from the time of appointment, if not reviewed at a previous survey visit, and for each licensure renewal. Language will be drafted to reflect this.

Rule 5-23: As discussed at the April 2016 meeting, the rule mandates that after four consecutive years of low NCLEX rates, a program be placed on provisional approval, or if the program is on conditional approval, the Board propose to withdraw conditional and deny full approval via the Chapter 119., ORC process. At the April meeting, the Board requested additional research regarding limiting the number of retakes, and setting a time limit as to when a first-time test taker must take the NCLEX after completing a pre-licensure nursing education program. (See the NCLEX Testing section below).

OCDD suggested that the pass/fail rate of students who take the NCLEX after six months following graduation not be included in an education program's NCLEX pass rate calculation.

- The Board discussed that some who complete nursing education programs do not take the NCLEX for the first time until years later, regardless of the amount or type of encouragement provided. NCSBN shows that first time test takers are more successful in passing the NCLEX if they take the test within six months of completing the education program. The Board discussed addressing this in Rule 5-23 by measuring only the pass rates of those who took the NCLEX within six months of program completion. Board staff will contact NCSBN to determine if the data can be provided in this manner.

The Advisory Group on Nursing Education will review the proposed revisions at the June 2, 2016 meeting and may provide additional recommendations to the Board for consideration at the July Board meeting. The Board requested that the rationale be provided when recommendations for rule revisions are made.

### **Chapter 4723-7 (Examination and Licensure)**

Rule 7-03(G): At the April meeting, the Board decided that rather than adopting the suggestion to rescind the paragraph, which states the Board shall send reports of the (NCLEX) testing results to nursing education programs, the language be changed from "shall" send to "may" send. All other changes, primarily clarification of language and adding titles to better describe the various types of applications, were discussed at the April meeting and are reflected in the Chapter 7 rule language, as provided to the Board. The Board agreed by general consensus to the changes.

### **Chapter 4723-13 (Delegation of Nursing Tasks)**

As discussed at the April meeting, the only change the Board proposed for this Chapter is included in Rule 4723-13-05, which states that the APRN delegation of administration of medication to an unlicensed person must be conducted in

accordance with the requirements set forth in division (C) of section 4723.48 of the Revised Code and section 4723.489 of the Revised Code. The Board agreed by general consensus to the change.

### **Chapter 4723-27 (Medication Administration by Certified Medication Aides)**

Changes discussed at the April meeting are reflected in the Chapter 27 rules. All rules that refer to forms will be revised to cross-reference to a new "forms rule," 4723-1-12; obsolete or inconsistent language is deleted; and language is revised to mirror the language in Chapter 4723-20, prevention of disease transmission. The Board agreed by general consensus to the changes.

### **Technical Revisions**

#### **Chapter 4723-1 (Board Organization and Records)**

As discussed at the April meeting, rather than adopting a new rule, staff propose to place a reference to rules that refer to forms in existing Rule 4723-1-03. The Board agreed by general consensus.

### **Individual Rules**

At the April meeting, the Board discussed and approved changes to individual rules: Rules 2-03; 8-08; 9-02; 9-06; 9-11; and 14-03. At its May 2016 meeting, the CPG approved the changes to Rules 9-02, 9-06 and 9-11.

An interested party meeting is scheduled for May 26, 2016. Board staff will report to the Board at the July meeting regarding additional comments from the interested party meeting.

## **APPROVALS**

### **Approval of New Programs**

#### Aultman College of Nursing and Health Sciences

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Aultman College of Nursing and Health Sciences. It was further moved that the Program submit progress reports to the Board on or before December 4, 2017, June 4, 2018, December 3, 2018, June 3, 2019, December 2, 2019, June 1, 2020, December 7, 2020 and June 7, 2021. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

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

#### The Practical Nursing School of Buckeye Hills Career Center

**Action:** It was moved by J. Jane McFee, seconded by John Schmidt, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to The Practical Nursing School of Buckeye Hills Career Center for a period of five years effective May 18, 2016. It was further moved that the Program submit progress reports to the Board on or before June 7, 2016 and October 3, 2016. Motion

adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Central School of Practical Nursing, Inc.

**Action:** It was moved by Sheryl Warner, seconded by Lisa Klenke, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to the Central School of Practical Nursing, Inc., for a period of five years effective May 18, 2016. It was further moved that the Program submit progress reports to the Board on or before June 7, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon, Sandra Ranck and Patricia Sharpnack abstaining.

Chamberlain College of Nursing-Cleveland

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board continue Full approval, which expires in July 2020, for the Chamberlain College of Nursing-Cleveland, in accordance with Rule 4723-5-04, OAC. Motion adopted by a majority vote of the Board members with Maryam Lyon, Sandra Ranck and Patricia Sharpnack abstaining.

Chamberlain College of Nursing, Baccalaureate Degree in Nursing Program

**Action:** It was moved by Nancy Fellows, seconded by Judith Church, that the Board continue Full approval, which expires in January 2020, for the Chamberlain College of Nursing, Baccalaureate Degree in Nursing Program, in accordance with Rule 4723-5-04, OAC. Motion adopted by a majority vote of the Board members with Maryam Lyon, Sandra Ranck and Patricia Sharpnack abstaining.

Choffin School of Practical Nursing

**Action:** It was moved by Judith Church, seconded by Nancy Fellows, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to the Choffin School of Practical Nursing for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Practical Nursing-Fortis College, Ravenna, Ohio

**Action:** It was moved by Lauralee Krabill, seconded by John Schmidt, that the Board place Practical Nursing-Fortis College, Ravenna, Ohio on Provisional approval, effective May 18, 2016 to May 16, 2018, in accordance with Section 4723.06(A)(7), ORC. After fully considering the survey visit report and the response to the report, the Program has failed to meet and maintain the minimum standards for education programs established in Rules 4723-5-06(C); 4723-5-09(D); 4723-5-11(A)(2)(b); 4723-5-12(A)(1); 4723-5-14(C), (E)(3), (E)(12), and (F); 4723-5-15(A)(6) and (A)(9); 4723-5-17(A); 4723-5-19(A)(9); 4723-5-20(A); and 4723-5-21(A)(3) and (E)(2), OAC. It was further moved that the Program submit progress reports on or before July 5, 2016, December 5, 2016, July 10, 2017 and December 4, 2017. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Franciscan University of Steubenville, BSN Program, Department of Nursing

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to the Franciscan University of Steubenville, BSN Program, Department of Nursing for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Lorain County Community College Practical Nursing Program

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Lorain County Community College Practical Nursing Program for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon, Sandra Ranck, and Patricia Sharpnack abstaining.

Ohio University School of Nursing-Chillicothe

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to the Ohio University School of Nursing-Chillicothe for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Ohio University School of Nursing-Zanesville

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to the Ohio University School of Nursing-Zanesville for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Otterbein Nursing Program, Otterbein University

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Otterbein Nursing Program, Otterbein University for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Stautzenberger College Practical Nursing Program

**Action:** It was moved by Nancy Fellows, seconded by Judith Church, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Stautzenberger College Practical Nursing Program for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with J. Jane McFee, Maryam Lyon and Patricia Sharpnack abstaining.

James A. Rhodes State College, Associate Degree Nursing Program

**Action:** It was moved by Judith Church, seconded by John Schmidt, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to James A. Rhodes State College, Associate Degree Nursing Program for a period of five

years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Shawnee State University, Department of Nursing, Bachelor Degree Program

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that the Board grant Full approval in accordance with Rule 4723-5-04, OAC, to Shawnee State University, Department of Nursing, Bachelor Degree Program for a period of five years effective May 18, 2016. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

**Nurse Education Program Requests**

Ohio Medical Career College One Plus One Associate of Applied Science in Nursing Program

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of the Ohio Medical Career College One Plus One Associate of Applied Science in Nursing Program to January 2017. It was further moved that the Program submit progress reports to the Board on or before April 14, 2017, December 14, 2017, April 16, 2018 and December 12, 2018. Motion adopted by a majority vote of the Board members with Maryam Lyon and Patricia Sharpnack abstaining.

Youngstown State University

The Board agreed by general consensus to approve the request from Youngstown State University to modify an expenditure funded through the Nurse Education Grant Program.

**Training Programs**

Lorain County Community College Community Health Worker Program

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-26-14, OAC, the Lorain County Community College Community Health Worker Program for a period of two years effective May 18, 2016. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Program at St. Leonard in conjunction with American Institute of Medical Sciences

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board approve, in accordance with Rule 4723-27-07, OAC, the Medication Aide Training Program at St. Leonard in conjunction with American Institute of Medical Sciences, for a period of two years effective May 18, 2016. Motion adopted by unanimous vote of the Board members.

Evi-Base Community Health Worker Certification Program

**Action:** It was moved by Sheryl Warner, seconded by Maryam Lyon, that the Board approve, in accordance with Rule 4723-26-14, OAC, the Evi-Base

Community Health Worker Certificate Program for a period of two years effective May 18, 2016. Motion adopted by unanimous vote of the Board members.

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

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board March 1, 2016 through April 30, 2016 to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; dialysis technician interns; community health workers; and medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

### **ADJUDICATION AND COMPLIANCE**

On Thursday, May 19, 2016, Maryam Lyon requested that each voting Board member verify that they reviewed in depth all materials pertaining to these matters by saying “yes” or “no and that any Board member who did not review the materials abstain from voting on the matters.

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

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

Solomon, Joseph, R.N. 337438 (CASE #15-1449); Pierce, Jason, P.N. 119837 (CASE #14-4239); Watson, Gwendolyn, R.N. 386682, P.N. 135236 (CASE #15-8689); Napierala, Janice, P.N. 102090 (CASE #15-3727); Weidner, III, William, R.N. 398955, P.N. 144954 (CASE #16-2270); Lopac, Chad, P.N. 147478 (CASE #15-7933); Akers, Winston, R.N. 327206 (CASE #16-0982); Vitale, Amanda, R.N. 392624 (CASE #15-4367); Holliman, Ranata, P.N. 112182 (CASE #15-7577); Anderson, Amanda, R.N. 332697 (CASE #16-1165); Wolpert, Lindsey, R.N. 357234 (CASE #14-0406); Morris, James, R.N. 293441 (CASE #16-1643); Whipp, Sara, P.N. 145624 (CASE #14-4589); Mills, Shela, P.N. 132756 (CASE #16-1146); Pence, Anna, R.N. 307458 (CASE #14-2941); Westminster, Patricia, R.N. 185100 (CASE #14-0273); Shadley, Roxanne, P.N. 152419 (CASE #14-5425); Rogers, Kimberly, P.N. 156591 (CASE #16-0339); Rush, Daniel, R.N. 370188 (CASE #16-0435); Hess, Kathy, P.N. 063177 (CASE #15-1564); Howard, Mary, R.N. 331073 (CASE #16-2071); Martinez, Amy, P.N. 136512 (CASE #15-2286); Adams, Brandi, R.N. 328263 (CASE #15-7903); Wiley, Holli, P.N. 118581 (CASE #16-0764); Reagle, Susan, R.N. 397625 (CASE #16-0513); Forcum, Tad, R.N. 373595 (CASE #15-8009); Bradley, Violet, P.N. 133419 (CASE #15-0088); Bais, Angela, P.N. 111530 (CASE #15-3522); Beach, Dionna, P.N. 126622 (CASE #15-6451); Harbin, Pamela, R.N. 377516 (CASE #16-1687); Boyd, Cynthia, P.N. 115358 (CASE #15-0959); Brower, Benjamin, R.N. 342982 (CASE #15-7037); Neale, Wendy, P.N. 132562 (CASE #15-6155); Woodall,

Loretta, P.N. 129717 (CASE #15-1672); Abbott, John, R.N. 207714, COA 15206 (CASE #16-1247); Harper, Karen, P.N. 091824 (CASE #16-1164); Speights, Kristi, R.N. 293139 (CASE #15-8359); Kuczynski, Elizabeth, R.N. 337189 (CASE #15-0886); Huffman, Heidi, R.N. 369628 (CASE #15-5754); Muscarella, Deborah, R.N. 293522 (CASE #16-0177); Armentrout, Sarah, R.N. 328406 (CASE #16-1142); Thomas, Paula, R.N. 218143 (CASE #15-2164); Simmons, Kimberly, P.N. 076248 (CASE #15-3730); Sichina, Annette, R.N. 240797 (CASE #15-5138); Mehne, Pamela, P.N. 093311 (CASE #15-0690); Whetsel, Shannon, P.N. 117072 (CASE #15-1764); Hamilton, Contessa, P.N. 152380 (CASE #14-2512); Jordan, Shanequa, P.N. 115400 (CASE #15-6597); Wilson, Crystall, R.N. 364682 (CASE #16-0868); Blagogee, Thelma, P.N. 148614 (CASE #16-1334); Evander, Michael, R.N. 329951, P.N. 112501 (CASE #13-2498); Kling, Christina, R.N. 272080 (CASE #16-1118); Morgan, Angelina, P.N. 150873 (CASE #15-0492); Murrell, Melissa, P.N. 130061 (CASE #13-7776); Sites, Lori, P.N. 079323 (CASE #16-2526); Garris, Deborah, R.N. 168780 (CASE #15-1458); Anliker, Kristin, R.N. 289733 (CASE #14-4402); Rice, Brooke, P.N. 113316 (CASE #14-2701); Hall, Shelli, R.N. 240765 (CASE #15-1123); Bayes, Diana, R.N. 402081 (CASE #15-7833); Genter, Amy, R.N. 204829 (CASE #14-6787); Hershberger, Joel, R.N. 361135 (CASE #14-0855); Michel, Karen, R.N. 162833 (CASE #14-4112); Sheets, Chelsie, P.N. 158917 (CASE #15-5191); Bowman, Ginger, R.N. 329008 (CASE #16-2084); Krankovich, Keturah, R.N. 290938 (CASE #15-7041).

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

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

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

Richert, Lori, R.N. 260201 (CASE #16-1387); Witchev, Clarissa, P.N. 146762 (CASE #15-4738); Welly, Jessica, P.N. 134795 (CASE #15-0976); Stokes, Jodi, R.N. 265023 (CASE #15-3209); Schott, Christine, R.N. 216987 (CASE #16-0100); Slesinger, Robert, R.N. 345832 (CASE #15-6644); Nicolados, Justine, P.N. 152660 (CASE #15-8182); Kenney, Robin, R.N. 270062 (CASE #15-7226); Plaster, Christine, P.N. 113853 (CASE #15-4883); Payne, Janet, R.N. 296318, COA 14544 (CASE #15-5835); Erickson, Karrie, R.N. 378695, P.N. 138430 (CASE #15-7841); Shults, Sara, P.N. 154422 (CASE #15-2873); Ferguson, Katelyn, R.N. 409406 (CASE #16-2768); Deshano, Rebecca, P.N. 121970 (CASE #15-4689); Lawhorn, Kelly, R.N. 367238 (CASE #15-8290).

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

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

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

Balsiger, Beverly, P.N. 103179 (CASE #16-0095); Leeds, Roberta, R.N. 243583 (CASE #16-0820); Keys, Jaciya, P.N. 149150 (CASE #16-1008); Stevens, Gregory, R.N. 264895 (CASE #16-0451); Wallace, Kelly, P.N. 109697 (CASE #16-2220); Moore, Charles, P.N. 130340 (CASE #16-1218); Voris, Jennifer, R.N. 314707 (CASE #16-1718); Robinson, Auera, MAC 00364 (CASE #16-1879); Conrad, Courtney, MAC 00360 (CASE #16-1891); Hanson, Matthew, R.N. 268089 (CASE #16-1883); Alvarado, Tiffney, R.N. 283960 (CASE #16-1400); Palacio, Raven, P.N. 151284 (CASE #16-2290); Grandberry, James, P.N. 143628 (CASE #16-2045); Lane, Alice, P.N. 097031 (CASE #16-1399); Wilbon, Tiahna, P.N. 159687 (CASE #16-1174); Taylor, Stephanie, P.N. 150727 (CASE #16-2067); McKinney, Velma, R.N. 292831 (CASE #16-1884); Pace, Alisa, R.N. 284511 (CASE #15-8694); Moodie-Adams, Claudia, R.N. 316369 (CASE #15-8668).

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

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

**Action:** It was moved by J. Jane McFee, seconded by John Schmidt, 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):

Vogt, Todd, P.N. 114515 (CASE #15-4446); Watters, Laura, R.N. 289364 (CASE #15-0779); Fox, Angela, R.N. 255060 (CASE #16-1398); Webb, Tiffany, P.N. 149037 (CASE #15-5725).

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

## **SURRENDERS/WITHDRAWALS**

### **Permanent Voluntary Surrender**

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Schippel, Susan, R.N. 341106 (CASE #15-0713); Venable, Mary, R.N. 409582 (CASE #16-0548); Hannah, Jan, P.N. 136754 (CASE #15-3604); Scott, Gordon, D.T. 04267 (CASE #16-0945); Carmichael, Naomi, P.N. 113944 (CASE #16-2278); Wick, Angie, R.N. 340389, P.N. 076688 (CASE #15-6402); Gillen, Jacqueline, P.N. 119511 (CASE #16-2404).

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

### **VOLUNTARY NON-PERMANENT WITHDRAWAL OF NCLEX APPLICATION**

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that the Board accept the Voluntary Non-Permanent Withdrawal of NCLEX Application for the following case:

Berghaus, Shaina, R.N. NCLEX (CASE #15-1030).

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

### **CONSENT AGREEMENTS**

**Action:** It was moved by J. Jane McFee, seconded by John Schmidt, 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):

Cohen, Gloria, R.N. 157148 (CASE #14-1304); Davis, Luke, R.N. 368738, COA 13524, CTP 13524 (CASE #15-2216); DeSure, Roberta, P.N. 133778 (CASE #15-4315); Ferrell, Amber, R.N. 371435 (CASE #15-3349); Parr, Timothy, P.N. 149490 (CASE #14-3847); Swiger, Charlotte, R.N. 359816 (CASE #14-6649); Alexander, April, R.N. 309613 (CASE #15-0833); Greenhoff, David, P.N. 075914 (CASE #13-8130); White, Ashley, R.N. 324441 (CASE #14-4114); Kinney, Kelly, R.N. 262479 (CASE #15-1812); Harrand, Kristen, P.N. 132248 (CASE #16-1425); Prince, Sherry, P.N. 152620 (CASE #16-0597); Bildstein, Lisa, R.N. 282093 (CASE #15-0502); Smith, Joni, R.N. 174835 (CASE #15-4733); Vanorder, Angela, R.N. 369865 (CASE #13-7377); Beerman, Joshua, R.N. 411621 (CASE #16-1286); Porter, Tammy, P.N. 130167 (CASE #15-6779); Nordin, Tamara, R.N. 182492 (CASE #15-2010); Wamsley, Mark, R.N. 319926 (CASE #15-4484); Skaggs, Judy, R.N. 237460 (CASE #15-1984); Dizon, Rolando, P.N. NCLEX (CASE #16-0788); Magnolia, Christine, R.N. NCLEX, P.N. 124127 (CASE #16-0975); Weber, Jennifer, R.N. 405563, P.N. 125242 (CASE #15-0129); Tolle, Kimberley, R.N. 241723, COA 05237, CTP 05237 (CASE #15-5033); Starr, Krista, CHW Applicant (CASE #15-2514); Vazquez, Felechia, P.N. 139425 (CASE #14-6941); Mulle, Sophia, P.N. 129015 (CASE #15-1180); Bowers, Carmen, R.N. 421526 (CASE #16-0105); Law-Horton, Latera, P.N. 148985 (CASE #15-6781); Meade, Pamela, R.N. 200888, COA 07167 (CASE #16-1508); Sanders, Adriane, R.N. 370736 (CASE #13-6654); Springer, Desmon, R.N. 385704 (CASE #15-2603); Scott, Ollie, R.N. 197816 (CASE #15-8633); Lake, Sally, R.N. 311645 (CASE #14-4602); Stewart, Jacquelyn, P.N. 145535 (CASE #14-6137); Smith, Denita, P.N. 104383 (CASE #16-1255); Daly, Lesley, R.N. 286730 (CASE #15-5834); Talbott, Jessica, P.N. 141288 (CASE #15-8700); Tuggle, Beth, R.N. 351985 (CASE #15-4381); Hays, Pamela, R.N. 182328 (CASE #14-0378); Smittek, Robert, R.N. 351424 (CASE #15-8525); Stewart, Shanda, R.N. 316470 (CASE #15-2409); Springer, Amy, P.N. NCLEX

(CASE #16-0617); Eckert, Tatum, P.N. 141352 (CASE #16-1256); Hice, Lauren, R.N. 366021 (CASE #15-0291); McGucken, Rachel, R.N. 389734 (CASE #14-4901); Dzienny, Tina, R.N. 312565 (CASE #14-3077); Winters, Megan, P.N. 150274 (CASE #15-4919); Thompson, Julie, R.N. 336800 (CASE #15-4378); Linser, Amy, R.N. 188859 (CASE #15-8229); Yost, Yvonne, R.N. 351267 (CASE #15-7136); Tascione, Laura, P.N. 088188 (CASE #15-5226); Anderson, Deborah, R.N. 255995 (CASE #13-6434); Lytsell, Ronda, R.N. 363822, P.N. 123482 (CASE #13-6435); Berrettoni, Paul, R.N. 325205 (CASE #15-1024); Miller, William, P.N. 127712 (CASE #13-7187); Weiss, Julie, P.N. 101949 (CASE #13-7772); Brown, Yvette, P.N. 099257 (CASE #15-4064); Parker, Pamela, R.N. 323389 (CASE #14-3884); Garcia, Emily, P.N. NCLEX (CASE #15-7982); Dudley, Sheena, P.N. NCLEX (CASE #15-4757); Grant, Heather, R.N. NCLEX (CASE #16-0650); Fitzpatrick, Rene', R.N. NCLEX (CASE #14-7021); Maxwell, Margaret, R.N. 270927, P.N. 063902 (CASE #15-6067); Beasley, Jacob, R.N. NCLEX (CASE #16-0659); Ugwanyi, Chinyere, R.N. 340081, COA 15582, CTP 15582 (CASE #16-0109); Gross, Kristen, R.N. 342504 (CASE #16-1513); Beavers, Trenese, P.N. 121585 (CASE #14-3468); Scott, Ashley, R.N. 346308, P.N. 122255 (CASE #15-6144); McCune, Elizabeth, R.N. 227563, P.N. 080970 (CASE #15-6188); Christopher, Deborah, R.N. 132030 (CASE #14-2977); Johnson, Amanda, R.N. 373807 (CASE #15-1766); Lee, GeunJae, R.N. 386528 (CASE #15-2862); Zolensky, Jenna, R.N. 372514 (CASE #16-2156); Davis, Shirita, R.N. 331981 (CASE #14-4876); Cosper, Kristina, P.N. NCLEX (CASE #16-0839); Levis, Marjorie, R.N. 259793 (CASE #15-7206); Croucher, Holly, P.N. 138397 (CASE #14-6739); Porter, Pamela, P.N. 089708 (CASE #15-7747); Allen, Danielle, P.N. 137733, R.N. NCLEX (CASE #16-1490); Johnson, Mary, R.N. 372304 (CASE #14-2428); Krohn, Ana, R.N. 362221 (CASE #14-2013); Staats, Karen, R.N. 313263, COA 17095, CTP 17095 (CASE #16-2295); Wyatt, Karen, R.N. 222909, P.N. 050917 (CASE #15-1947); Miller, Aaron, R.N. 379520 (CASE #15-8538); Murton, Jillian, P.N. 127740 (CASE #15-7332); Ruess, Lee, R.N. 225361, COA 02781 (CASE #15-4684); Dougan, Nancy, R.N. NCLEX, P.N. 111954 (CASE #15-3947); Minor, Lataska, P.N. NCLEX (CASE #16-1336); Baker, Aimee, P.N. 109797 (CASE #15-5531); Lanier, Wanette, D.T. Applicant (CASE #16-2285); Myers, Brittany, R.N. 382992 (CASE #14-4615); Symanski, Laura, R.N. 254548 (CASE #14-4389); Dance, Joseph, R.N. NCLEX (CASE #15-3783); Orue, Maria, R.N. 327301 (CASE #15-5465); Spencer-McKenzie, Kamisha, P.N. 132020 (CASE #15-6524); Herreman, Stephanie, R.N. 258989 (CASE #14-3187); Lather, Jessica, P.N. 100145 (CASE #16-1710); Lowers, Michael, R.N. 320876 (CASE #15-3435); Riggs, Stephanie, R.N. 373101, P.N. 117104 (CASE #15-6076); Baxter, Aaron, R.N. 407645 (CASE #15-4418); Brubaker, Kelly, R.N. 296359 (CASE #15-6463); Johnson, Margaret, R.N. 137462 (CASE #16-1686); Barger, Michelle, P.N. 090669 (CASE #16-1519); Beuter, Billie, R.N. 257914 (CASE #15-7878); Felbry School of Nursing Practical Nursing Program (CASE #16-1039); Cuda, Kelli, R.N. 308059, COA 16132, CTP 16132 (CASE #16-1894); Haney, Barbara, R.N. 270584, COA 16908, CTP 16908 (CASE #16-2206); Howard, Dawndrea, P.N. 112577 (CASE #16-1331); Zaciek, Deanna, R.N. 313975, COA 16001, CTP 16001 (CASE #16-0219); Sullivan, Amanda, R.N. 281095 (CASE #15-6303); Mihalek, Shannon, R.N.

376721 (CASE #13-4317); Cunningham, Jennifer, P.N. 113185 (CASE #14-6495); Braithwaite, Zachariah, R.N. 384848 (CASE #16-0492); Baldwin, Tharner, P.N. 130754 (CASE #14-4408); Burns, Stacy, R.N. 325541, COA Applicant (CASE #15-5518).

Maryam Lyon voted no on Parker, Pamela, R.N. 323389 (CASE #14-3884); Grant, Heather, R.N. NCLEX (CASE #16-0650); and Baxter, Aaron, R.N. 407645 (CASE #15-4418); and John Schmidt voted no on Smith, Denita, P.N. 104383 (CASE #16-1255), and Dzienny, Tina, R.N. 312565 (CASE #14-3077); and Sandra Ranck abstained on Bildstein, Lisa, R.N. 282093 (CASE #15-0502) and Miller, William, P.N. 127712 (CASE 13-7187).

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

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

Lucas, Amy, R.N. NCLEX (CASE #15-0176)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that **AMY MARIE LUCAS** be granted an unrestricted license to practice nursing as a registered nurse.

The rationale for the modification is the following: The Board, in its expertise, has determined that **MS. LUCAS** should be granted an unrestricted license because **MS. LUCAS** has demonstrated, by her conduct and behavior, that she can effectively function and fulfill the role of a registered nurse. The Board has determined that, in this particular case, the duty to protect the safety of the public will be maintained by issuing an unencumbered license in this matter. Finally, the RN application before the Board involves a different license from the PN license held by **MS. LUCAS** and thus may be legally addressed, at least based upon the unique facts of this specific case, in a manner separate from the PN license.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Thornhill II, Matthew , R.N. 214298 (CASE #14-2401)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **MATTHEW FORREST THORNHILL's** 2014 application to reinstate his license to practice nursing as a registered nurse in the State of Ohio be denied with the conditions for reinstatement set forth below, and following reinstatement,

**MR. THORNHILL's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of six (6) months.

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

1. **MR. THORNHILL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. THORNHILL** 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. THORNHILL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. THORNHILL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. THORNHILL'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. THORNHILL** shall complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### Reporting Requirements of **MR. THORNHILL**

5. **MR. THORNHILL** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. THORNHILL** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MR. THORNHILL** 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. THORNHILL** 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. THORNHILL** 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. THORNHILL** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. THORNHILL** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MR. THORNHILL's license shall be subject to the following probationary terms and restrictions for a minimum period of six (6) months.**

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MR. THORNHILL shall notify the Board, in writing.**
4. **MR. THORNHILL** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. THORNHILL** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. THORNHILL** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. THORNHILL**

5. **MR. THORNHILL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MR. THORNHILL** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MR. THORNHILL** 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. THORNHILL** 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. THORNHILL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MR. THORNHILL** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. THORNHILL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **FAILURE TO COMPLY**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Miller, Dylan, P.N. 149840 (CASE #15-0428)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact and Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **DYLAN JEROME MILLER's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years retroactive to January 27, 2015, with the conditions for reinstatement set forth below, and following reinstatement, **MR. MILLER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Temporary Narcotic Restrictions**, unless otherwise approved by the Board, set forth below.

The rationale for the modification is the following: The Board in its expertise has determined that, in order to protect the public, **MR. MILLER** must be permanently restricted from high risk and unsupervised areas unless otherwise approved, and must also be restricted from access to narcotics unless otherwise approved by the Board.

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

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

completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MR. MILLER** 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. MILLER's** history. **MR. MILLER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. MILLER** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Upon the request of the Board or its designee, prior to reinstatement, MR. MILLER** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. MILLER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. MILLER** 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. MILLER's** license, and a statement as to whether **MR. MILLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. If a chemical dependency evaluation is requested, **MR. MILLER** 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 and restrictions on **MR. MILLER's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. MILLER** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. MILLER'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. MILLER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MILLER's** history.
9. Within thirty (30) days prior to **MR. MILLER** initiating drug screening, **MR. MILLER** 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. MILLER**.
  10. After initiating drug screening, **MR. MILLER** 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. MILLER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. MILLER** 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. MILLER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. MILLER**

12. **MR. MILLER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MR. MILLER** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. **MR. MILLER** 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. MILLER** 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. MILLER** 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. **MR. MILLER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. MILLER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

1. **MR. MILLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MILLER** 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. MILLER** 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. MILLER's** history. **MR. MILLER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. MILLER** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MR. MILLER** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. MILLER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. MILLER**

- 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. MILLER's** license, and a statement as to whether **MR. MILLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MR. MILLER** 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 and restrictions on **MR. MILLER's** license.
  7. During the probationary period, **MR. MILLER** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. MILLER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. MILLER's** history.
  8. **MR. MILLER** 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. MILLER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

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

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MR. MILLER** shall **notify the Board, in writing.**
13. **MR. MILLER** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. MILLER** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. MILLER** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
14. **Upon the request of the Board or its designee, MR. MILLER** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. MILLER**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. MILLER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

The stay of **MR. MILLER's** suspension shall be lifted and **MR. MILLER's** license to practice nursing as a licensed practical nurse will be automatically suspended

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

McEndree, Karly, R.N. 380560 (CASE #15-1797)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **KARLY TERESE McENDREE'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 six (6) months retroactive to December 1, 2015, with the conditions for reinstatement set forth below, and following reinstatement, **MS. McENDREE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year, including the **Temporary Practice** and **Temporary Narcotic Restrictions** set forth below.

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

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

(BCII) to conduct a criminal records check of **MS. McENDREE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. McENDREE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MS. McENDREE** 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. McENDREE's** history. **MS. McENDREE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. McENDREE** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Upon the request of the Board or its designee, prior to reinstatement, MS. McENDREE** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. McENDREE** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. McENDREE** 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. McENDREE's** license, and a statement as to whether **MS. McENDREE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. If a chemical dependency evaluation is requested, **MS. McENDREE** 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 and restrictions on **MS. McENDREE's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. McENDREE** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS.**

- McENDREE'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. McENDREE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. McENDREE's** history.
9. Within thirty (30) days prior to **MS. McENDREE** initiating drug screening, **MS. McENDREE** 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. McENDREE**.
  10. After initiating drug screening, **MS. McENDREE** 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. McENDREE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. McENDREE** 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. McENDREE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **MS. McENDREE** shall continue to participate in mental health treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board. **MS. McENDREE** shall have her mental health provider submit written reports to the Board regarding **MS. McENDREE's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days of the effective date of this Order. **MS. McENDREE** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. McENDREE** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and

restrictions on **MS. McENDREE's** license.

### **Reporting Requirements of MS. McENDREE**

13. **MS. McENDREE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. McENDREE** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. McENDREE** 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. McENDREE** 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. McENDREE** 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. McENDREE** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. McENDREE** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

2. **MS. McENDREE** 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. McENDREE** 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. McENDREE's** history. **MS. McENDREE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. McENDREE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. McENDREE** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. McENDREE** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. McENDREE** 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. McENDREE's** license, and a statement as to whether **MS. McENDREE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MS. McENDREE** 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 and restrictions on **MS. McENDREE's** license.
7. During the probationary period, **MS. McENDREE** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B),

ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. McENDREE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. McENDREE's** history.

8. **MS. McENDREE** 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. McENDREE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
9. **MS. McENDREE** shall continue to participate in mental health treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. McENDREE** shall have her mental health provider submit written reports to the Board regarding **MS. McENDREE's** progress, status, and compliance with her treatment plan on a quarterly basis throughout the probationary period. **MS. McENDREE** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing. **MS. McENDREE** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. McENDREE's** license.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

13. Prior to accepting employment as a nurse, each time with every employer, **MS. McENDREE shall notify the Board, in writing.**
14. **MS. McENDREE** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. McENDREE** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. McENDREE** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
15. **Upon the request of the Board or its designee, MS. McENDREE** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. McENDREE**

16. **MS. McENDREE** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
17. **MS. McENDREE** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
18. **MS. McENDREE** 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. McENDREE** 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. McENDREE** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
21. **MS. McENDREE** shall verify that the reports and documentation required

by this Order are received in the Board office.

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

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

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

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

Motion adopted by a majority vote of the Board members with Judith Church and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Martin, Roxanne, P.N. 137780 (CASE #15-2007)

**Action:** It was moved by Sheryl Warner, seconded by J. Jane McFee, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that **ROXANNE MARTIN'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: The Board in its expertise has determined that **MS. MARTIN's** significant drug use requires that the Board permanently revoke her license in order to adequately protect the public.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Smith, Sandra, P.N. 102540 (CASE #15-1249)

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that the Board grant the State's motion to redact Exhibit 6 and consider the Respondent's late-filed objections. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **SANDRA F. SMITH's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. SMITH's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Practice Restrictions**, unless otherwise approved by the Board, set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

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

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

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

### **Monitoring**

7. **MS. SMITH** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SMITH's** history. **MS. SMITH** shall self-administer the prescribed drugs only in the manner prescribed.
8. **Upon the request of the Board or its designee, prior to reinstatement, MS. SMITH** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SMITH** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SMITH** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SMITH's** license, and a statement as to whether **MS. SMITH** is capable of practicing nursing according to acceptable and prevailing

standards of safe nursing care.

9. If a chemical dependency evaluation is requested, **MS. SMITH** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SMITH's** license.
10. **Within forty-five (45) days from the date of the Board's Order, MS. SMITH** shall begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SMITH's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SMITH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SMITH's** history.
11. Within thirty (30) days prior to **MS. SMITH** initiating drug screening, **MS. SMITH** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SMITH**.
12. After initiating drug screening, **MS. SMITH** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. SMITH** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

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

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

#### **DURATION**

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

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

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

#### **Monitoring**

3. **MS. SMITH** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SMITH's** history. **MS. SMITH** shall self-administer prescribed drugs only in the

manner prescribed.

4. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. SMITH** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SMITH** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SMITH** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SMITH's** license, and a statement as to whether **MS. SMITH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
5. If a chemical dependency evaluation is requested, **MS. SMITH** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SMITH's** license.
6. During the probationary period, **MS. SMITH** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SMITH** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SMITH's** history.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MS. SMITH** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. SMITH** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated

by another practitioner.

8. **MS. SMITH** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SMITH** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SMITH** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. SMITH** shall **notify the Board, in writing.**
11. **MS. SMITH** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. SMITH** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. SMITH** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. SMITH** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

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

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

Board or to employers or potential employers.

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

#### **Temporary Practice Restrictions**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. SMITH** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

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

## **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Weber, Anthony, P.N. 151232 (CASE #15-1098)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board accept all of the Findings of Fact and Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **ANTHONY CLAIRE WEBER'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. WEBER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions**, unless otherwise approved by the Board, as set forth below.

The rationale for the modification is the following: The Board in its expertise has determined that, due to time out of practice, **MR. WEBER** should complete a nurse refresher course prior to the reinstatement of his license. Furthermore, the Board has determined in its expertise that the license suspension shall not be retroactive to the May 15, 2015 Notice of Automatic Suspension and Opportunity for Hearing.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

- (BCII) to conduct a criminal records check of **MR. WEBER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. WEBER'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. WEBER** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Substance Abuse; two (2) hours of Ohio Nursing Law and Rules; and five (5) hours of Professional Responsibility.
  5. **Prior to requesting reinstatement by the Board, MR. WEBER** shall complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Monitoring**

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

9. **MR. WEBER** 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 and restrictions on **MR. WEBER's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. WEBER** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. WEBER'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. WEBER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WEBER's** history.
11. Within thirty (30) days prior to **MR. WEBER** initiating drug screening, **MR. WEBER** 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. WEBER**.
12. After initiating drug screening, **MR. WEBER** 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. WEBER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

#### **Reporting Requirements of MR. WEBER**

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

15. **MR. WEBER** 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. WEBER** 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. WEBER** 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. WEBER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. WEBER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

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

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

products containing alcohol.

5. During the probationary period, **MR. WEBER** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. WEBER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WEBER's** history.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

9. Prior to accepting employment as a nurse, each time with every employer, **MR. WEBER** shall **notify the Board, in writing.**
10. **MR. WEBER** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. WEBER** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. WEBER** shall have his

employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

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

#### **Reporting Requirements of MR. WEBER**

12. **MR. WEBER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MR. WEBER** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. **MR. WEBER** 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. WEBER** 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. WEBER** 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. WEBER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. WEBER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Permanent Practice Restrictions**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. WEBER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Hatcher, Megan, R.N. 315104 (CASE #15-0521)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, 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 **MEGAN L. HATCHER's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

#### **NO REQUEST FOR HEARING**

Bradshaw, Sheri, R.N. 343795 (CASE #15-1956)

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that upon consideration of the charges stated against **SHERI BRADSHAW** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BRADSHAW** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BRADSHAW's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. BRADSHAW** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRADSHAW** 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. BRADSHAW** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BRADSHAW**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BRADSHAW'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. BRADSHAW** shall submit documentation of her full compliance with the terms and conditions imposed by the Consent Order issued by the Virginia Board of Nursing dated March 25, 2015, and that her Virginia license is fully reinstated and unencumbered.
5. **Prior to requesting reinstatement by the Board, MS. BRADSHAW** shall complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

## Monitoring

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

**BRADSHAW's** license.

### **Reporting Requirements of MS. BRADSHAW**

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

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Leitenberger, Carolyn, R.N. 214178 (CASE #15-6078)

**Action:** It was moved by Maryam Lyon, seconded by John Schmidt, that upon consideration of the charges stated against **CAROLYN LOUISE LEITENBERGER** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LEITENBERGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. LEITENBERGER's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. LEITENBERGER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. LEITENBERGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEITENBERGER** 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. LEITENBERGER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LEITENBERGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LEITENBERGER'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. LEITENBERGER** shall submit documentation of her full compliance with the terms and conditions imposed by the Agreed Order for voluntary surrender issued by the Kentucky Board of Nursing dated August 26, 2015, and that her Kentucky license is fully reinstated and unencumbered.

#### **Monitoring**

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

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

11. After initiating drug screening, **MS. LEITENBERGER** 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. LEITENBERGER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

### **Reporting Requirements of MS. LEITENBERGER**

12. **MS. LEITENBERGER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. LEITENBERGER** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. **MS. LEITENBERGER** 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. LEITENBERGER** 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. LEITENBERGER** 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. LEITENBERGER** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. LEITENBERGER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. LEITENBERGER** submits a written request for reinstatement; (2) the Board determines that **MS. LEITENBERGER** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. LEITENBERGER** is able

to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. LEITENBERGER** and review of the documentation specified in this Order.

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

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

### **Treating Practitioners and Reporting**

5. Within sixty (60) days of the execution of the probationary period, **MS. LEITENBERGER** 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. LEITENBERGER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
6. **MS. LEITENBERGER** 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. LEITENBERGER** throughout the duration of this Order.
7. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. LEITENBERGER** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

8. Prior to accepting employment as a nurse, each time with every employer, **MS. LEITENBERGER** shall **notify the Board, in writing.**
9. **MS. LEITENBERGER** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. LEITENBERGER** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. LEITENBERGER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
10. **MS. LEITENBERGER** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. LEITENBERGER**

11. **MS. LEITENBERGER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. **MS. LEITENBERGER** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. **MS. LEITENBERGER** 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. LEITENBERGER** 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. LEITENBERGER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. LEITENBERGER** shall verify that the reports and documentation required by this Order are received in the Board office.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Jude, Tracy, R.N. 333577 (CASE #15-5018)

**Action:** It was moved by Janet Arwood, seconded by Lauralee Krabill, that upon consideration of the charges stated against **TRACY SUZANNE JUDE** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. JUDE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. JUDE's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below.

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

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

5. **Prior to requesting reinstatement by the Board, MS. JUDE** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. **Prior to requesting reinstatement by the Board, MS. JUDE** shall submit documentation of her full compliance with the terms and conditions imposed in the Denial of Reinstatement of RN License #1101247 issued by the Kentucky Board of Nursing dated August 3, 2015, with Notice of Intent to Deny Reinstatement of RN License #1101247, and that her Kentucky license is fully reinstated and unencumbered.

### **Monitoring**

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

11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. JUDE** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. JUDE'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. JUDE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JUDE's** history.
12. Within thirty (30) days prior to **MS. JUDE** initiating drug screening, **MS. JUDE** 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. JUDE**.
13. After initiating drug screening, **MS. JUDE** 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. JUDE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

#### **Reporting Requirements of MS. JUDE**

14. **MS. JUDE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. JUDE** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. **MS. JUDE** 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. JUDE** 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. JUDE** 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. JUDE** shall verify that the reports and documentation required by this Order are received in the Board office.

20. **MS. JUDE** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Bodin, Tamiko, R.N. 374146 (CASE #15-1600)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that upon consideration of the charges stated against **TAMIKO LYNNE BODIN** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BODIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BODIN's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

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

submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BODIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BODIN'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. BODIN** shall submit documentation of her full compliance with the terms and conditions imposed by the Order Approving and Accepting Consent Order issued by the Louisiana State Board of Nursing dated April 10, 2015, and that her Louisiana license is fully reinsated and unencumbered.

#### **Reporting Requirements of MS. BODIN**

5. **MS. BODIN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. BODIN** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MS. BODIN** 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. BODIN** 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. BODIN** 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. BODIN** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. BODIN** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. BODIN** submits a written request for reinstatement; (2) the Board determines that **MS. BODIN** has complied with all conditions of reinstatement; and (3) the Board

determines that **MS. BODIN** is able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. BODIN** and review of the documentation specified in this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Kargbo, Hawa, P.N. 115072 (CASE #15-1953)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that upon consideration of the charges stated against **HAWA K. KARGBO** in the September 18, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. KARGBO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. KARGBO's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. KARGBO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KARGBO** 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. KARGBO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KARGBO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KARGBO'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. KARGBO** shall submit documentation of her full compliance with the terms and conditions imposed by the Order issued by the Commonwealth of Virginia, Department of Health Professions ("Virginia Board") dated March 27, 2015, with Exhibit 1: Final Decision and Order issued by the Georgia Board of Nursing, and the Virginia Board Order dated, August 28, 2015, and that her Virginia and Georgia licenses are fully reinstated and unencumbered.

### **Reporting Requirements of MS. KARGBO**

5. **MS. KARGBO** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. KARGBO** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MS. KARGBO** 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. KARGBO** 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. KARGBO** 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. KARGBO** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. KARGBO** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Beall, Courtney, R.N. 250816 (CASE #15-2156)

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that upon consideration of the charges stated against **COURTNEY EDGAR BEALL** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. BEALL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. BEALL's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. BEALL's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below, including the **Temporary Practice Restrictions** set forth below.

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

1. **MR. BEALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. BEALL** 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. BEALL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. BEALL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. BEALL'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. BEALL** shall submit documentation of his full compliance with the terms and conditions imposed by the Order of Summary Suspension issued by the West Virginia Board of Examiners for Registered Professional Nurses dated April 15, 2015, and that his West Virginia license is fully reinstated and unencumbered.

### **Reporting Requirements of MR. BEALL**

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

7. **MR. BEALL** 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. BEALL** 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. BEALL** 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. BEALL** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. BEALL** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MR. BEALL's license shall be subject to the following probationary terms and restrictions.**

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

#### **Monitoring**

3. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MR. BEALL** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. BEALL** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. BEALL** 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. BEALL's** license, and a statement as to whether **MR. BEALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **If a chemical dependency evaluation is requested, MR. BEALL** 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 and restrictions on **MR. BEALL's** license.
  5. **MR. BEALL** 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. BEALL's** history. **MR. BEALL** shall self-administer prescribed drugs only in the manner prescribed.
  6. **MR. BEALL** shall abstain completely from the use of alcohol or any products containing alcohol.
  7. Within ninety (90) days of the execution of the probationary period, and throughout the probationary period, **MR. BEALL** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. BEALL** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. BEALL's** history.
  8. **MR. BEALL** 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. BEALL** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

9. Within sixty (60) days of the execution of the probationary period, **MR. BEALL** 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. BEALL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
10. **MR. BEALL** 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. BEALL** throughout the duration of this Order.
  11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. BEALL** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

12. Prior to working as a nurse in Ohio, **MR. BEALL** shall obtain the written permission of the Board to seek nursing employment.
13. Prior to accepting employment as a nurse, each time with every employer, **MR. BEALL** shall notify the Board, in writing.
14. **MR. BEALL** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer prior to accepting employment as a nurse. **MR. BEALL** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis beginning within thirty (30) days of accepting employment as a nurse. **MR. BEALL** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
15. Upon the request of the Board or its designee, **MR. BEALL** shall, prior to working in a position where a license to practice nursing is required, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. BEALL**

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

17. **MR. BEALL** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
18. **MR. BEALL** 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. BEALL** 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. BEALL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
21. **MR. BEALL** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MR. BEALL** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

**MR. BEALL** 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. BEALL's** suspension shall be lifted and **MR. BEALL's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MR. BEALL** has violated or breached any terms or

conditions of this Order. Following the automatic suspension, the Board shall notify **MR. BEALL** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MR. BEALL** may request a hearing regarding the charges.

### **DURATION**

Upon reinstatement, the Board or its designee, may grant release from the probationary terms and restrictions imposed by this Order. Release may be considered when the following requirements are met:

- a. **MR. BEALL** has complied with all aspects of this Order;
- b. **MR. BEALL** has demonstrated that he is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon documented sobriety for a period of three (3) years, an interview with **MR. BEALL**, and a review of the reports required herein; and
- c. **MR. BEALL** has submitted to the Board a written request for release.

Any period during which **MR. BEALL** does not work in a position for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Harris, Elizabeth, P.N. 090793 (CASE #15-4405)

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that upon consideration of the charges stated against **ELIZABETH HARRIS** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HARRIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. HARRIS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. HARRIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HARRIS** 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. HARRIS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HARRIS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HARRIS'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. HARRIS** shall submit documentation of her full compliance with the terms and conditions imposed by the Consent Agreement/Order entered into by and between **MS. HARRIS** and the Louisiana State Board of Practical Nurse Examiners effective on or about July 14, 2015, and that her Louisiana license is fully reinstated and unencumbered.

#### **Reporting Requirements of MS. HARRIS**

5. **MS. HARRIS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. HARRIS** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MS. HARRIS** 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. HARRIS** 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. HARRIS** 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. HARRIS** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. HARRIS** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

## **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Derifield, Stephanie, R.N. 346040, P.N. 099182 (CASE #15-4505)

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that upon consideration of the charges stated against **STEPHANIE A. DERIFIELD** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. DERIFIELD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. DERIFIELD's** licenses to practice nursing as a registered nurse and licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DERIFIELD's** licenses to practice nursing as a registered nurse and licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. DERIFIELD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DERIFIELD** 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. DERIFIELD** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DERIFIELD**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DERIFIELD'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. DERIFIELD** shall submit documentation of her full compliance with the terms and conditions imposed by the Order of Summary Suspension issued by the West Virginia Board of Examiners for Registered Professional Nurses dated July 16, 2015, and that her West Virginia license is fully reinstated and unencumbered.

### **Monitoring**

5. **MS. DERIFIELD** 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. DERIFIELD's** history. **MS. DERIFIELD** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. DERIFIELD** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. DERIFIELD** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. DERIFIELD'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. DERIFIELD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DERIFIELD's** history.
8. Within thirty (30) days prior to **MS. DERIFIELD** initiating drug screening, **MS. DERIFIELD** 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. DERIFIELD**.
9. After initiating drug screening, **MS. DERIFIELD** 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. DERIFIELD** shall notify the Board of

any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

### **Reporting Requirements of MS. DERIFIELD**

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

### **DURATION**

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

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

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

and rules governing the practice of nursing in Ohio.

2. **MS. DERIFIELD** 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. DERIFIELD** 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. DERIFIELD's** history. **MS. DERIFIELD** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DERIFIELD** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. DERIFIELD** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. DERIFIELD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DERIFIELD's** history.

### **Treating Practitioners and Reporting**

6. Within sixty (60) days of the execution of the probationary period, **MS. DERIFIELD** 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. DERIFIELD** 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.
7. **MS. DERIFIELD** 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. DERIFIELD** throughout the duration of this Order.
8. Within twenty-four (24) hours of release from hospitalization or medical

treatment, **MS. DERIFIELD** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

9. **Prior to working as a nurse in Ohio, MS. DERIFIELD shall obtain the written permission of the Board to seek nursing employment.**
10. **Prior to accepting employment as a nurse, each time with every employer, MS. DERIFIELD shall notify the Board, in writing.**
11. **MS. DERIFIELD** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. DERIFIELD** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. DERIFIELD** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. DERIFIELD shall, prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. DERIFIELD**

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

### **Temporary Narcotic Restriction**

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

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Mauler, Cindy, R.N. 345263 (CASE #15-4690)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that upon consideration of the charges stated against **CINDY LOU MAULER** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MAULER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MAULER's** license to practice nursing as a registered nurse be **Reprimanded**.

**Prior to requesting reinstatement of her license by the Board, MS. MAULER** shall submit documentation of her full compliance with the terms and conditions imposed by the Findings of Fact, Conclusions of Law and Final Order issued by the State of Washington, Department of Health, Nursing Care Quality Assurance Commission dated July 24, 2015, and that her Washington license is fully reinstated and unencumbered.

**Prior to requesting reinstatement of her license by the Board, MS. MAULER** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Critical Thinking; and five (5) hours of Timely Reporting.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Bliffin, Stacy, P.N. 103262 (CASE #14-3988)

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that upon consideration of the charges stated against **STACY LYN BLIFFIN** in the September 18, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BLIFFIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BLIFFIN's** license to practice nursing as a licensed practical nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of eighteen (18) months, including the **Temporary Practice Restrictions** set forth below.

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

1. **MS. BLIFFIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BLIFFIN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BLIFFIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BLIFFIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BLIFFIN's** criminal records check reports to the Board. **MS. BLIFFIN's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**
4. **Within six (6) months of the effective date of this Order, MS. BLIFFIN** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Ethics, and two (2) hours of Ohio Nursing Law and Rules.

#### **Employment Conditions**

5. **MS. BLIFFIN** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment as a nurse.
6. **MS. BLIFFIN, within fifteen (15) days of the effective date of this Order**, if working in a position in which a license to practice nursing is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. BLIFFIN** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. BLIFFIN** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse.** **MS. BLIFFIN** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MS. BLIFFIN**

7. **MS. BLIFFIN** shall sign release of information forms allowing health

- professionals and other organizations to submit the requested documentation directly to the Board.
8. **MS. BLIFFIN** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
  9. **MS. BLIFFIN** 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. BLIFFIN** 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. BLIFFIN** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
  12. **MS. BLIFFIN** shall verify that the reports and documentation required by this Order are received in the Board office.
  13. **MS. BLIFFIN** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Bergs, Diedra, P.N. 080346 (CASE #14-3941)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **DIEDRA THELMA BERGS** in the September 18, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BERGS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BERGS's** license to practice nursing as a licensed practical nurse be **Reprimanded and Fined**.

**Within six (6) months of the effective date of this Order, MS. BERGS** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

**Within six (6) months of the effective date of this Order, MS. BERGS** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Critical Thinking, and a Basic Life Support class.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Clark, Robert, P.N. 128487 (CASE #15-3678)

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that upon consideration of the charges stated against **ROBERT THOMAS CLARK** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. CLARK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. CLARK's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MR. CLARK's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions, unless otherwise approved in advance by the Board**, set forth below.

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

1. **MR. CLARK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CLARK** 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. CLARK** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. CLARK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. CLARK'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. CLARK** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

#### **Monitoring**

5. **MR. CLARK** 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. CLARK's** history. **MR. CLARK** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. CLARK** shall abstain completely from the use of alcohol or any products containing alcohol.
  7. **Prior to requesting reinstatement by the Board, MR. CLARK** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. CLARK** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. CLARK** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CLARK's** license, and a statement as to whether **MR. CLARK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  8. **MR. CLARK** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. CLARK's** license.
  9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. CLARK** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. CLARK'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. CLARK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CLARK's** history.
  10. Within thirty (30) days prior to **MR. CLARK** initiating drug screening, **MR. CLARK** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers 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. CLARK**.

11. After initiating drug screening, **MR. CLARK** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. CLARK** 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. CLARK** 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. CLARK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. CLARK**

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

## **DURATION**

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

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

1. **MR. CLARK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. CLARK** 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. CLARK** 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. CLARK's** history. **MR. CLARK** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. CLARK** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. CLARK** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. CLARK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CLARK's** history.
6. **MR. CLARK** 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. CLARK** 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. CLARK** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. CLARK** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. CLARK** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. CLARK** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. CLARK** 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. CLARK** shall **notify the Board, in writing.**
11. **MR. CLARK** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. CLARK** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. CLARK** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
12. **MR. CLARK** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. CLARK**

13. **MR. CLARK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested

documentation directly to the Board.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. CLARK** 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. CLARK** to provide nursing services for fees,

compensation, or other consideration or as a volunteer.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. CLARK** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Grant-Lopez, Erika, R.N. 302513 (CASE #15-4298)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that upon consideration of the charges stated against **ERIKA LEE GRANT-LOPEZ** in the September 18, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GRANT-LOPEZ** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. GRANT-LOPEZ's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. GRANT-LOPEZ's** license to practice

nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

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

#### **Monitoring**

5. **MS. GRANT-LOPEZ** 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. GRANT-LOPEZ's** history. **MS. GRANT-LOPEZ** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. GRANT-LOPEZ** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. GRANT-LOPEZ** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. GRANT-LOPEZ** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic

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

#### **Reporting Requirements of MS. GRANT-LOPEZ**

13. **MS. GRANT-LOPEZ** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
14. **MS. GRANT-LOPEZ** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. GRANT-LOPEZ** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

specified in this Order.

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

1. **MS. GRANT-LOPEZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ's** history. **MS. GRANT-LOPEZ** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GRANT-LOPEZ** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. GRANT-LOPEZ** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GRANT-LOPEZ** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRANT-LOPEZ's** history.
6. **MS. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** 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. GRANT-LOPEZ** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GRANT-LOPEZ** 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. GRANT-LOPEZ** shall **notify the Board, in writing.**
11. **MS. GRANT-LOPEZ** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. GRANT-LOPEZ** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. GRANT-LOPEZ** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. GRANT-LOPEZ** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. GRANT-LOPEZ**

13. **MS. GRANT-LOPEZ** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. GRANT-LOPEZ** shall submit any and all information that the Board

may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Mohler, Jr., Richard, P.N. 157477 (CASE #15-4301)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that upon consideration of the charges stated against **RICHARD JAMES MOHLER, JR.** in the September 18, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. MOHLER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MR. MOHLER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. MOHLER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary**

**Practice Restrictions, unless otherwise approved in advance by the Board or its designee, set forth below.**

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MR. MOHLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. MOHLER** 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. MOHLER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. MOHLER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. MOHLER'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. MOHLER** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; four (4) hours of Disciplinary Actions, What Every Nurse Should Know; five (5) hours of Professional Accountability and Legal Liability for Nurses; and ten (10) hours of Anger Management.

**Reporting Requirements of MR. MOHLER**

5. **MR. MOHLER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MR. MOHLER** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MR. MOHLER** 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. MOHLER** 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. MOHLER** 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. MOHLER** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. MOHLER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MR. MOHLER shall notify the Board, in writing.**
4. **MR. MOHLER** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. MOHLER** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. MOHLER** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date

they were received.

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

#### **Reporting Requirements of MR. MOHLER**

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

#### **Temporary Practice Restrictions**

The following Practice Restrictions shall be in effect for a minimum period of **one (1) year** during which **MR. MOHLER** is working in a position that requires a nursing license. At any time after the one-year period previously described, **MR. MOHLER** may submit a written request to the Board to have these restrictions re-evaluated.

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

**designee, MR. MOHLER** 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. MOHLER** to provide nursing services for fees, compensation, or other consideration or as a volunteer for a minimum period of **one (1) year** in which **MR. MOHLER** is working in a position that requires a nursing license. At any time after the one-year period previously described, **MR. MOHLER** may submit a written request to the Board to have this restriction re-evaluated.

**Unless otherwise approved in advance, in writing, by the Board or its designee, MR. MOHLER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Thomas, Timothy, P.N. 131049 (CASE #15-2467)

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that upon consideration of the charges stated against **TIMOTHY MICHAEL THOMAS** in the July 31, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. THOMAS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MR. THOMAS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. THOMAS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the previously imposed **Permanent Narcotic Restrictions** and the **Temporary Practice Restrictions** set forth below.

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

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

#### **Monitoring**

4. **MR. THOMAS** 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. THOMAS's** history. **MR. THOMAS** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. THOMAS** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MR. THOMAS** shall, at his expense, obtain a chemical dependency evaluation by a Board

- approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. THOMAS** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. THOMAS** 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. THOMAS's** license, and a statement as to whether **MR. THOMAS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. THOMAS** 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 and restrictions on **MR. THOMAS's** license.
  8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. THOMAS** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. THOMAS'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. THOMAS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. THOMAS's** history.
  9. Within thirty (30) days prior to **MR. THOMAS** initiating drug screening, **MR. THOMAS** 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. THOMAS**.
  10. After initiating drug screening, **MR. THOMAS** 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. THOMAS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

### **Reporting Requirements of MR. THOMAS**

12. **MR. THOMAS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MR. THOMAS** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. **MR. THOMAS** 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. THOMAS** 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. THOMAS** 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. **MR. THOMAS** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MR. THOMAS** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

interview with **MR. THOMAS** and review of the documentation specified in this Order.

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

1. **MR. THOMAS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. THOMAS** 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. THOMAS** 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. THOMAS's** history. **MR. THOMAS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. THOMAS** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. THOMAS** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. THOMAS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. THOMAS's** history.
6. **MR. THOMAS** 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. THOMAS** 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. THOMAS** 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. THOMAS** 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. THOMAS** 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. THOMAS** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. THOMAS** 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. THOMAS** shall **notify the Board, in writing.**
11. **MR. THOMAS** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. THOMAS** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. THOMAS** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MR. THOMAS** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MR. THOMAS**

13. **MR. THOMAS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MR. THOMAS** shall submit any and all information that the Board may request regarding his ability to practice nursing according to acceptable

and prevailing standards of safe nursing practice.

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

#### **Permanent Narcotic Restriction**

**The Permanent Narcotic Restriction imposed by the Board's March 2015 Order continues as follows:** **MR. THOMAS** shall not administer, have access to, or possess (except as prescribed for **MR. THOMAS's** use by another so authorized by law who has full knowledge of **MR. THOMAS's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MR. THOMAS** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. THOMAS** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

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

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

Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Whitt, Deborah, P.N. 092950 (CASE #15-1880)

**Action:** It was moved by Sandra Ranck, seconded by Sheryl Warner, that upon consideration of the charges stated against **DEBORAH JEAN WHITT** in the July 31, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WHITT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. WHITT's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WHITT's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic and Permanent Practice Restrictions** set forth below.

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

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

rules governing the practice of nursing in Ohio.

2. **MS. WHITT** 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. WHITT** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WHITT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WHITT's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MS. WHITT** 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. WHITT's** history. **MS. WHITT** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. WHITT** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. WHITT** shall begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WHITT'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. WHITT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WHITT's** history.
7. Within thirty (30) days prior to **MS. WHITT** initiating drug screening, **MS. WHITT** 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. WHITT**.

8. After initiating drug screening, **MS. WHITT** 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. WHITT** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

#### **Reporting Requirements of MS. WHITT**

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

#### **DURATION**

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

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

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

1. **MS. WHITT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WHITT** 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. WHITT** 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. WHITT's** history. **MS. WHITT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. WHITT** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. WHITT** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WHITT** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. WHITT** 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. WHITT's** license, and a statement as to whether **MS. WHITT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MS. WHITT** 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 and restrictions on **MS. WHITT's** license.
7. During the probationary period, **MS. WHITT** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or

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

8. **MS. WHITT** shall attend a minimum of three (3) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WHITT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

9. Within sixty (60) days of the execution of the probationary period, **MS. WHITT** 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. WHITT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
10. **MS. WHITT** 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. WHITT** throughout the duration of this Order.
11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WHITT** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MS. WHITT** shall **notify the Board, in writing.**
13. **MS. WHITT** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. WHITT** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. WHITT** shall have her employer(s) send documentation to the Board, along with the first

employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

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

#### **Reporting Requirements of MS. WHITT**

15. **MS. WHITT** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. **MS. WHITT** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. **MS. WHITT** 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. WHITT** 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. WHITT** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
20. **MS. WHITT** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. WHITT** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Permanent Narcotic Restriction**

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

refills.

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Ruffing, Jodie, R.N., 293476 (CASE #15-6661)

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that upon consideration of the charges stated against **JODIE ALLYN RUFFING** in the November 20, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. RUFFING** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. RUFFING's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. RUFFING's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years.

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

1. **MR. RUFFING** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. RUFFING** 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. RUFFING** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. RUFFING**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. RUFFING'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. RUFFING** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Anger Management.
5. **Prior to requesting reinstatement by the Board, MR. RUFFING** shall submit documentation of his full compliance with the terms and conditions imposed by the Default Decision and Order issued by the Board of Registered Nursing, Department of Consumer Affairs, State of California, dated August 27, 2015, and that his California license is fully reinstated and unencumbered.

### **Monitoring**

6. **Prior to requesting reinstatement by the Board, MR. RUFFING** shall,

at his expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. RUFFING** shall provide the psychiatrist with a copy of this Order and the Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. RUFFING's** license, and a statement as to whether **MR. RUFFING** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

7. **MR. RUFFING** 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 and restrictions on **MR. RUFFING's** license.

#### **Reporting Requirements of MR. RUFFING**

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

## **DURATION**

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

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

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

## **Employment Conditions**

3. Prior to accepting employment as a nurse, each time with every employer, **MR. RUFFING shall notify the Board, in writing.**
4. **MR. RUFFING** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. RUFFING** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. RUFFING** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
5. **Upon the request of the Board or its designee, MR. RUFFING shall, prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

## **Reporting Requirements of MR. RUFFING**

6. **MR. RUFFING** shall sign releases of information forms allowing health

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

#### **FAILURE TO COMPLY**

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

shall not count toward fulfilling the probationary period imposed by this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Brown, Stephen, P.N. 096883 (CASE #15-2643)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that upon consideration of the charges stated against **STEPHEN WAYNE BROWN** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. BROWN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. BROWN's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Bentley, Lisa, R.N. 215746 (CASE #15-2796)

**Action:** It was moved by Lauralee Krabill, seconded by Nancy Fellows, that upon consideration of the charges stated against **LISA RENEE BENTLEY** in the July 31, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BENTLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. BENTLEY's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BENTLEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions, unless otherwise approved in advance by the Board or its designee**, set forth below.

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

1. **MS. BENTLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTLEY** 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. BENTLEY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BENTLEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BENTLEY'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. BENTLEY** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### **Monitoring**

5. **MS. BENTLEY** 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. BENTLEY's** history. **MS. BENTLEY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. BENTLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. BENTLEY** shall begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BENTLEY'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. BENTLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history.
8. Within thirty (30) days prior to **MS. BENTLEY** initiating drug screening, **MS. BENTLEY** 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. BENTLEY**.

9. After initiating drug screening, **MS. BENTLEY** 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. BENTLEY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

### **Reporting Requirements of MS. BENTLEY**

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

### **DURATION**

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

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

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

1. **MS. BENTLEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTLEY** 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. BENTLEY** 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. BENTLEY's** history. **MS. BENTLEY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BENTLEY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Within ninety (90) days of the execution of the probationary period, MS. BENTLEY** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BENTLEY** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. BENTLEY** 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. BENTLEY's** license, and a statement as to whether **MS. BENTLEY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. BENTLEY** 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 and restrictions on **MS. BENTLEY's** license.

7. During the probationary period, **MS. BENTLEY** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENTLEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BENTLEY's** history.

### **Treating Practitioners and Reporting**

8. Within sixty (60) days of the execution of the probationary period, **MS. BENTLEY** 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. BENTLEY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
9. **MS. BENTLEY** 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. BENTLEY** throughout the duration of this Order.
10. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. BENTLEY** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

11. Prior to accepting employment as a nurse, each time with every employer, **MS. BENTLEY** shall **notify the Board, in writing.**
12. **MS. BENTLEY** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. BENTLEY** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. BENTLEY** shall have her employer(s) send documentation to the Board, along with the first

employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

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

#### **Reporting Requirements of MS. BENTLEY**

14. **MS. BENTLEY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. **MS. BENTLEY** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. **MS. BENTLEY** 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. BENTLEY** 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. BENTLEY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MS. BENTLEY** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. BENTLEY** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Temporary Practice Restrictions**

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

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Kennedy, Heather, P.N. 112860 (CASE #14-6286)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **HEATHER LEANNE KENNEDY** in the July 31, 2015 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. KENNEDY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity

for Hearing, and that **MS. KENNEDY's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KENNEDY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

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

1. **MS. KENNEDY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KENNEDY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. KENNEDY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KENNEDY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KENNEDY's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. KENNEDY** shall submit documentation of her full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas in Case Number 14CR-5005.

#### **Monitoring**

5. **MS. KENNEDY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KENNEDY's** history. **MS. KENNEDY** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. KENNEDY** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. KENNEDY** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. KENNEDY** shall provide the chemical dependency professional with

- a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. KENNEDY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. KENNEDY's** license, and a statement as to whether **MS. KENNEDY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. KENNEDY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. KENNEDY's** license.
  9. **For a minimum, continuous period of ninety (90) days immediately prior to requesting reinstatement, MS. KENNEDY** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. KENNEDY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. KENNEDY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KENNEDY's** history.
  10. Within thirty (30) days prior to **MS. KENNEDY** initiating drug screening, **MS. KENNEDY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. KENNEDY**.
  11. After initiating drug screening, **MS. KENNEDY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. KENNEDY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four

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

12. **For a minimum, continuous period of ninety (90) days immediately prior to requesting reinstatement, MS. KENNEDY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. KENNEDY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. KENNEDY**

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

14. **MS. KENNEDY** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

15. **MS. KENNEDY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

16. **MS. KENNEDY** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.

17. **MS. KENNEDY** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

19. **MS. KENNEDY** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. KENNEDY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KENNEDY's** history. **MS. KENNEDY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. KENNEDY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, if recommended in the chemical dependency evaluation, **MS. KENNEDY** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. KENNEDY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KENNEDY's** history.
6. If recommended in the chemical dependency evaluation, **MS. KENNEDY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. KENNEDY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. If continuing drug screens are recommended in the chemical dependency evaluation, within sixty (60) days of the execution of the probationary period, **MS. KENNEDY** shall provide a copy of this Order to all treating

- practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. KENNEDY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. If continuing drug screens are recommended in the chemical dependency evaluation, **MS. KENNEDY** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. KENNEDY** throughout the duration of this Order.
  9. If continuing drug screens are recommended in the chemical dependency evaluation, within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. KENNEDY** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. KENNEDY** shall **notify the Board, in writing.**
11. **MS. KENNEDY** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. KENNEDY** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. KENNEDY** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. KENNEDY** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. KENNEDY**

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

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

suspended if it appears to the Board that **MS. KENNEDY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KENNEDY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. KENNEDY** may request a hearing regarding the charges.

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Cooper, Portia, P.N. 087534 (CASE #15-2368)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **PORTIA ANN COOPER** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. COOPER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. COOPER's** license to practice nursing as a licensed practical nurse be suspended for a period of not less than one (1) year, and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions, unless otherwise approved in advance by the Board or its designee**, set forth below.

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

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

3. **MS. COOPER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. COOPER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. COOPER's** criminal records check reports to the Board. **MS. COOPER's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**
4. **Within six (6) months of the effective date of this Order, MS. COOPER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Within six (6) months of the effective date of this Order, MS. COOPER** shall submit documentation of her full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas in Case Number 14 CR 0818.

#### **Employment Conditions**

6. **MS. COOPER** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment as a nurse.
7. **MS. COOPER, within fifteen (15) days of the effective date of this Order**, if working in a position in which a license to practice nursing is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. COOPER** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse. MS. COOPER** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse. MS. COOPER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MS. COOPER**

8. **MS. COOPER** shall sign release of information forms allowing health professionals and other organizations to submit the requested

documentation directly to the Board.

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

### **Permanent Practice Restrictions**

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

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. COOPER** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities. Such positions include but are not limited to the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Claxton, Brenda, P.N. 125758 (CASE #14-0892)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that upon consideration of the charges stated against **BRENDA MARIE CLAXTON** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CLAXTON** 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. CLAXTON's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CLAXTON's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

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

2. **MS. CLAXTON** 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. CLAXTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CLAXTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CLAXTON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

4. **MS. CLAXTON** 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. CLAXTON's** history. **MS. CLAXTON** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. CLAXTON** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CLAXTON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. CLAXTON'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. CLAXTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CLAXTON's** history.
7. Within thirty (30) days prior to **MS. CLAXTON** initiating drug screening, **MS. CLAXTON** 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. CLAXTON**.

8. After initiating drug screening, **MS. CLAXTON** 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. CLAXTON** 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.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. CLAXTON** 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. CLAXTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
10. **Prior to requesting reinstatement by the Board, MS. CLAXTON** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. CLAXTON** shall provide the psychiatrist with a copy of this Order and the Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CLAXTON's** license, and a statement as to whether **MS. CLAXTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
11. **MS. CLAXTON** 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 and restrictions on **MS. CLAXTON's** license.
12. **Prior to requesting reinstatement by the Board, MS. CLAXTON** shall, at her expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. CLAXTON'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. CLAXTON's** comprehensive physical examination and with a comprehensive assessment regarding **MS. CLAXTON's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. CLAXTON** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. CLAXTON** 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. CLAXTON's** license to practice, and stating whether **MS. CLAXTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

### **Reporting Requirements of MS. CLAXTON**

14. **MS. CLAXTON** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MS. CLAXTON** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. **MS. CLAXTON** 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. CLAXTON** 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. CLAXTON** 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. CLAXTON** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. CLAXTON** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. CLAXTON** submits a written request for reinstatement; (2) the Board determines that **MS. CLAXTON** has complied with all conditions of reinstatement; and (3) the

Board determines that **MS. CLAXTON** is able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. CLAXTON** and review of the documentation specified in this Order.

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

1. **MS. CLAXTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CLAXTON** 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. CLAXTON** 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. CLAXTON's** history. **MS. CLAXTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CLAXTON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. CLAXTON** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. CLAXTON** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. CLAXTON** 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. CLAXTON's** license, and a statement as to whether **MS. CLAXTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MS. CLAXTON** 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 and restrictions on **MS. CLAXTON's** license.

7. During the probationary period, **MS. CLAXTON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. CLAXTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CLAXTON's** history.
8. **For a minimum period of five (5) years, MS. CLAXTON** 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. CLAXTON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

9. Within sixty (60) days of the execution of the probationary period, **MS. CLAXTON** 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. CLAXTON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
10. **MS. CLAXTON** 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. CLAXTON** throughout the duration of this Order.
11. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. CLAXTON** shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MS. CLAXTON** shall **notify the Board, in writing.**

13. **MS. CLAXTON** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse**. **MS. CLAXTON** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse**. **MS. CLAXTON** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
14. **MS. CLAXTON** shall, **prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. CLAXTON**

15. **MS. CLAXTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. **MS. CLAXTON** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. **MS. CLAXTON** 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. CLAXTON** 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. CLAXTON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
20. **MS. CLAXTON** shall verify that the reports and documentation required by this Order are received in the Board office.
21. **MS. CLAXTON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

After demonstrating compliance with the probationary terms and restrictions as outlined in this Order, for a period of not less than two (2) years, the Board or its designee, may grant release from the probationary terms and restrictions of this Order, with the exception of the requirement that **MS. CLAXTON** 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. Release from the other terms and restrictions may be considered when the following requirements are met:

- a. **MS. CLAXTON** has complied with all aspects of this Order;
- b. **MS. CLAXTON** has demonstrated that she is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. CLAXTON**, and a review of the reports required herein; and
- c. **MS. CLAXTON** has submitted to the Board a written request for release.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Bayes, Christine, R.N. 232802 (CASE #15-2363)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that upon consideration of the charges stated against **CHRISTINE BAYES** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BAYES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BAYES's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BAYES's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions, unless otherwise approved in advance by the Board**, set forth below.

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

1. **MS. BAYES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BAYES** 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. BAYES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BAYES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BAYES'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. BAYES** shall submit documentation of her full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas in Case Number 14 CR1403.
5. **Prior to requesting reinstatement by the Board, MS. BAYES** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion

of the following continuing education taken subsequent to the effective date of this Order: three (3) hours of Professional Accountability and Legal Liability for Nurses; five (5) hours of Ethics; and five (5) hours of Documentation.

### **Reporting Requirements of MS. BAYES**

6. **MS. BAYES** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. BAYES** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
8. **MS. BAYES** 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. BAYES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. BAYES** 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. BAYES** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. BAYES** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

rules governing the practice of nursing in Ohio.

2. **MS. BAYES** 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. BAYES** shall **notify the Board, in writing.**
4. **MS. BAYES** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. BAYES** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. BAYES** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
5. **Upon the request of the Board or its designee, MS. BAYES** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. BAYES**

6. **MS. BAYES** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
7. **MS. BAYES** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
8. **MS. BAYES** 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. BAYES** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. BAYES** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the

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

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

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

### **Permanent Practice Restrictions**

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

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

in a position for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Boehmer, Jami, P.N. 110096 (CASE #14-2143)

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that upon consideration of the charges stated against **JAMI NICHOLE BOEHMER** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BOEHMER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BOEHMER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than ninety (90) days with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BOEHMER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of eighteen (18) months.

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

1. **MS. BOEHMER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOEHMER** 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. BOEHMER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BOEHMER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BOEHMER'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. BOEHMER** shall submit documentation of her full compliance with the terms and conditions imposed by the Toledo Municipal Court in Case Number CRB09341-0101, and the Sylvania Municipal Court in Case Number CRB1000116.
5. **Prior to requesting reinstatement by the Board, MS. BOEHMER** shall,

in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules; five (5) hours of Ethics; five (5) hours of Critical Thinking; and five (5) hours of Anger Management.

### **Reporting Requirements of MS. BOEHMER**

6. **MS. BOEHMER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
7. **MS. BOEHMER** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
8. **MS. BOEHMER** 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. BOEHMER** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
10. **MS. BOEHMER** 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. BOEHMER** shall verify that the reports and documentation required by this Order are received in the Board office.
12. **MS. BOEHMER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

**BOEHMER's license shall be subject to the following probationary terms and restrictions for a minimum period of eighteen (18) months.**

1. **MS. BOEHMER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BOEHMER** 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. BOEHMER shall notify the Board, in writing.**
4. **MS. BOEHMER** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. BOEHMER** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. BOEHMER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.
5. **Upon the request of the Board or its designee, MS. BOEHMER shall, prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

**Reporting Requirements of MS. BOEHMER**

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

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

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Carter, Tina, P.N. 110997 (CASE #15-3339)

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that upon consideration of the charges stated against **TINA LEE CARTER** in the September 18, 2015 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CARTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and that **MS. CARTER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CARTER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years.

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

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

### **Monitoring**

4. **MS. CARTER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history. **MS. CARTER** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. CARTER** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. CARTER** shall begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. CARTER's** initiation of drug screening, refusal to submit such

- specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. CARTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history.
7. Within thirty (30) days prior to **MS. CARTER** initiating drug screening, **MS. CARTER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. CARTER**.
  8. After initiating drug screening, **MS. CARTER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. CARTER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

#### **Reporting Requirements of MS. CARTER**

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

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

15. **MS. CARTER** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. CARTER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history. **MS. CARTER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CARTER** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. CARTER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. CARTER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. CARTER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes

- diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CARTER's** license, and a statement as to whether **MS. CARTER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MS. CARTER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. CARTER's** license.
  7. During the probationary period, **MS. CARTER** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. CARTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CARTER's** history.
  8. **MS. CARTER** 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. CARTER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

9. Within sixty (60) days of the execution of the probationary period, **MS. CARTER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. CARTER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
10. **MS. CARTER** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. CARTER** throughout the duration of this Order.

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

### **Employment Conditions**

12. Prior to accepting employment as a nurse, each time with every employer, **MS. CARTER** shall **notify the Board, in writing.**
13. **MS. CARTER** is under a continuing duty to provide a copy of this Order and the Notice of Temporary Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. CARTER** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. CARTER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Temporary Suspension and Opportunity for Hearing, including the date they were received.
14. **Upon the request of the Board or its designee, MS. CARTER** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. CARTER**

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

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

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Cheeks, Demetrius, D.T. 03851 (CASE #15-1680)

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that upon consideration of the charges stated against **DEMETRIUS C. CHEEKS** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. CHEEKS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. CHEEKS's** certificate to practice as a dialysis technician be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Rogers, Brenda, P.N. 103164 (CASE #15-2367)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that upon consideration of the charges stated against **BRENDA RENEE ROGERS** in the July 31, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ROGERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. ROGERS's** license to practice nursing as a licensed practical nurse be suspended for a period of not less than one (1) year, and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

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

1. **MS. ROGERS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROGERS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. ROGERS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROGERS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ROGERS's** criminal records check reports to the Board. **MS. ROGERS's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**
4. **Within six (6) months of the effective date of this Order, MS. ROGERS** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules; five (5) hours of Ethics; and five (5) hours of Professional Accountability.

#### **Employment Conditions**

5. **MS. ROGERS** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective**

**date of this Order**, or any new employer prior to accepting employment as a nurse.

6. **MS. ROGERS, within fifteen (15) days of the effective date of this Order**, if working in a position in which a license to practice nursing is required, shall provide her employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. ROGERS** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse**. **MS. ROGERS** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**. **MS. ROGERS** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MS. ROGERS**

7. **MS. ROGERS** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
8. **MS. ROGERS** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
9. **MS. ROGERS** 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. ROGERS** 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. ROGERS** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
12. **MS. ROGERS** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MS. ROGERS** 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. ROGERS** 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. ROGERS** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Yarwood, Cameron, P.N. 128558 (CASE #15-4155)

**Action:** It was moved by Lauralee Krabill, seconded by Nancy Fellows, that upon consideration of the charges stated against **CAMERON A. YARWOOD** in the September 18, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. YARWOOD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. YARWOOD's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. YARWOOD's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year.

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

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

### **Monitoring**

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

- MS. YARWOOD** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. YARWOOD** 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. YARWOOD's** license, and a statement as to whether **MS. YARWOOD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. YARWOOD** 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 and restrictions on **MS. YARWOOD's** license.
  8. **Prior to requesting reinstatement, MS. YARWOOD** shall begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. YARWOOD'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. YARWOOD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. YARWOOD's** history.
  9. Within thirty (30) days prior to **MS. YARWOOD** initiating drug screening, **MS. YARWOOD** 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. YARWOOD**.
  10. After initiating drug screening, **MS. YARWOOD** 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. YARWOOD** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four

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

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

### **Reporting Requirements of MS. YARWOOD**

12. **MS. YARWOOD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. YARWOOD** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. **MS. YARWOOD** 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. YARWOOD** 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. YARWOOD** 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. YARWOOD** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. YARWOOD** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

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

1. **MS. YARWOOD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. YARWOOD** 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. YARWOOD** 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. YARWOOD's** history. **MS. YARWOOD** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. YARWOOD** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. YARWOOD** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. YARWOOD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. YARWOOD's** history.
6. **MS. YARWOOD** 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. YARWOOD** 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. YARWOOD** 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. YARWOOD** 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. YARWOOD** 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. YARWOOD** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. YARWOOD** 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. YARWOOD** shall **notify the Board, in writing.**
11. **MS. YARWOOD** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. YARWOOD** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. YARWOOD** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. YARWOOD** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. YARWOOD**

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

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Williams, Rhonda, R.N. 308827 (CASE #15-4113)

**Action:** It was moved by Maryam Lyon, seconded by John Schmidt, that upon consideration of the charges stated against **RHONDA N. WILLIAMS** in the September 18, 2015 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WILLIAMS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. WILLIAMS's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WILLIAMS's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

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

#### **Monitoring**

4. **MS. WILLIAMS** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history. **MS. WILLIAMS** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. WILLIAMS** shall abstain completely from the use of alcohol or any products containing alcohol.

6. **Upon the request of the Board or its designee, prior to reinstatement, MS. WILLIAMS** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WILLIAMS** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. WILLIAMS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WILLIAMS's** license, and a statement as to whether **MS. WILLIAMS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. If a chemical dependency evaluation is requested, **MS. WILLIAMS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WILLIAMS's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. WILLIAMS** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WILLIAMS's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WILLIAMS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history.
9. Within thirty (30) days prior to **MS. WILLIAMS** initiating drug screening, **MS. WILLIAMS** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. WILLIAMS**.

10. After initiating drug screening, **MS. WILLIAMS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. WILLIAMS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. WILLIAMS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WILLIAMS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Upon the request of the Board or its designee, prior to reinstatement, MS. WILLIAMS** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. WILLIAMS** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WILLIAMS's** license, and a statement as to whether **MS. WILLIAMS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. If a psychiatric evaluation is requested, **MS. WILLIAMS** 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 and restrictions on **MS. WILLIAMS's** license.

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

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

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

#### **DURATION**

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

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

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

#### **Monitoring**

3. **MS. WILLIAMS** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history. **MS. WILLIAMS** shall self-administer prescribed drugs only in the manner prescribed.

4. **MS. WILLIAMS** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. WILLIAMS** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WILLIAMS** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. WILLIAMS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WILLIAMS's** license, and a statement as to whether **MS. WILLIAMS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. If a chemical dependency evaluation is requested, **MS. WILLIAMS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WILLIAMS's** license.
7. During the probationary period, **MS. WILLIAMS** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WILLIAMS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WILLIAMS's** history.
8. **MS. WILLIAMS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WILLIAMS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
9. **Upon the request of the Board or its designee, and within ninety (90) days of the request, MS. WILLIAMS** shall, at her expense, obtain a

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

10. If a psychiatric evaluation is requested, **MS. WILLIAMS** 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 and restrictions on **MS. WILLIAMS's** license.

### **Treating Practitioners and Reporting**

11. Within sixty (60) days of the execution of the probationary period, **MS. WILLIAMS** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. WILLIAMS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
12. **MS. WILLIAMS** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. WILLIAMS** throughout the duration of this Order.
13. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WILLIAMS** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

14. Prior to accepting employment as a nurse, each time with every employer, **MS. WILLIAMS** shall **notify the Board, in writing.**
15. **MS. WILLIAMS** is under a continuing duty to provide a copy of this Order

and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse. MS. WILLIAMS** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse. MS. WILLIAMS** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

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

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

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

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Littlefield, Paula, R.N. 349723 (CASE #15-2446)

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that upon consideration of the charges stated against **PAULA RENEE LITTLEFIELD** in the September 18, 2015 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LITTLEFIELD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. LITTLEFIELD's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

### **CONSOLIDATION HEARING/NO REQUEST HEARING**

Howard, Molly, R.N. 333182 (CASE #14-6580); Howard, Molly, R.N. 333182 (CASE #15-6326)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board consolidate Case Number 2014-006580 as set forth in the September 18, 2015 Notice of Opportunity for Hearing, and Case Number 2015-006326 as set forth in the January 21, 2016 Notice of Opportunity for Hearing. It was further moved that upon consideration of the charges stated against **MOLLY SUE HOWARD** and evidence supporting the charges, the Board find that **MS. HOWARD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. HOWARD's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HOWARD's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

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

and rules governing the practice of nursing in Ohio.

2. **MS. HOWARD** 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. HOWARD** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HOWARD**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HOWARD's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

### **Monitoring**

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

8. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. HOWARD** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HOWARD'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. HOWARD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HOWARD's** history.
9. Within thirty (30) days prior to **MS. HOWARD** initiating drug screening, **MS. HOWARD** 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. HOWARD**.
10. After initiating drug screening, **MS. HOWARD** 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. HOWARD** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. HOWARD** 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. HOWARD** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. HOWARD**

12. **MS. HOWARD** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. HOWARD** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable

and prevailing standards of safe nursing practice.

14. **MS. HOWARD** 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. HOWARD** 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. HOWARD** 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. HOWARD** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. HOWARD** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

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

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

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

11. **MS. HOWARD** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting employment as a nurse**. **MS. HOWARD** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse**. **MS. HOWARD** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notices, including the date they were received.
12. **MS. HOWARD** shall, **prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MS. HOWARD**

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

shall not count toward fulfilling the probationary period imposed by this Order.

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

### **MISCELLANEOUS COMPLIANCE MOTIONS**

Hause, Molly, P.N. 133444 (CASE #16-0619)

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that the Board approve the Notice of Lift of Immediate Suspension issued on April 28, 2016, and dismiss the March 17, 2016 Notice of Immediate Suspension and Opportunity for Hearing that was issued to **MS. HAUSE** in Case No. 16-0619, based on additional information received and in accordance with Section 2953.52 of the Ohio Revised Code.

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

### **WITHDRAWAL OF NOTICE OF OPPORTUNITY TO HEARING**

Sheets, Chelsie, P.N. 158917 (CASE #15-5191)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that the Board withdraw the November 20, 2015 Notice of Opportunity for Hearing that was issued to **CHELSIE SHEETS, P.N. 158917 (CASE #15-5191)**, due to a typographical error in Items 1, line one.

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

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

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that the Board issue a Notice of Temporary Suspension and Opportunity for Hearing for violations of Chapter 4723, ORC for the following case:

Prem, Sarah, R.N. 347798 (CASE #16-2576).

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

### **DEFAULT ORDERS**

Waller, Sandra, L.P.N. Applicant (CASE #15-1847)

**Action:** It was moved by John Schmidt, seconded by J. Jane McFee, that the Board find that **MS. WALLER** has failed to submit to an examination when directed, that the failure was not due to circumstances beyond her control, and

that in accordance with Section 4723.28(G) ORC, **MS. WALLER** has admitted the truth of the allegations set forth in the January 29, 2016 Examination Order issued to **MS. WALLER**, and that **MS. WALLER** has an impairment affecting her ability to provide safe nursing care. It was further moved that **MS. WALLER's** Application be denied, with conditions for reapplication for initial licensure set forth below:

#### **CONDITIONS FOR REAPPLICATION FOR LICENSURE**

1. **MS. WALLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WALLER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reapplication.
3. **MS. WALLER** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Summa Physicians, 444 N. Main Street, 6<sup>th</sup> Floor, Akron, Ohio 44310, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. WALLER** shall notify the Board Monitoring Agent of the appointment date, so that the Monitoring Agent can send necessary records to the Examiner. **MS. WALLER** 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. WALLER's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. WALLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. WALLER** may submit a new application for licensure to practice nursing as a licensed practical nurse by examination following the Board's receipt of the Examiner's written opinion. Prior to receiving a license, **MS. WALLER** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. WALLER** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of MS. WALLER**

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May 2016.

Andrews, Valerie, R.N. 402280 (CASE #15-2341)

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that upon consideration of the findings contained in the March 2016 Default Order, the Board find that **MS. ANDREWS** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2016 Default Order, and it was further moved that **MS. ANDREWS's** license to practice nursing as a registered nurse in the State of Ohio be suspended, as of March 17, 2016, with conditions for reinstatement set forth in the March 2016 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19<sup>th</sup> day of May 2016.

Fishpaw, Susan M., R.N. 215129 (CASE #15-6840; 10-3072)

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that upon consideration of the findings contained in the March 2016 Default Order, the Board find that **MS. FISHPAW** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2016 Default Order, and it was further moved that **MS. FISHPAW's** license to practice nursing as a registered nurse in the State of Ohio be suspended, as of March 17, 2016, with conditions for reinstatement set forth in the March 17, 2016 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19<sup>th</sup> day of May 2016.

Vacco, Nicole A., R.N 357161 (CASE #15-1493; 14-5789)

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that upon consideration of the findings contained in the March 2016 Default Order, the Board find that **MS. VACCO** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2016 Default Order, and it was further moved that **MS. VACCO's** license to practice nursing as a registered nurse in the State of Ohio be suspended, as of March 17, 2016, with conditions for reinstatement set forth in the March 17, 2016 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19<sup>th</sup> day of May 2016.

Malanowski, Anthony Richard, R.N. Endorsement Applicant (CASE #15-4268)

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that upon consideration of the findings contained in the March 2016 Default Order, the Board find that **MR. MALANOWSKI** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2016 Default Order, and it was further moved that **MR. MALANOWSKI's** application to practice nursing as a registered nurse in the State of Ohio be denied, as of March 17, 2016, with conditions for reapplication set forth in the March 17, 2016 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19<sup>th</sup> day of May 2016.

Brick, Jessica Michelle, R.N. 346606 (CASE #14-6084)

**Action:** It was moved by Lauralee Krabill, seconded by Maryam Lyon, that upon consideration of the findings contained in the March 2016 Default Order, the Board find that **MS. BRICK** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2016 Default Order, and it was further moved that **MS. BRICK's** license to practice nursing as a registered nurse in the State of Ohio be suspended, as of March 17, 2016, with conditions for reinstatement set forth in the March 17, 2016 Default Order.

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 19<sup>th</sup> day of May 2016.

#### **VOLUNTARY RETIREMENT**

**Action:** It was moved by Maryam Lyon, seconded by John Schmidt, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following case:

Graves, Barbara, R.N. 096206 (CASE #14-1564).

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

#### **SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING**

VonGundy, Loren, P.N. 110188 (CASE #16-1479)

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that the Board summarily suspend the license of **Loren VonGundy, P.N. 110188 (CASE #16-1479)**, and issue a Notice of Opportunity for Hearing for violations of Chapter 4723, ORC, retroactive to the date it was issued on April 12, 2016, due to the fact that there is clear and convincing evidence that continued practice by **Loren VonGundy, P.N.**, presents a danger of immediate and serious harm to the public.

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

#### **MONITORING**

#### **RELEASE FROM SUSPENSION/PROBATION**

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their Consent Agreements:

Weishampel, Kathleen, R.N. 111032 (CASE #13-0175); Martin, Tyonia, P.N. 158086 (CASE #15-5962); Graybill, Jillian, P.N. 119439 (CASE #15-3203);

Davis, Bryttany, P.N. 158837 (CASE #15-1826); Fitzpatrick, Misty, P.N. 155403 (CASE #14-0643); Kraykovich, Krysten, R.N. 385800 (CASE #13-4716); Clark, Leslie, P.N. 156824 (CASE #14-2060); Huskey, Christine, R.N. 306349 (CASE #13-6039); Herndon, Secisha, P.N. 139495 (CASE #14-4633); Deerfield, Almeda, R.N. 254341 (CASE #13-5235); Denhaan, Andrea, R.N. 378378 (CASE #13-4430); Tanner, Susan, R.N. 399114 (CASE #13-4010); Geer, Talena, P.N. 137518 (CASE #14-0639); Ellyson, Kelly, R.N. 309388 (CASE #14-6143); Woodruff, Emily, R.N. 409481 (CASE #14-3158).

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

**RELEASE OF SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from their Consent Agreements:

Grandison, Lois, R.N. 171181 (CASE #09-4746); Fabian, Tiffany, R.N. 409476 (CASE #14-4729); Gray, Brittany, R.N. 352574 (CASE #11-4671); Sites, Richard, R.N. 401424 (CASE #13-4751); Heath, Amy, R.N. 248574 (CASE #14-1807).

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

**RELEASE FROM SUSPENSION/PROBATION – PERMANENT PRACTICE RESTRICTIONS REMAIN**

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their Consent Agreement with the exception of the permanent practice restriction(s) that will remain in effect:

Derian, Raquel, R.N. 301711 (CASE #14-5874); Rodgers, Lori, R.N. 259763 (CASE #11-1764); Shinaberry, Adrienne, R.N. 314598 (CASE #14-6433).

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

**RELEASE FROM SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT PRACTICE RESTRICTIONS REMAIN**

**Action:** It was moved by Lisa Klenke, seconded by Sandra Ranck, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released early from their Consent Agreement with the exception of the permanent practice restrictions that will remain in effect:

Sutton, Elaine, P.N. 130761 (CASE #07-3239)

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

**RELEASE FROM SUSPENSION/PROBATION - PERMANENT PRACTICE AND PERMANENT NARCOTIC RESTRICTIONS REMAIN**

**Action:** It was moved by Nancy Fellows, seconded by Lauralee Krabill, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from their Consent Agreement(s) with the exception of the permanent practice restriction and permanent narcotic restriction(s) that will remain in effect:

Mills, Jennifer, R.N. 252322 (CASE #12-2101).

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

**RELEASE FROM SUSPENSION/PROBATION – TEMPORARY PRACTICE RESTRICTIONS REMAIN**

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from the Consent Agreement with the exception of the temporary practice restrictions that will remain in effect:

David, Julie, R.N. 198208 (CASE #13-1185).

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

**RELEASE FROM TEMPORARY NARCOTIC RESTRICTIONS**

**Action:** It was moved by Maryam Lyon, seconded by John Schmidt, that the following, with the recommendation by Judith Church, Supervising Member for Disciplinary Matters, be released from the temporary narcotic restrictions within the Consent Agreement:

Cimilluca, Karen, R.N. 165554, NA 03757 (CASE #12-4391).

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

**REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER**

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that the following, with the recommendation by Judith Church, Supervising Member, be reinstated subject to the probationary terms and restrictions of their Adjudication Order:

Wend, Pamela, P.N. 114257 (CASE #13-3443); Sellers, Lori, R.N. 257464 (CASE #09-1354); Shirey, Amanda, P.N. 153562 (CASE #13-8234).

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

**MOTION TO APPROVE**

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

Ciufo, Susan, R.N. 319502, COA 15880 (CASE #15-5445) – Approval to work as a nurse and accept a Nurse Practitioner position with GMA Consultants.

Quinnie, Carolyn, R.N. 175681 (CASE #12-3026) – Approval to accept a Primary Coordinator position at Roger’s Nurse Aide Program in Euclid, Ohio.

Trimble, Nikita, P.N. 160825 (CASE #15-4804) – Approval to work as a nurse.

Mayhugh, Jeffrey, R.N. 246418 (CASE #12-0384) – Approval to accept a Director of Nursing position with the Woods at Parkside.

Parks, Ayana, P.N. 133568 (CASE #13-8007) – Approval to accept a PRN Floor Nurse position at Carriage Court of Hilliard.

Freeman, Bryant, P.N. 111095 (CASE #14-5374) – Approval to accept Dr. Nalini Morris as the provider for the mental health examination.

Montgomery, Ryan, P.N. NCLEX (CASE #15-0839) – Approval to accept Dr. Luis Ramirez as provider for the psychiatric evaluation.

Nolcox, Daija, R.N. 421618 (CASE #15-4581) – Approval to work as a nurse.

Kolanko, Lindsay, R.N. 333176 (CASE #14-4211) – Approval to work as a nurse.

Willis, Charmaine, P.N. 154883 (CASE #14-5403) – Approval to accept Cornerstone of Recovery as the provider for the chemical dependency examination.

Gronostaj, Jenny, R.N. 363299 (CASE #14-0957) – Approval to accept Paul Kovach, MA, LSW as the provider for the chemical dependency evaluation.

Townsend, Chloe, R.N. 378492 (CASE #13-7499) – Approval of the Learning Plan submitted by Tracy Motter, MSN, RN.

Loebick, Jennifer, R.N. 347964 (CASE #14-3673) – Approval to accept an Assistant Clinical Nurse Manager position at Fairview Hospital.

Sims-Weekes, Regina, R.N. 357580 (CASE #14-4374) – Approval to accept Deborah Crider, MSN, as the provider for the educational needs assessment and Learning Plan.

Garrison, Linda, R.N. 353248 (CASE #15-2452) – Approval of the Learning Plan submitted by Carol Price, MSN, RN.

Inal, Jennifer, R.N. 337878 (CASE #15-1303) – Approval to accept a nursing position with United Med Source, Boardman, Ohio.

Wyman, Kerry, R.N. 399116 (CASE #14-4471) – Approval to accept an RN Shift Supervisor position with current employer, Ohio Hospital for Psychiatry.

Kumpf, Melissa, R.N. 341088 (CASE #13-2358) - Approval to work as a nurse.

Leister, Laretta, R.N. 349835 (CASE #14-1901) – Approval to accept a House Supervisor position with Arrowhead Behavioral Health.

Oiler, Wanda, R.N. 248711 (CASE #14-5897) – Approval to accept Jane Scott, RN, MSN as the provider to complete educational needs assessment.

Hammond, Lauren, R.N. 328214 (CASE #13-5140) – Approval to accept Colorado Area Health Education Center for nurse refresher course.

Sanford, Jessica, R.N. 422798 (CASE #15-5746) – Approval to accept Terrence Donahue M.Ed., L.P.C.C. as the provider for the chemical dependency evaluation.

Pickens, Nicole, P.N. 142878 (CASE #10-3895) – Approval to accept an LPN position with United Health Home Health Agency where nurse has been employed as a home health aide since 2007.

Alston, Michele, P.N. 101026 (CASE #14-0998) – Approval of the Learning Plan submitted by Jane Zachrich, MSN, RN.

Sims, TaShayla, P.N. 161239 (CASE #15-2370) – Approval to accept the psychiatric evaluation completed by Dr. Abdulmalek Sadehh.

Barosky, April, R.N. 359562 (CASE #16-1486) – Approval to accept Sheri McCullah-Casbeer, LICDC as provider for the chemical dependency examination.

Daley, Bridgette, R.N. 345075 (CASE #15-5320) – Approval of the Learning Plan submitted by Jane Zachrich, MSN, RN.

Benson, Clista, R.N. 329975 (CASE #09-3757) – Approval to accept a facility administrator position with DaVita Darke County Dialysis in Greenville, Ohio and DaVita Eaton Dialysis in Eaton, Ohio.

Dials, Sara, R.N. 351537 (CASE #15-2654) – Approval to accept a Charge Nurse position at Winchester Terrace Nursing Home.

Seymour, Erica, R.N. 286447 (CASE #14-5985) – Approval to be released from the temporary narcotic restriction within the March 13, 2015 Consent Agreement.

Burcher, Amy, R.N. 295654 (CASE #14-0968) – Approval to be released from the temporary narcotic restriction within the May 15, 2015 Consent Agreement.

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

#### **MISCELLANEOUS MONITORING MOTIONS**

**Action:** It was moved by J. Jane McFee, seconded by Sheryl Warner, that the Board approve completion of Reprimand Consent Agreement(s) with permanent practice restrictions remaining for the following:

Nance, Melissa, R.N. 266726 (CASE #15-7191); Sontowski, Nancy, R.N. 247262 (CASE #15-0189).

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

Erd, Leilani, R.N. 231425 (CASE #10-4635)

**Action:** It was moved by Sheryl Warner, seconded by Sandra Ranck, that the Board release Erd, Leilani, R.N. 231425 (CASE #10-4635) from the urine drug screening requirement within the Consent Agreement.

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

#### **COMPLETION OF REPRIMAND REQUIREMENTS**

**Action:** It was moved by Sandra Ranck, seconded by Lisa Klenke, that the Board approve the completion of Reprimand Consent Agreement(s) terms and restrictions for the following:

Salyers, Ronda, P.N. 087748 (CASE #15-0871); Kimchi-Woods, Judith, R.N. 151761, COA 04116, COA 04624 (CASE #15-8350); Snyder, Steven, R.N. 419671 (CASE #15-4087); Rose, Brittany, R.N. 421700 (CASE #15-6957); Burney, Janice, P.N. 160167 (CASE #15-4814); Watkins, Carrie, R.N. 419672 (CASE #15-3128); Pietragallo, Lisamarie, R.N. 229789, CTP 16648, COA 16648 (CASE #15-8653); Barnett, Sharon, P.N. 079667 (CASE #14-3372); Wasko, Jennifer, R.N. 339362 (CASE #12-0113); Wagner, Tonya, P.N. 161240 (CASE

#15-8205); Channels-Monroe, India, P.N. 160819 (CASE #15-1739); Christian, Julia, R.N. 138990 (CASE #14-6557); Riley, Jessica, P.N. 160822 (CASE #15-5655); Jones, Danielle, P.N. 155544 (CASE #14-2813); McQueen, Jana, P.N. 105018 (CASE #13-5282); Siesel, Linda, P.N. 136167 (CASE #15-5961); Griffith, Kelly, R.N. 357846, CTP 16165, COA 16165 (CASE #15-6682); DeNicola, Tony, R.N. 355253, CTP 16442, COA 16442 (CASE #15-7643); Grimes, Jennifer, P.N. 112933 (CASE #15-4132); Thames, Kwanita, P.N. 130417 (CASE #14-5291); Bartley Zilka, Mary, R.N. 273377 (CASE #16-0007); Tessman, Jennifer, R.N. 296367, CTP 16050, COA 16050 (CASE #15-5820); Beldon, Sara, R.N. 326331, CTP 15879, COA 15879 (CASE #15-6191); Bobbitt, Brandon, R.N. 420703 (CASE #15-3945); Davidson, Amy, P.N. 126419 (CASE #15-6031); Lucia, Cheryl, R.N. 309302 (CASE #13-5908); Kurilov, Nadezhda, P.N. 146076 (CASE #15-3189); Kilkenny, Mary, R.N. 070702 (CASE #14-0213).

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

## **REPORTS TO THE BOARD**

### **Open Forum – Thursday, May 19, 2016 at 10:02 a.m.**

There were no participants for Open Forum.

### **Other Reports**

#### **Strategic Plan**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board approve the Strategic Plan as submitted. Motion adopted by unanimous vote of the Board members.

#### **Compliance Protocols**

**Action:** It was moved by Lauralee Krabill, seconded by Patricia Sharpnack, that the Board approve the Disciplinary Complaint Protocol, as submitted. Motion adopted by unanimous vote of the Board members.

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board approve the Disciplinary Priorities and Guidelines Protocol, as submitted. Motion adopted by unanimous vote of the Board members.

**Action:** It was moved by Janet Arwood, seconded by John Schmidt, that the Board approve the Settlement Conference Protocol, as submitted. Motion adopted by unanimous vote of the Board members.

#### **NCLEX Testing**

L. Robinson provided information regarding NCLEX testing. At the Retreat, the Board asked about limiting the number of times an individual can take the NCLEX, and setting a time limit as to when a first-time test taker must take the NCLEX after completing a pre-licensure nursing education

program. Currently, there is no limitation on re-testing in the Nurse Practice Act or rules. NCSBN limits retakes to every 45 days. The Board reviewed the NCSBN Uniform Licensure Requirements, the NCSBN NCLEX Delay Pass Rate Study, and a comparison of other states' requirements. The Board agreed by general consensus to not make any changes at this time regarding the number of re-takes permitted and setting a time limit as to when a first-time test taker must take the NCLEX after completing a pre-licensure nursing education program.

### **GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

### **BOARD GOVERNANCE**

#### **NCSBN Annual Meeting and Delegate Assembly**

The Board discussed the 2016 NCSBN Delegate Assembly. Janet Arwood, J. Jane McFee, Patricia Sharpnack, and Sandra Ranck would like to attend, as well as B. Houchen and Lisa Emrich. B. Houchen will apply for NCSBN Resource Funds.

#### **Appointment – Committee on Prescriptive Governance**

**Action:** It was moved by John Schmidt, seconded by Lauralee Krabill to accept the resignation of Nancy Fellows as the Board Member representative on the Committee on Prescriptive Governance (CPG) due to schedule conflicts. The Board discussed Board member representation on the CPG. After further discussion John Schmidt withdrew motion to accept the resignation of Nancy Fellows. Nancy Fellows agreed to continue as the Board member on the CPG.

### **EVALUATION OF MEETING AND ADJOURNMENT**

On Wednesday, May 18, 2016 the meeting adjourned at 2:24 p.m. On Thursday, May 19, 2016, the meeting adjourned at 10:31 a.m.

Maryam Lyon, MSN, RN  
President



Attest.

Betsy Houchen, RN, MS, JD  
Executive Director

