



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### **REGULAR MEETING OF THE BOARD SEPTEMBER 27-28, 2007**

The regular meeting of the Ohio Board of Nursing (Board) was held on September 27-28, 2007 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday September 27, 2007, at 8:35 a.m., President Cynthia Krueger called the Board meeting to order. On Friday, September 28, at 8:30 a.m., President Cynthia Krueger called the Board meeting to order. Vice-President Teresa Williams read the Board mission statement each day.

#### **BOARD MEMBERS**

Cynthia Krueger, RN, MSN, President (after 10:30 a.m. Friday, absent)  
Teresa Williams, LPN, Vice-President  
Anne Barnett, BSN, RNC, CWS  
Janet L. Boeckman, RN, DNP, CPNP  
Judith Brachman, Consumer Member  
Elizabeth Buschmann, LPN  
Debra Broadnax, MSN, RN, CNS, Supervising Member, Disciplinary Matters  
Patricia Burns, LPN  
Kathleen Driscoll, JD, MS, RN  
Lisa Klenke, MBA, RN, CNA-A  
J. Jane McFee, LPN (absent Friday)  
Kathleen O'Dell, RN, M.ED, NCSN  
Eric Yoon, MSN, ACNP, CCNS (absent Thursday and Friday)

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.

The Board started the meeting by congratulating Board Member Janet Boeckman who recently completed her doctorate of nursing practice degree.

## **ADMINISTRATIVE MATTERS**

### **Board Meeting Overview**

- On Thursday, the Board Reception was held at 8:00 a.m. A noon meeting of the Board Committee on the Nurse Education Grant Program was held. Executive Session was held at 3:00 p.m.
- On Friday, Open Forum was held at 10:00 a.m. and the Board Committee for the Ohio Center for Nursing took place at noon.

On Thursday and Friday President Krueger recognized students, welcomed the gallery, and requested that Board members introduce themselves and indicate their practice areas and hometowns.

### **Minutes of July 19-20, 2007 Board Meeting**

**Action:** It was moved by J. Jane McFee, seconded by Debra Broadnax that the minutes of the July 19-20, 2007 board meeting be approved, as amended. Motion adopted by unanimous vote of the board members present.

### **Executive Director Report**

The Board received the written Executive Director Report and Betsy Houchen highlighted the report and answered questions.

#### Welcomes, Farewells, and Recognitions

B. Houchen stated that Diana Hisle retired August 31, 2007 and Joseph Kirk has been hired as the new Board Executive Assistant. J. Kirk was in attendance, and his official start date with the Board is October 1, 2007. Rosemary Booker has accepted a position with the Department of Administrative Service's Central Service Agency. Teresa Davis will start on October 1, 2007 as the new Advanced Practice Consultant. Cynthia Snyder will be on adoption leave until early November. B. Houchen thanked Sue Baer for all her work in assisting with the preparation of Board meeting materials.

B. Houchen recognized Kathy Bockbrader who was promoted within the office of the Attorney General and is the supervisor for the attorneys representing the Boards and Commissions. K. Bockbrader stated that she appreciated the opportunity to work with the Board and that she recognized that the Board members are committed and care about the Board's mission.

B. Houchen recognized Janelle Freeman and Amy Rettig for coordinating the Combined Charitable Campaign for the Board and for exceeding the Board's assigned goal. The total amount raised, to date, was \$10,317.

B. Houchen recognized and thanked IT personnel, the Licensure, Certification, and Renewal staff, as well as the fiscal staff. B. Houchen stated that Board

investigator Dennis Corrigan has been asked to participate in the Northeast Ohio Prescription Officer Task Force. Joyce Zurmehly, the Board's Education Consultant, has submitted her name to become an NCLEX item reviewer.

The Board recognized B. Houchen for her election to the Board of the National Council of State Boards of Nursing, and her recent acceptance of The Ohio State University College of Nursing Distinguished Alumni Award.

#### Regulatory Reform Initiative

B. Houchen informed the Board that L. Ferguson-Ramos was asked to be a member of a committee convened by the Governor's Office to discuss a regulatory reform initiative. The proposal is for a centralized adjudication unit or department that would have a pool of hearing examiners who would work for all state agencies to conduct administrative hearings. She reported on issues that were discussed at a September 26, 2007 meeting. A primary concern voiced at the meeting was whether this is a step towards consolidation of occupational licensing boards and representatives from the Governor's office stated that the purpose of the initiative is to discuss how hearings are conducted and how they could possibly be improved. There is some concern that this could increase the cost to licensees. L. Ferguson-Ramos stated that a cost analysis would be done to determine what the savings of such a system would be, if any. Currently there are twenty-six states that have a centralized process. One question is whether boards would continue to have control of the cases and maintain the ability to negotiate settlements once a notice for opportunity of hearing is issued. Another question is whether the boards would be the final decision maker regarding sanctions imposed since the licensure boards are the bodies charged with public protection. L. Ferguson-Ramos stated that John Cunningham of the Central Service Agency would be working with the other boards and commissions that would be affected by this proposal.

#### Students Completing Applications for Licensure

There was a question raised regarding nursing education faculty advising students who are completing applications for licensure, particularly pertaining to how to complete the questions regarding criminal convictions. The Board's General Counsel responded that the question raised the issues whether advising an individual in answering license application questions constitutes rendering legal advice. An article will be written for *Momentum* on how to handle these questions.

#### **Legislative Status Report**

The Board received the Legislative Status Report and B. Houchen highlighted the report and answered questions. The General Assembly returned back into session in early September. B. Houchen highlighted Senate Bill 197, which involves the sealing of records. SB 197 has garnered national headlines and created public debate both for and against the bill. K. Driscoll asked for an

update on the dental hygienist bill. B. Houchen will report back to the Board at the November meeting.

## **NEW BUSINESS**

### **Legislation – Board Initiatives**

B. Houchen reported that C. Snyder had identified additional areas to be reviewed in the latest version of the Legislative Services Commission draft bill, and the Board will be presented with a draft once those matters are reviewed.

### **Administrative Code Rules**

B. Houchen reported that staff met with representatives of the Ohio Nurses Association (ONA) and the Licensed Practical Nurse Association of Ohio (LPNAO) to review the proposed rules. Based on discussion and further staff review, additional revisions for some rules were provided for Board review:

#### **Chapter 4723-1**

The proposed changes discussed at the July 2007 Board meeting were made in this Chapter. No changes were made in Rule 4723-1-03 regarding the use of the wallet card and/or a photocopy as primary source verification of licensure, pending further discussion by the Board. After discussion, the Board agreed by general consensus to these changes and did not recommend additional revisions.

#### **Chapter 4723-3**

The proposed changes discussed at the July 2007 Board meeting were made in Rule 4723-3-01 as follows:

(E)(3) – Added sub-paragraph to address endorsement as a community health worker.

(J) – Added definition of “license.”

(L) – Deleted the definition of “revocation” to avoid misperceptions or confusion regarding permanent revocation. ORC Section 4723.28(K) addresses permanent revocation, so the rule definition is not necessary.

(M) – Clarified the definition of “unauthorized practice.”

After discussion, the Board agreed by general consensus to the proposed changes and did not recommend additional revisions.

#### **Chapter 4723-5**

The Board recommended several revisions to Chapter 4723-5 as presented at the July 2007 meeting. These changes were incorporated and discussed with the Advisory Group on Nursing Education. This version also reflects input from ONA and LPNAO. Substantive changes are as follows:

4723-5-01 Definitions.

(L) and (M) - The term "current, active license" is revised to make the term specific to the time period from February 1, 2007 through February 1, 2008. A new paragraph (M) is added to define "current, valid license" which is the preferred term now used throughout this, and other chapters.

(AA) - The "Program" definition is revised to eliminate the list of different program types. Where possible in this chapter, the word "program" is substituted for terms such as "prelicensure nursing education program."

(CC) - "Provisional approval" is revised to include "previously granted."

4723-5-06 Survey visits, reports, and response by the administrator of a program to a survey visit.

(A)(3) This language is updated to reflect changes in the program application and review process proposed in rule 4723-5-08. Rather than always requiring a Board survey prior to review of a proposal for conditional approval, the language provides that the Board may conduct a survey prior to granting conditional approval. When appropriate, the Board is given discretion to conduct the initial survey after conditional approval, provided that it is conducted within eight months after formal instruction in the program begins. Also, since paragraph (A)(4) of this rule presently requires the Board to survey a program with conditional approval prior to the graduation of its first class of students, these two required surveys may be combined.

4723-5-08 Requirements for a program seeking conditional approval.

(E) - This paragraph discusses the survey requirement for a program seeking conditional approval. In conjunction with rule 4723-5-06, the revised language states that a proposed program with a completed proposal becomes subject to an initial survey visit. As provided in rule 4723-5-06, the initial survey may be conducted by the Board either prior to granting conditional approval, or after conditional approval is granted, and within eight months from the start of formal student instruction.

4723-5-09 Organization and administration of the program.

(B) - The term "registered nurse" is deleted from this paragraph as the rules require the program administrator to be a registered nurse.

4723-5-10 Qualifications of administrative, faculty, and instructional personnel for a registered nursing education program.

(A)(6) - A new sub-paragraph is added to allow nurses and other Ohio-licensed health care professionals to teach in registered nursing education programs if they teach at the direction of a registered nurse faculty member, and the subject matter taught is within their licensed scope of practice.

(B) - The anticipated effective date of the rule is added to this paragraph in place of a more general reference.

4723-5-11 Qualifications of administrative, faculty, and instructional personnel for a practical nursing education program.

(A)(2) - The requirements for an associate administrator are returned to present law.

(A)(6) - A new sub-paragraph is added to allow nurses and other Ohio-licensed health care professionals to teach in practical nursing education programs if they teach at the direction of a registered nurse faculty member, and the subject matter taught is within their licensed scope of practice.

(B) The anticipated effective date of the rule is added to this paragraph in place of a more general reference.

4723-5-12 Program policies.

(A)(3) - The language in this paragraph is reworded to clarify that a nursing education program must have a policy for determining credit for students entering with advanced standing.

4723-5-13 Curriculum for a registered nursing education program.

(D) - Pursuant to the Board's request, the Advisory Group on Education considered whether to specify a minimum number of credits or hours for a registered nursing education program and declined to prescribe a minimum. Accordingly, more general language is added to this paragraph to require that the curriculum for a registered nursing education program must span a minimum of two academic or calendar years of full-time study. An exception is provided in paragraph (E).

(E) - A new paragraph (E) is added to address the issue of advanced standing programs. The language provides that a program may offer an advanced standing option if it includes not less than twelve months of clinical nursing coursework, the curriculum is substantively equivalent to that for other nursing students, and it meets other requirements of the chapter.

(F) - This paragraph is revised to eliminate reference to a minimum number of hours or credits. It continues to specify curriculum content, and provides that the designated content may be integrated, combined, or presented as separate courses.

(F)(1) - The elements of this paragraph are expanded for greater clarity and ease of understanding.

(F)(2)(a) - A new sub-paragraph (iv) is added to specify that course content address nursing professionalism and mentoring of other nurses.

(F)(5)(b) - A suggestion was made to keep language in this sub-paragraph regarding "assistance with self-administration of medications" to be consistent with rule 4723-5-14. However, ONA, LPANO and staff recommends that this language be deleted from this rule and from Rule 4723-5-14, because "assistance with self-administration of medications" does not involve nursing care or delegation.

(F)(7) - A new paragraph is added to define the manner in which elements of social and behavioral sciences should be incorporated in the practice of registered nursing.

(F)(8) - It was proposed at the July Board meeting that the registered nursing curriculum include intravenous therapy. Discussions with ONA and LPNAO led to the more general proposal that the clinical and laboratory portion of the curriculum provide an opportunity for students to practice technical skills, including those involved in intravenous therapy.

4723-5-14 Curriculum for a practical nursing education program.

(E)(3) - This paragraph is revised so that the elements to be addressed within the area of basic nursing art and science are set forth in greater detail.

(E)(8)(b) - Language regarding "assistance with self-administration of medications" is deleted because "assistance with self-administration of medications" does not involve nursing care or delegation.

(E)(12) - A new sub-paragraph (c) is added to specify that the clinical and laboratory component of the curriculum provide students with the opportunity to practice technical skills.

(E)(13) - New language is added to parallel that for the registered nursing program curriculum. This requires that the practical nursing curriculum address nursing professionalism and mentoring of other nurses.

(H) A new paragraph is added to reinsert current language. It provides that students cannot begin a high school practical nursing program until their junior year.

4723-5-16 Board approval of a curriculum revision.

(B)(4) - The word "clinical" is added for purposes of consistency.

4723-5-21 Program records.

(D)(3) - Language is added to clarify programs must verify the licensure status of faculty and instructors at the time they are appointed, and afterward at each licensure renewal date. Licensure verification must be maintained for a minimum of five years from the date on which it is obtained.

L. Emrich answered questions of the Board. After discussion, the Board agreed by general consensus to the proposed changes and to the following revisions:

- Rule 4723-5-02(A) – delete "as a prelicensure nursing education program" as it is redundant
- Rule 4723-5-08 (D) – delete "for" in the stem
- Rule 4723-5-08(P) – delete "both of" in last sentence
- Rule 4723-5-09(D)(3) – delete "satisfy all of the following" in the last line
- Rule 4723-5-10(A)(5)(b) – delete "and have" and insert "with" in the second line
- Rule 4723-5-11(A)(5)(b) – delete "and have" and insert "with" in the second line
- Rule 4723-5-13(F)(5)(c) – add "including but not limited to patient safety strategies"
- Rule 4723-5-14(E)(9) – add "including but not limited to patient safety strategies"
- Rule 4723-5-14(E)(3)(b) – include language to parallel language used in RN rule
- Rule 4723-5-14(E)(3)(e) – add "science" after nursing

**Chapter 4723-14**

The Board recommended several revisions to the Chapter 4723-14 draft presented at the July 2007 meeting. These changes were incorporated in a revised draft. This version of Chapter 4723-14 reflects input from the Board, staff, CE Advisory Group, and ONA and LPNAO. Substantive changes from the July draft are as follows:

Rule 4723-14-01

Paragraph (C) revises the definition of "continuing education" to distinguish

programs that qualify as continuing education from other types of instruction or professional development.

#### Rule 4723-14-03

Current paragraph (G) is moved to become paragraph (E). A new paragraph (H) is proposed to clarify that if a nurse seeking to reactivate or reinstate a license fails to provide proof of completion of continuing education, the applicant's license will not be reactivated or reinstated. Paragraph (I) would be deleted because 48 hours of continuing education is only applicable to when the nurse is the subject of a continuing education audit and appears in Rule 4723-14-07.

#### Rule 4723-14-07

The first sentence in paragraph (E) is proposed for deletion because 48 hours of continuing education is not required for renewal.

L. Klenke and L. Halliburton answered questions of the Board. L. Halliburton clarified the continuing education requirements for renewal and for an audit. Board members discussed possible fines, fees, or additional continuing education hours in order to be eligible to renew for licensees who do not meet the continuing education requirements. Any of these proposals would require a statutory change. Other suggestions were to look at alternative methods for tracking continuing education or publish the names of those who do not comply with the continuing education requirements. The Board recommended having further discussion on this topic in the future.

The Board agreed by general consensus to the proposed changes and identified additional revisions be made:

- 4723-14-07(E) – delete “may” and insert “shall” in line two
- 4723-14-10(B)(1) – delete “three” and insert “five” if the Continuing Education Advisory Group agrees with changing the length of the approval period for an OBN Approver from three years to five years

#### **Review of Rules 4723-8-07; 4723-9-10; 4723-7-06; 4723-17-06**

#### Rule 4723-8-07

An advanced practice nurse advised Board staff that there is confusion regarding the requirement that advanced practice nurses (APNs) must seek recertification from a national certifying organization (maintain national certification). The confusion relates to the language used by some national organizations on their original certification cards that could lead APNs to believe recertification is not necessary. Revised language is proposed for paragraph (C) and language that is currently in paragraph (F) is moved to become paragraph (D) so it directly follows the paragraph that discusses certification by a national certifying organization. The Board agreed by general consensus to the proposed revisions.

Rule 4723-9-10

Jacalyn Golden, Chair of the Committee on Prescriptive Governance, addressed the Board at the May Board meeting, requesting the definition of “physician initiated” medications be amended. It is recommended to change “with certification” to “holding a certificate” in the second sentence of paragraph (G)(2) for consistency. The Board agreed by general consensus to the proposed revisions.

Rule 4723-7-06

Since the practical nurse curriculum in Chapter 5 includes content and courses in medication administration, Board staff is proposing to rescind Chapter 4723-10, Courses in Medication Administration. With the rescission of Chapter 10, the licensure rules need to clearly state that LPNs who seek licensure by endorsement must document successful completion of a course or course content in medication administration, as applicable. Therefore, paragraph (C) is revised. The Board agreed by general consensus to the proposed revisions.

Staff is proposing to delete, “that is substantially similar to that set forth in rule 4723-5-14 of the Administrative Code.” It is recommended to add “or course content” to paragraph (C)(1). The Board agreed by general consensus to the proposed revisions.

Rule 4723-7-09

Questions have arisen regarding the fees for license renewal applications submitted prior to July 1<sup>st</sup> (\$65.00), and those submitted between July 1<sup>st</sup> and August 31<sup>st</sup> (\$115.00). This represents a \$50.000 late processing fee in accordance with division (A)(15) of section 4723.08 of the Revised Code. The renewal application clearly states that this fee applies if the application is not submitted prior to July 1<sup>st</sup>. Staff recommends paragraphs (B) and (C) for greater clarity. Paragraph (B) is existing language that presently appears as paragraph (F). Staff propose to re-order the paragraphs for a better flow of information. In paragraph (I), language is modified so that the rule will reference a “late processing fee.” The Board agreed by general consensus to the proposed revisions.

Rule 4723-17-06

After discussion regarding the performance of three venipunctures required for IV therapy approval, the Board agreed by general consensus to the changes proposed at the July 2007 Board meeting and did not recommend additional revisions at this meeting.

**Chapter 4723-11**

H. Fischer stated that originally Board staff recommended that this chapter be rescinded, however, the Ohio Nurses Association (ONA) informed the Board that

they continue to administer a Peer Support Program and plan to do so as long as the mandatory reporting requirement for nursing associations exists in the statute. Upon review of Board records, Board staff identified that ONA's Peer Support Program was approved by the Board in 1988 and was established prior to the implementation of the Board's Alternative Program for Chemical Dependency (AP). The Board discussed the options of continuing to approve Peer Support Programs or to discontinue this approval. J. Brachman stated she is concerned about two things: if the Board continues to approve Peer Support Programs, scarce staff resources would be expended in surveying the programs, and secondly, this could be viewed as a double standard because we have standards for AP and the standards for Peer Support Programs could be different. If this is the case, it could appear that the Board is "condoning" different standards. However, if the standards are the same for AP and for Peer Support Programs, then both programs are not needed. D. Broadnax asked how many nurses are involved in the ONA Peer Support Program and suggested "grandfathering" may be an option if the Board discontinued approving Peer Support Programs. Board staff have been told that there are not many participants in the program, but have not received an actual number. The Board requested that staff ascertain the actual number of participants. H. Fischer stated that because the statutory provision is still in effect pertaining to Peer Support Programs, the ONA program could continue even if Chapter 4723-11 is rescinded, however, action by the Board to review the program's approval status would be necessary. After further discussion, the Board agreed by general consensus to rescind Chapter 4723-11 and pursue a statutory change that would discontinue approval of peer support programs but would include a grandfathering provision for current participants, depending on the number of actual participants in the ONA program.

#### **Chapter 4723-27**

B. Houchen reported that Board staff reviewed Chapter 4723-27, Medication Aides, in light of the budget bill amendment that extended the Medication Aide Pilot Program. The majority of the proposed revisions relate to the ending date of the Pilot Program and other related dates. Additional changes reflect statutory requirements in the budget bill amendment. After review, the Board agreed by general consensus to the proposed changes and did not recommend additional revisions at this meeting.

**Action:** it was moved by J. Jane McFee, seconded by Debra Broadnax, that the board approve for filing with the Joint Committee on Agency Rule Review, the proposed revisions to Ohio Administrative Code chapters 4723-1; 4723-3; 4723-5; 4723-7; 4723-8; 4723-9; 4723-14; 4723-17; 4723-27; and the rescission of Ohio Administrative Code Chapters 4723-2; 4723-10; 4723-12 and 4723-11 and it was further moved that the Board schedule a public hearing on Chapters 4723-1; 4723-2; 4723-3; 4723-5; 4723-7; 4723-8; 4723-9; 4723-10; 4723-11; 4723-12; 4723-14; 4723-17; and 4723-27 for Wednesday, November 14, 2007, at 1:00

p.m. in the Board Room of the Ohio Board of Nursing. Motion adopted by unanimous vote of the board members present.

It was moved by Janet Boeckman, seconded by Debra Broadnax, that the Board file the following rules with the Joint Committee on Agency Rule Review as no change rules: 4723-14-02; 4723-14-04 4723-14-08; 4723-14-09; AND 4723-14-11 through 4723-14-18. Motion adopted by unanimous vote of the board members present.

### **OBN Annual Report, Review Draft**

B. Houchen reviewed the draft Ohio Board of Nursing Annual Report. Board members identified several corrections for the report and asked that clarifications be added to show the increase in the numbers of licensees and certificate holders, identify that numerous complaints are closed, add a category for voluntary retirement, and explain the category of "inactive" for monitoring. Staff will make revisions and bring the Report back to the Board for review and approval at the next meeting.

## **APPROVALS**

### **Nursing Education Programs-New Program Approvals**

#### Tri-Rivers School of Nursing LPN to RN Diploma Program, Marion

The Board received and reviewed the summary report of the survey visit to the Tri-Rivers School of Nursing LPN to RN Diploma Program, Marion, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by Debra Broadnax, seconded by J. Jane McFee, that the Board grant conditional approval to Tri-Rivers School of Nursing LPN to RN Diploma Program, Marion, effective September 27, 2007, and that the program provide conditional approval progress reports to the Board on or before March 10, 2008 and July 10, 2008. Motion adopted by unanimous vote of the Board Members present.

### **Nursing Education-Determination of Program Approval Status**

#### Practical Nursing Program of Canton City Schools, Canton

The Board received and reviewed the summary report of the survey visit to the Practical Nursing Program of Canton City Schools, Canton, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board grant full approval for a period of five years to the Practical Nursing Program of Canton City Schools, Canton, effective September 27, 2007. Motion adopted by unanimous vote of the Board Members present.

Great Oaks School of Practical Nursing Secondary (High School) Program, Cincinnati

The Board received and reviewed the summary report of the survey visit to the Great Oaks School of Practical Nursing Secondary (High School) Program, Cincinnati, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by Elizabeth Buschmann, seconded by Lisa Klenke, that the Board grant full approval for a period of five years to Great Oaks School of Practical Nursing secondary (high school) program, Cincinnati, effective September 27, 2007. Motion adopted by unanimous vote of the Board Members present.

Brown Mackie College of Practical Nursing, Cincinnati

The Board received and reviewed the summary report of the survey visit to the Brown Mackie College of Practical Nursing, Cincinnati, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by Debra Broadnax, seconded by J. Jane McFee, that the Board grant full approval for a period of five years to Brown Mackie College of Practical Nursing, Cincinnati, effective September 27, 2007.

Columbus Public Schools, Practical Nurse Program, Columbus

The Board received and reviewed the summary report of the survey visit to the Columbus Public Schools, Practical Nurse Program, Columbus, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by Anne Barnett, seconded by Kathleen Driscoll, that, having met the program administrator requirements of Chapter 4723-5, OAC, and having served the provisional approval period established by the Board on September 21, 2006, the board grant full approval for a period of five years to Columbus Public Schools, Practical Nurse Program, Columbus, effective September 27, 2007. Motion adopted by unanimous vote of the Board Members present.

Knox County Career Center Practical Nursing Program, Mount Vernon

The Board received and reviewed the summary report of the survey visit to the Knox County Career Center Practical Nursing Program, Mount Vernon, including the recommendation of the Board Education Liaison, to determine approval status;

**Action:** It was moved by Debra Broadnax, seconded by J. Jane McFee, that, having met the program administrator requirements of Chapter 4723-5, OAC, and having served the provisional approval period established by the Board on September 21, 2006, the Board grant full approval for a period of five years to

Knox County Career Center Practical Nursing Program, Mount Vernon, effective September 27, 2007. Motion adopted by unanimous vote of the board members present. Janet Boeckman abstained.

### **Medication Aide Pilot Program Facilities**

#### Avon Oaks Caring Community, Avon

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the Board approve Avon Oaks Caring Community, Avon, having met the requirements set forth in rule 4723-27-12, OAC, as a nursing home participant in the Ohio Medication Aide Pilot Program. Motion adopted by unanimous vote of the Board Members present.

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

**Action:** It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the board July 1, 2007 through August 31, 2007 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, medication aide pilot program certificates, interim permits for licensed practical nurses, interim permits for registered nurses, and temporary certificates for dialysis technicians, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the board members present.

### **Executive Session**

On Thursday, September 27, 2007:

**Action:** It was moved by Teresa Williams, that the Board go into executive session to confer with legal counsel regarding pending and imminent court action; and to consider the appointment, dismissal, discipline, promotion, demotion, or compensation of a public employee and the investigation of charges or complaints against a public employee. Following executive session the Board Meeting will be adjourned and the Board will deliberate on cases pending before the Board. Motion adopted by a unanimous roll call vote of the board members present.

The Board went into executive session at 2:55 p.m. and came out at 4:45 p.m.

### **ADJUDICATION AND COMPLIANCE**

On Friday, September 28, 2007, Vice President Williams requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

### **NOTICES OF OPPORTUNITY FOR HEARINGS**

On Friday, September 28, 2007, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

**Action:** It was moved by Kathleen O'Dell, seconded by Elizabeth Buschmann, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Murawski, Diana, L. R.N. 268504 (CASE #06-2851); Dillard, Sioban, M. R.N. 300157 (CASE #07-2224); McDermott, Cari, C. R.N. 207170 (CASE #06-2197); Skinner, Dennis, L. R.N. 202505 (CASE #07-0202); Burg, Rachelle, D. P.N. 105327 (CASE #06-2797); Williams, Rachel, M P.N. 106293 (CASE #07-0712); Black, Lorraine, L. R.N. 263619 (CASE #07-1735); Ossovicki, Brenda, M. P.N. 092236 (CASE #05-1340); Groll, Roberta, M R.N. 256967 (CASE #03-1823); Davis, Delores, P.N. 052776 (CASE #05-3075); Demarchi, Ryan, J. R.N. 304164 (CASE #07-2393); Doles, Leila, A. R.N. 221789 (CASE #07-2364); Sonda, Charlene, A. R.N. 184629 (CASE #07-2605); Gay, Annjeanette, R P.N. 109669 (CASE #07-1340); Kosir, Karen, D. P.N. 073517 (CASE #06-0141); Hadlock, Kelly, A. R.N. 196831 (CASE #07-2671); Cowans, David, J P.N. 109962 (CASE #07-1628)

Motion adopted by majority vote of the members present. Debra Broadnax abstained on all cases.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the September 2007 Board meeting.

### **IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY**

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

Pfeiffer, Rhonda, L. R.N. 255436 (CASE #07-0236); Steele, Marlene, T. R.N. 303704 (CASE #07-0125); Thomas, Amanda, K P.N. 119750 (CASE #07-0902); Gresh, Sheryl, P.N. 116948 (CASE #07-0347); Lange, Barry, W. P.N. 114550 (CASE #06-2255);

Motion adopted by majority vote of the members present. Debra Broadnax abstained on all cases.

Complete copies of the Notices of Immediate Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the September 2007 Board meeting.

### **AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY**

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

Lugo, Leroy, P.N. 115120 (CASE #07-2241); Warner, Cynthia, K. R.N. 211328 (CASE #07-2468); Anderson, Arnal, L R.N. 190481 (CASE #07-2760); Lucas, Kathy, L. R.N. 213027 (CASE #07-2631); Adcock, Joseph, M. R.N. 290525 (CASE #07-2643); Fafata, Doris, I. R.N. 266620 (CASE #07-2334); Blackwood, Elizabeth, A. R.N. 252179 (CASE #07-2158); Smith, Tahna, L. R.N. 233783 (CASE #07-2419); Brown, Mark, R.N. 206850 (CASE #07-2838); Dean, Deborah, S. R.N. 234202 (CASE #07-2335); Williamson, Cheryl, L. R.N. 297796 (CASE #07-2055); Gabor, Mark, J R.N. 172881 (CASE #07-1035)

Motion adopted by majority vote of the members present. Debra Broadnax abstained on all cases.

Complete copies of the Notices of Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the September 2007 Board meeting.

### **TEMPORARY SUSPENSION AND NOTICE FOR OPPORTUNITY**

**Action:** It was moved by Patricia Burns, seconded by Anne Barnett, that the board issue a notice of temporary suspension and opportunity for hearing for violations of Chapter 4723. ORC for Mason, Tracy, R. R.N. 309832 (CASE #07-2177).

Motion adopted by majority vote of the members present. Debra Broadnax abstained on all cases.

Complete copies of the Notices of Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the September 2007 Board meeting.

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

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board withdraw the Notice of Opportunity for Hearing for Duffy, Cristin, J P.N. 101449 (CASE #03-1229). Ms. Duffy's license was suspended by a May 2003 Adjudication Order. Ms. Duffy has not contacted the Board since June 2003.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman, that the Board withdraw the Notice of Opportunity for Hearing for Herbst, Deborah, P.N. 039106 (CASE #04-2739). Ms. Herbst is not responding to the Board. Ms. Herbst's license lapsed August 31, 2006.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

**Action:** It was moved by Janet Boeckman, seconded by Patricia Burns, that the Board withdraw the Notice of Opportunity for Hearing for Rookard-Baker, Leslie, M. R.N. 288611 (CASE #03-2167). Ms. Rookard-Baker is not responding to the Board. Ms. Rookard-Baker license lapsed August 31, 2006.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board withdraw the Notice of Opportunity for Hearing for Downs, Tammy, Y. R.N. 291931 (CASE #04-2852). Ms. Downs is not responding to the Board. Ms. Downs' license lapsed August 31, 2007.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

#### **WITHDRAW NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing for Freistuhler, Melissa, D. P.N. 103872 (CASE #06-1283). The Board has received information that the nurse is deceased.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

**Action:** It was moved by Lisa Klenke, seconded by Elizabeth Buschmann, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing for Kiser, Jill, A R.N. 191258 (CASE #03-1475). Ms. Kiser's license lapsed August 31, 2005. Ms. Kiser is not responding to the Board.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

#### **WITHDRAW NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board withdraw the Notice of Automatic Suspension and Opportunity for Hearing for Chom, Robert, E. P.N. 095651 (CASE #97-0129).

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board withdraw the notice of automatic suspension and opportunity for hearing for Taylor, Sherry, M. P.N. 101167 (CASE #06-0602). Ms. Taylor left a message at the Board's offices to the effect that she is done with the Board. Ms. Taylor's license lapsed August 31, 2006.

Motion adopted by majority vote of those members present. Debra Broadnax abstained from voting.

## **SURRENDERS**

### **PERMANENT VOLUNTARY SURRENDERS**

**Action:** It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the board accept the Permanent Voluntary Surrender of License for the following case(s):

Loder, Catherine, A P.N. 102318 (CASE #07-0839); Preston, Charity, A. P.N. 104941 (CASE #07-2308); Williams, Melissa, P.N. 112609 (CASE #06-0949); Rusk, Janene, M. P.N. 086771 (CASE #03-1524); Bowman, Loree, G R.N. 276473 (CASE #03-1580); Couri, Terri, A. R.N. 223918 (CASE #06-2268); Price, Pamela, J. P.N. 086616 (CASE #07-2343); Arrington, Arthur, H R.N. 270012 (CASE #07-1480); Nawrot, Myrna, R.N. 232212 (CASE #06-0512); Bartley, Jennifer, L. R.N. 261674 (CASE #05-3543)

Motion adopted by majority vote of the member present. Debra Broadnax abstained on all cases.

Complete copies of the voluntary surrenders shall be maintained in the exhibit book for the September 2007 Board meeting.

### **WITHDRAWALS OF APPLICATIONS VOLUNTARY NON-PERMANENT WITHDRAWAL OF NCLEX- EXAMINATION APPLICATION**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the Board accept the voluntary non-permanent withdrawal of application for licensure by NCLEX-Examination for the following case(s):

Evans, Carolyn, R.N. NCLEX (CASE #07-0532)

Motion adopted by majority vote of the member present. Debra Broadnax abstained on all cases.

A complete copy of the voluntary withdrawal shall be maintained in the exhibit book for the September 2007 Board meeting.

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

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman, that the Board accept the voluntary non-permanent withdrawal of application for licensure by endorsement for the following case(s):

Olson, Margaret, S. R.N. endorse (CASE #06-2995)

Motion adopted by majority vote of the member present. Debra Broadnax abstained on all cases.

A complete copy of the voluntary withdrawal shall be maintained in the exhibit book for the September 2007 Board meeting.

### **CONSENT AGREEMENTS**

On Friday, September 28, 2007, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

**Action:** It was moved by Lisa Klenke, seconded by Janet Boeckman, that the board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the board and the following licensees:

Jarvis, Shannon, A R.N. 273505 (CASE #07-0840); Dijerome, Laura, A. R.N. 167865 (CASE #07-2099); Blevins, Deborah, E P.N. 104001 (CASE #07-1440); Cathcart, Ann, E. R.N. 261657 (CASE #07-1829); Swancer, Michelle, M P.N. NCLEX (CASE #07-1545); Comiskey, Mary, K. R.N. 180177 (CASE #06-0209); Beecher, Ella, L. P.N. NCLEX (CASE #06-1261); Davis, Melissa, A. R.N. 272215 (CASE #07-2377); Poland, Raejean, P.N. 106604 (CASE #07-1038); Hogan, Donald, E. P.N. 084213 (CASE #06-0176); Chou, Shui-Chu, L. R.N. 163610 (CASE #07-2091); Herron, Heath, A R.N. NCLEX (CASE #07-1342); Boone, Erin, M. P.N. 098210 (CASE #04-2487); Shanklin, Bennie, G. R.N. 220040 (CASE #06-2890); Lehnus, David, S. R.N. 275146 (CASE #07-2126); Masters, Sarah, B P.N. 081343 (CASE #07-1168); Mathews, Anne, T R.N. 309017 (CASE #07-1107); Darfus, Krystal, A P.N. NCLEX (CASE #07-1613); Morgan, George, A P.N. endorse (CASE #07-1523); Kim, Tracy, L. R.N. 317547 (CASE #06-2614); Douglas, Sharon, R R.N. 297629 (CASE #05-3140); Crouse, Lawrence, F R.N. 253326 (CASE

#07-1674); Bell, Kari, D R.N. NCLEX (CASE #07-1502); Young, Djuana, L. R.N. 268016 (CASE #05-2483); Burkhalter, Craig, T. R.N. 302819 (CASE #06-2537); Nunez-Rehman, Elena, R.N. 132585 (CASE #07-2498); Smith, Michele, A. P.N. 115729 (CASE #06-1232); Wilfing, Amy, D. P.N. 114258 (CASE #05-3216); Shearer, Denaya, J. P.N. 114826 (CASE #04-1215); Motley, Jessica, P.N. 112463 (CASE #07-1106); Holbrook, Yvonne, N. R.N. 289589 (CASE #06-1889); Samad-Shaheen, Raja, R.N. 252783 (CASE #07-2579); Kobbs, Emily, A. R.N. 295795 (CASE #07-2094); Akers, Kimberly, A. P.N. 095983 (CASE #06-1710); Tanner, Karen, S. P.N. 078050 (CASE #05-2465); Loretitsch, Jill, A. R.N. 211774 (CASE #07-2497); Fickel, Shelley, D. P.N. 106231 (CASE #05-1022); Moore, Julia, D. R.N. 246602 (CASE #06-1267); Lane, Karreen, M. P.N. 123120 (CASE #07-1978); Pay, Kara, M. R.N. 283378 (CASE #06-2892); Manchinila, Angie, C P.N. endorse (CASE #07-1272); Simpson, John, D. P.N. NCLEX (CASE #07-1834); Bednarski, Helen, K. P.N. 047914 (CASE #07-2435); Bowers, Marcia, L. R.N. 246503 (CASE #07-2614); Ositadimma, Jennifer, E. R.N. 304042 (CASE #07-2088); Wells, Deserae, J. R.N. NCLEX (CASE #07-1702); DeStella, Lisa, A. R.N. 336621 (CASE #07-2378); Alamilla, Gina, L. P.N. 111212 (CASE #07-0832); Frederick, Wendi, G. R.N. 285677 (CASE #07-2047); Shoemaker, Tara, I. P.N. NCLEX (CASE #07-1161); Berkhemer, Beth, A. R.N. 207720 (CASE #07-0899); Steinke, Jessica, L. R.N. NCLEX (CASE #07-1992); Morgan, Rachel, J. R.N. NCLEX (CASE #07-1983); Rickey, William, A. R.N. 174408 (CASE #07-1563); Richardson, Tracey, T. P.N. 091063 (CASE #03-0656); Galloway-Spencer, Carmen, L. R.N. 327947 (CASE #06-3293); Herod, Loraine, C. R.N. 228463 (CASE #07-2255); Lewis, Susan, E. R.N. 301746 (CASE #04-2128); Smith, Angela, M. P.N. NCLEX (CASE #07-0629); Siehl, Tamara, L. R.N. 201297 (CASE #07-2280); Orton, Patricia, L. R.N. 255381 (CASE #04-2807); Miller, Elaine, J. P.N. 063256 (CASE #06-2088); Ford, Terrie, M. R.N. 091534 (CASE #07-1142); Truett, Tracy Jo, P.N. 103171 (CASE #07-0975); Harrington, Neil, W. R.N. 270761 (CASE #07-0434); Martinez, Patricia, A. R.N. 310787 (CASE #07-0421); Ball, Susan, D. P.N. 117126 (CASE #07-0776); Worstell, Tara, L. P.N. 103422 (CASE #07-1078); Street, Stanley, B. D.T. 00002 (CASE #07-0353); Race, David, L. R.N. 322363 (CASE #07-0230); Tussey, Steven, D. R.N. 270792 (CASE #07-1427); Krise, Jennifer, L. P.N. 069033 (CASE #07-1413); Kirschbaum, Traci, A. R.N. 259419 (CASE #07-0833); Yant, Lynette, M. R.N. 276835 (CASE #07-1816); Passmore, Erika, N. P.N. endorse (CASE #07-0777); Blech, David, A. R.N. endorse (CASE #07-2404); Whitacre, Clark, C. R.N. 297467 (CASE #07-2613); Harrison, Mary, T. R.N. 232726 (CASE #07-2710); Green, Tracy, M. R.N. 329199 (CASE #07-1620); Botsio-Boakye, Tracey, M. P.N. 081168 (CASE #06-2932); Gray, Laurie, A. P.N. 102352 (CASE #07-0297); Lloyd, Heather, A. R.N. 181014 (CASE #07-1872); Bohazi, Valerie, A. P.N. 089009 (CASE #07-0024); Wise, Brandy, L. P.N. NCLEX (CASE #07-1395); Keck, Sharon, M. R.N. 309677 (CASE #06-3526); Trent, Kathy, R. R.N. 240082 (CASE #06-3440); Reak, Ann, M. P.N. 086326 (CASE #07-1014); Dingus,

Sierra, J. P.N. 113406 (CASE #06-3547); Simich, Tomislav, R.N. 323714 (CASE #07-0172); Martin, Mona, R.R.N. 202243 (CASE #07-1339)

Motion adopted by majority vote of members present. Anne Barnett opposed the motion for the following cases only: Masters, Sarah, B P.N. 081343 (CASE #07-1168); Kim, Tracy, L. R.N. 317547 (CASE #06-2614); Simpson, John, D. P.N. NCLEX (CASE #07-1834); Race, David, L. R.N. 322363 (CASE #07-0230); and Green, Tracy, M R.N. 329199 (CASE #07-1620). Judith Brachman opposed the motion on the following cases only: Akers, Kimberly, A. P.N. 095983 (CASE #06-1710); Lane, Karreen, M. P.N. 123120 (CASE #07-1978); Lewis, Susan, E. R.N. 301746 (CASE #04-2128); Miller, Elaine, J P.N. 063256 (CASE #06-2088); and Gray, Laurie, A. P.N. 102352 (CASE #07-0297). Elizabeth Buschmann opposed the motion on the following case only: Miller, Elaine, J P.N. 063256 (CASE #06-2088). Debra Broadnax abstained from voting.

Complete copies of the Consent Agreement(s) shall be maintained in the book for the September 2007 Board meeting.

**Action:** It was moved by Janet Boeckman, seconded by Anne Barnett, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the board and Hall, Rhonda, G R.N. NCLEX (CASE #07-1147). Motion adopted by majority vote of members present. Debra Broadnax abstained from voting.

Complete copies of the Consent Agreement shall be maintained in the book for the September 2007 Board meeting.

## **HEARING EXAMINER REPORT & RECOMMENDATION**

### **Briggs, Barbara (PN-108135) CASE # 06-3457**

**Action:** It was moved by Anne Barnett, seconded by Elizabeth Buschmann, in the matter of Barbara Briggs, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation contained in the Hearing Examiner's Report and Recommendation and that Barbara Briggs' license to practice nursing as a licensed practical nurse in the state of Ohio is hereby Permanently Revoked.

On this date, the Board accepted all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation.

Upon this Report and Recommendation and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is

hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

**BARBARA BRIGGS'** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED.**

The Board further Orders Barbara Briggs to surrender her licensed practical nurse license #P.N. 108135 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached certificate of service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007.

Motion adopted by majority vote of members present.

**Diana Davis (PN-099232) CASE # 04-2756**

**Action:** It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, in the matter of Diana Davis, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation contained in the Hearing Examiner's Report and Recommendation and that Diana Davis' license to practice nursing as a licensed practical nurse in the state of Ohio is hereby Permanently Revoked.

Upon this Report and Recommendation and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

**DIANA DAVIS'** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED.**

The Board further orders Diana Davis to surrender her licensed practical nurse license #P.N. 099232 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached certificate of service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007.

Motion adopted by majority vote of members present.

**Bonnie Dixon (RN-187073) CASE # 06-1280**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschman, in the matter of Bonnie Dixon, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation contained in the Hearing Examiner's Report and Recommendation and that Bonnie Dixon's license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time but not less than five (5) years, with the conditions for reinstatement set forth below, and that following reinstatement, Ms. Dixon shall be permanently restricted from direct patient care under the terms and conditions set forth below.

The rationale for the modification is based upon a systems breakdown that contributed to the outcome in this situation as well as Ms. Dixon's lack of action.

Upon this Report and Recommendation with the above noted modification and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

**BONNIE DIXON'S** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time but not less than five (5) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DIXON** shall be permanently restricted from direct patient care under the terms and conditions set forth below.

**Requirements And Conditions For Reinstatement**

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

**MS. DIXON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Continuing Nursing Education & Refresher Course**

**MS. DIXON** shall successfully complete and submit satisfactory documentation of her successful completion of a nursing refresher course approved in advance by the Board; and continuing nursing education in Ethics, Documentation, and Critical Thinking.

**Reporting Requirements of MS. DIXON**

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

**MS. DIXON** 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.

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

**MS. DIXON** shall submit the reports and 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.

**MS. DIXON** 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.

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

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

#### **DURATION**

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

**Following reinstatement, MS. DIXON shall be subject to the following PERMANENT PRACTICE RESTRICTIONS:**

#### **Permanent Practice Restrictions**

**MS. DIXON shall not provide direct, hands on patient care.**

**MS. DIXON shall obtain prior written approval from the Board before accepting any position requiring a nursing license.**

**Unless otherwise approved by the Board or its designee, MS. DIXON 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.

**MS. DIXON shall be subject to the following probationary terms, conditions, and limitations during employment.**

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

**MS. DIXON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Employment Conditions**

**MS. DIXON** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. DIXON** shall provide her employer(s) with a copy of this Order and all prior Board actions and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. DIXON** is under a continuing duty to provide a copy of this Order and all prior Board actions to any new employer prior to accepting employment.

**Reporting Requirements of MS. DIXON**

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

**MS. DIXON** 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.

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

**MS. DIXON** shall submit the reports and 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.

**MS. DIXON** 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.

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

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

The Board further orders Bonnie Dixon to surrender her registered nurse license #R.N. 187073 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached certificate of service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007.

Motion adopted by majority vote of members present.

## **NO REQUEST FOR HEARING CASES**

### **Bourne, Angela (PN-092976) CASE # 05-2626**

**Action:** It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, in the matter of Angela Bourne, that upon consideration of the charges stated against Ms. Bourne in the Notice of Automatic Suspension

and Opportunity for Hearing and evidence supporting the charges the Board finds that Ms. Bourne 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 Angela Bourn's license to practice nursing as a registered nurse in the State of Ohio is hereby Permanently Revoked. The Board further orders **Angela Bourn** to surrender her licensed practical nurse license #P.N. 092976 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached certificate of service and is hereby entered upon the journal of the board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the September 2007 Board Meeting.

**Craven (Counce), Alberta (PN-074937) Case# 04-2450**

**Action:** It was moved by Anne Barnett, seconded by Elizabeth Buschmann, in the matter of Alberta Craven, that upon consideration of the charges stated against Alberta Craven in the March 20, 2006, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Craven 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. Craven's license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time and that upon completion of the renewal process, the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth in below and the Permanent Practice Restrictions set forth below.

**Upon completion of the renewal process, MS. CRAVEN shall be subject to the following probationary terms, conditions, and limitations:**

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

**MS. CRAVEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Within six (6) months of renewal, **MS. CRAVEN** shall successfully complete and submit satisfactory documentation of her successful completion of continuing nursing education in Law and Rules, Ethics, and Professional Boundaries.

### **Employment Conditions**

**MS. CRAVEN** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. CRAVEN** shall provide her employer(s) with a copy of this Order and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. CRAVEN** is under a continuing duty to provide a copy of this Order and all prior Board actions to any new employer prior to accepting employment.

### **Reporting Requirements of MS. CRAVEN**

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

**MS. CRAVEN** 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.

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

**MS. CRAVEN** shall submit the reports and 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.

**MS. CRAVEN** 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.

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

**MS. CRAVEN** 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 by the Board or its designee, MS. CRAVEN** shall not practice nursing as a licensed practical nurse (1) for agencies

providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) as a nurse for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. CRAVEN** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

This Order shall become effective immediately upon the date of mailing indicated on the attached certificate of service and is hereby entered upon the journal of the board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the Board members present.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the September 2007 Board Meeting.

**Action:** It was moved by Lisa Klenke, seconded by Patricia Burns, in the matter of Richard Gordon, that upon consideration of the charges stated against Richard Gordon in the July 19, 2004, Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Mr. Gordon has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Mr. Gordon's license to practice nursing as a registered nurse is hereby Permanently Revoked.

The Board further Orders Richard Gordon to surrender his registered nurse license #R.N. 235649 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

**Herr, Cynthia (PN-045403) Case # 03-1790**

**Action:** It was moved by Janet Boeckman, seconded by Debra Broadnax, in the matter of Cynthia Herr, that upon consideration of the charges stated against Cynthia Herr in the March 24, 2004, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Herr has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Ms. Herr's license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, Ms. Herr shall be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice and Permanent Narcotic Restrictions set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

**MS. HERR** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Monitoring**

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

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

Prior to seeking reinstatement by the Board, **MS. HERR** shall, at her own expense, seek 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. HERR** shall provide the chemical dependency professional with a copy of this Order. Further, **MS. HERR** 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 and recommendations for treatment and monitoring.

**MS. HERR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. HERR's** license.

Prior to seeking reinstatement by the Board, **MS. HERR** shall, at her own expense, seek a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HERR** shall provide the psychiatrist with a copy of this Order. Further, **MS. HERR** 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 and recommendations for treatment and monitoring.

**MS. HERR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. HERR** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HERR'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. HERR** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HERR's** history.

Within thirty (30) days prior to **MS. HERR** initiating drug screening, **MS. HERR** 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. HERR**.

After initiating drug screening, **MS. HERR** 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. HERR** 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.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. HERR** 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. HERR** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. HERR**

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

**MS. HERR** 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.

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

**MS. HERR** shall submit the reports and 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.

**MS. HERR** 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.

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

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

**MS. HERR** shall submit to a BCI criminal records check.

### **Duration**

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

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

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

**MS. HERR** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

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

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

During the probationary period, **MS. HERR** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such

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

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

### **Treating Practitioners and Reporting**

Within sixty (60) days of the execution of the probationary period, **MS. HERR** 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. HERR** 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.

**MS. HERR** 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. HERR** throughout the duration of this Order.

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

### **Employment Conditions**

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

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

### **Reporting Requirements of MS. HERR**

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

**MS. HERR** 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.

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

**MS. HERR** shall submit the reports and 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.

**MS. HERR** 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.

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

**MS. HERR** 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.

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

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

**MS. HERR** shall not practice nursing as a licensed practical nurse (1) for

agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) as a nurse for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. HERR** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

The Board further Orders Cynthia Herr to surrender her licensed practical nurse license #P.N. 045403 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

#### **Howes (Danser), Audra (PN-092449) Case # 05-0372**

**Action:** It was moved by Patricia Burns, seconded by Anne Barnett, in the matter of Audra Howes, that upon consideration of the charges stated against Audra Howes in the November 20, 2006, Notice of Opportunity for Hearing

and evidence supporting the charges, the Board finds that Ms. Howes 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. Howes' license to practice nursing as a licensed practical nurse is hereby Reprimanded and fined \$500.00 and Ms. Howes shall complete continuing nursing education in Diabetic Care and Medication Administration that includes math calculations.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Judith Brachman opposed the motion. Motion adopted by majority vote of the board members present.

**Moskaly, Trudy (RN-202604) Case # 06-0849**

**Action:** It was moved by Janet Boeckman, seconded by Debra Bradnax, in the matter of Trudy Moskaly, that upon consideration of the charges stated against Trudy Moskaly in the November 20, 2006, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Moskaly has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Ms. Moskaly's license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years retroactive with the conditions for reinstatement set forth below, and that following reinstatement, Ms. Moskaly shall be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Practice Restrictions set forth below and the Permanent Narcotic Restriction set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

**MS. MOSKALY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Monitoring**

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

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

Prior to seeking reinstatement by the Board, **MS. MOSKALY** shall, at her own expense, seek 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. MOSKALY** shall provide the chemical dependency professional with a copy of this Order. Further, **MS. MOSKALY** 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 and recommendations for treatment and monitoring.

**MS. MOSKALY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. MOSKALY's** license.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. MOSKALY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MOSKALY'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. MOSKALY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MOSKALY's** history.

Within thirty (30) days prior to **MS. MOSKALY** initiating drug screening, **MS. MOSKALY** 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. MOSKALY**.

After initiating drug screening, **MS. MOSKALY** 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. MOSKALY** 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.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. MOSKALY** 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. MOSKALY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. MOSKALY**

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

**MS. MOSKALY** 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.

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

**MS. MOSKALY** shall submit the reports and 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.

**MS. MOSKALY** 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.

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

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

**MS. MOSKALY** shall submit to a BCI criminal records check.

### **DURATION**

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

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

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

**MS. MOSKALY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

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

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

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

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

### **Treating Practitioners and Reporting**

Within sixty (60) days of the execution of the probationary period, **MS. MOSKALY** 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. MOSKALY** 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.

**MS. MOSKALY** 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. MOSKALY** throughout the duration of this Order.

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

### **Employment Conditions**

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

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

### **Reporting Requirements of MS. MOSKALY**

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

**MS. MOSKALY** 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.

**MS. MOSKALY** shall not submit or cause to be submitted any false,

misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

**MS. MOSKALY** shall submit the reports and 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.

**MS. MOSKALY** 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.

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

**MS. MOSKALY** 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.

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

#### **Permanent Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

The Board further Orders Trudy Moskaly to surrender her registered nurse license #R.N. 202604 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

### **Parsons, Donald (RN-164746) Case # 06-1205**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, in the matter of Donald Parsons, that upon consideration of the charges stated against Donald Parsons in the January 22, 2007, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Mr. Parsons has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Mr. Parsons' license to practice nursing as a registered nurse is hereby Permanently Revoked.

The Board further orders Donald Parsons to surrender his registered nurse license #R.N. 164746 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present. Debra Broadnax abstained from voting.

**Platt, Joann (RN-288511) Case # 06-2403**

**Action:** It was moved by Patricia Burns, seconded by Anne Barnett, in the matter of Joann Platt, that upon consideration of the charges stated against Joann Platt in the September 25, 2006, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Platt has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Ms. Platt's license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years retroactive to September 2006, with the conditions for reinstatement set forth below, and that following reinstatement, Ms. Platt shall be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Practice Restrictions and Permanent Narcotic Restriction set forth below.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

**MS. PLATT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Monitoring**

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

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

Prior to seeking reinstatement by the Board, **MS. PLATT** shall, at her own expense, seek 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. PLATT** shall

provide the chemical dependency professional with a copy of this Order. Further, **MS. PLATT** 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 and recommendations for treatment and monitoring.

**MS. PLATT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. PLATT's** license.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. PLATT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. PLATT'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. PLATT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PLATT's** history.

Within thirty (30) days prior to **MS. PLATT** initiating drug screening, **MS. PLATT** 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. PLATT**.

After initiating drug screening, **MS. PLATT** 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. PLATT** 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.

**For a minimum, continuous period of twelve (12) months immediately**

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

### **Reporting Requirements of MS. PLATT**

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

**MS. PLATT** 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.

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

**MS. PLATT** shall submit the reports and 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.

**MS. PLATT** 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.

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

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

**MS. PLATT** shall submit to a BCI criminal records check.

### **Duration**

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

**Following reinstatement, MS. PLATT shall be subject to the following**

**probationary terms, conditions, and limitations for a minimum period of two (2) years.**

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

**MS. PLATT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

**Monitoring**

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

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

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

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

**Treating Practitioners and Reporting**

Within sixty (60) days of the execution of the probationary period, **MS. PLATT** 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. PLATT** 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.

**MS. PLATT** 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. PLATT** throughout the duration of this Order.

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

### **Employment Conditions**

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

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

### **Reporting Requirements of MS. PLATT**

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

**MS. PLATT** 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.

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

**MS. PLATT** shall submit the reports and 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.

**MS. PLATT** 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.

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

**MS. PLATT** 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.

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

#### **Permanent Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

The Board further Orders Joann Platt to surrender her registered nurse license #R.N. 288511 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the Board members present.

### **Reel, Julie (PN-098755) Case # 04-0074**

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman, in the matter of Julie Reel, that upon consideration of the charges stated against Julie Reel in the May 23, 2005, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Reel 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. Reel's license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, Ms. Reel shall be subject to the probationary terms, conditions, and limitations set forth in below for a minimum period of three (3) years and Permanent Practice and a Permanent Narcotic Restriction.

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

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

**MS. REEL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

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

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

Prior to seeking reinstatement by the Board, **MS. REEL** shall, at her own expense, seek 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. REEL** shall provide the chemical dependency professional with a copy of this Order. Further, **MS. REEL** 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 and recommendations for treatment and monitoring.

**MS. REEL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. REEL's** license.

Prior to seeking reinstatement by the Board, **MS. REEL** shall, at her own expense, seek a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. REEL** shall provide the psychiatrist with a copy of this Order. Further, **MS. REEL** 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 and recommendations for treatment and monitoring.

**MS. REEL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. REEL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. REEL'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. REEL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. REEL's** history.

Within thirty (30) days prior to **MS. REEL** initiating drug screening, **MS. REEL** 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. REEL**.

After initiating drug screening, **MS. REEL** 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. REEL** 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.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. REEL** 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. REEL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. REEL**

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

**MS. REEL** 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.

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

**MS. REEL** shall submit the reports and 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.

**MS. REEL** 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.

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

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

**MS. REEL** shall submit to a BCI criminal records check.

### **DURATION**

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

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

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

**MS. REEL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

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

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

During the probationary period, **MS. REEL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol

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

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

### **Treating Practitioners and Reporting**

Within sixty (60) days of the execution of the probationary period, **MS. REEL** 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. REEL** 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.

**MS. REEL** 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. REEL** throughout the duration of this Order.

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

### **Employment Conditions**

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

**MS. REEL** shall have her employer(s), if working in a position where a nursing license is required; submit written reports regarding job performance on a quarterly basis. **MS. REEL** shall provide her employer(s) with a copy of this Order and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order. Further, **MS. REEL** is under a continuing duty to provide a copy of this Order to any

new employer prior to accepting employment.

### **Reporting Requirements of MS. REEL**

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

**MS. REEL** 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.

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

**MS. REEL** shall submit the reports and 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.

**MS. REEL** 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.

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

**MS. REEL** 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.

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

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

The Board further Orders Julie Reel to surrender her licensed practical nurse license #P.N. 098755 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

### **Turney, William (PN-080415) Case # 06-2165**

**Action:** It was moved by Judith Brachman, seconded by Kathleen O'Dell, in the matter of William Turney, that upon consideration of the charges stated

against William Turney in the September 25, 2006, Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Mr. Turney has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Mr. Turney's license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, Mr. Turney shall be subject to the probationary terms, conditions, and limitations set forth below and the Permanent Practice and Permanent Narcotic Restrictions set forth below.

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

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

**MR. TURNEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

#### **Monitoring**

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

**MR. TURNEY** shall abstain completely from the use of alcohol.

Prior to seeking reinstatement by the Board, **MR. TURNEY** shall, at her own expense, seek 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. TURNEY** shall provide the chemical dependency professional with a copy of this Order. Further, **MR. TURNEY** 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 and recommendations for treatment and monitoring.

**MR. TURNEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the

evaluation as a basis for additional terms, conditions, and limitations on **MR. TURNEY's** license.

Prior to seeking reinstatement by the Board, **MR. TURNEY** shall, at his own expense, seek a psychiatric evaluation by a Board approved psychiatrist and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. TURNEY** shall provide the psychiatrist with a copy of this Order. Further, **MR. TURNEY** 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 and recommendations for treatment and monitoring.

**MR. TURNEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released.

**For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MR. TURNEY** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. TURNEY'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. TURNEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TURNEY's** history.

Within thirty (30) days prior to **MR. TURNEY** initiating drug screening, **MR. TURNEY** 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. TURNEY**.

After initiating drug screening, **MR. TURNEY** 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. TURNEY** 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.

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

### **Reporting Requirements of MR. TURNEY**

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

**MR. TURNEY** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.

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

**MR. TURNEY** shall submit the reports and 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.

**MR. TURNEY** 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.

**MR. TURNEY** shall verify that the reports and documentation required by this Order are received in the Board office.

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

**MR. TURNEY** shall submit to a BCI criminal records check.

### **Duration**

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

**TURNEY** and review of the documentation specified in this Order.

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

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

**MR. TURNEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

### **Monitoring**

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

**MR. TURNEY** shall abstain completely from the use of alcohol.

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

**MR. TURNEY** 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. TURNEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

Within sixty (60) days of the execution of the probationary period, **MR. TURNEY** 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. TURNEY** 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.

**MR. TURNEY** 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. TURNEY** throughout the duration of this Order.

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

### **Employment Conditions**

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

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

### **Reporting Requirements of MR. TURNEY**

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

**MR. TURNEY** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.

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

**MR. TURNEY** shall submit the reports and 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.

**MR. TURNEY** 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.

**MR. TURNEY** shall verify that the reports and documentation required by this Order are received in the Board office.

**MR. TURNEY** 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.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

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

The Board further Orders William Turney to surrender his licensed practical nurse license #P.N. 080415 immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by majority vote of the board members present. Elizabeth Buschmann opposed the motion stating the license should Permanently Revoked.

#### **Webster, Angela (PN-103818) Case # 05-1650**

**Action:** It was moved by Anne Barnett, seconded by Patricia Burns, in the matter of Angela Webster, that upon consideration of the charges stated against Angela Webster in the March 20, 2006, Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that Ms. Webster has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that Ms. Webster's license to practice nursing as a licensed practical nurse is hereby Permanently Revoked.

The Board further Orders Angela Webster to surrender her licensed practical nurse license #P.N. 103818 and frameable wall certificate immediately.

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 28<sup>th</sup> day of September, 2007. Motion adopted by unanimous vote of the board members present.

## **MONITORING**

### **LIFTS OF SUSPENSION/PROBATIONS**

**Action:** It was moved by Lisa Klenke, seconded by Patricia Burns that the following, having met the terms and conditions of their consent agreements with the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements.

Mellott, Christina, M. P.N. 116724 (CASE #04-0995); Gimlich, Donna, L. R.N. 266282 (CASE #06-2216); Smith, Jessica, A. P.N. 110730 (CASE #03-1110); Wahle, Joseph, D R.N. 258840 (CASE #03-1298); McMillen, Tiffany, B. R.N. 327323 (CASE #06-1052); Mack, Ruth, A. R.N. 192345 (CASE #05-1001); Hilditch, Daniel, P. P.N. 122454 (CASE #06-0067); Bost, Cassandra, D. P.N. 121426 (CASE #05-2992); Albert, William, D. P.N. 118625 (CASE #05-0718); Wheeler, Teri, L. R.N. 287893 (CASE #05-1113); Novak, Kathleen, P. R.N. 328998 (CASE #06-1582); Bauer, Nicole, L. R.N. 321437 (CASE #05-0806); Illinik, Pamela, V. P.N. 084027 (CASE #06-0128); Waldrop, Lisa, D. P.N. 112517 (CASE #06-0717); Love, Diana, L. P.N. 121103 (CASE #05-2514); Reese, Belynda, J. P.N. 090576 (CASE #05-3349);

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

### **LIFTS OF SUSPENSION/PROBATION - EARLY RELEASE**

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman that the following, having met the terms and conditions of their consent agreements with the Board, be released early from the terms and conditions of their consent agreements. Debra Broadnax, Supervising Member for Disciplinary Matters, has recommended these releases.

Jackson, Kimberly, Y. P.N. 100475 (CASE #04-2030); Lee, Kristal, N. R.N. 321593 (CASE #04-1495); McKinzie, Mary, M R.N. 218219 (CASE #05-2945);

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

### **LIFTS OF SUSPENSION/PROBATION - ONLY PERMANENT WORK RESTRICTION(S) REMAINS**

**Action:** It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll that the following, having met the terms and conditions of their consent agreements with the Board, be released from the terms and conditions of their consent agreements, with the exception of the permanent practice restriction(s) that will remain in effect. Debra Broadnax, Supervising Member for Disciplinary Matters, has recommended these releases.

Straley, Jennifer, L. P.N. 118640 (CASE #04-2989)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

### **LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE - PERMANENT WORK RESTRICTION(S) REMAINS**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the following, having met the terms and conditions of their consent agreements with the Board, be released early from the terms and conditions of their consent agreements, with the exception of the permanent licensure restriction(s) that will remain in effect. Debra Broadnax, Supervising Member for Disciplinary Matters, has recommended these releases.

Fyffe, Shelley, R. R.N. 254001 (CASE #05-1483); Long, Albert, J. P.N. 101246 (CASE #04-2545); Lancaster, Stephanie, R. P.N. 100076 (CASE #03-1209)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

### **LIFT OF NARCOTIC RESTRICTIONS**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the following be released from their narcotic restrictions within their respective consent agreement. Debra Broadnax, Supervising Member For Disciplinary Matters, has recommended these releases.

Cottrill, Lori, A. R.N. 239838 (CASE #05-1863); Dudding, Janet, C. R.N. 297929 (CASE #02-0596); Hughes, Erica, L. P.N. 124891 (CASE #06-2010); Hamilton, Joy, A. R.N. 313240 (CASE #06-0472); Bettinger, Ramona, C. P.N. 098140 (CASE #06-1437); Christian, Dionelle, M. R.N. 293704 (CASE #06-0436); Cresap, Nancy, L. P.N. 085228 (CASE #06-1636); Burke, Judith, E. R.N. 137505 (CASE #06-3301); Beckrest, Amber, M. R.N. 124886 (CASE #06-2646); Stohrel, Davida, K. P.N. 067034 (CASE #06-2329)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

### **EARLY LIFT OF NARCOTIC RESTRICTION**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the following, having met the terms and conditions of their consent agreement(s) with the Board, be released early from the narcotic restriction contained in their consent agreement(s). Debra Broadnax, Supervising Member For Disciplinary Matters, has recommended this release.

Hughes, Garrett, P. R.N. 274365 (CASE #06-1794)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

**LIFT SUSPENSION ONLY, TEMPORARY WORK RESTRICTION REMAINS**

**Action:** It was moved by Janet Boeckman, seconded by Lisa Klenke, that the following, having met the terms and conditions of their consent agreement(s), have their suspension(s) lifted with the temporary work restriction(s) remaining in place. Debra Broadnax, Supervising Member For Disciplinary Matters, has recommended this release.

Jennings, Monique, P.N. 121428 (CASE #05-3264)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

**LIFT SUSPENSION ON CERTIFICATE TO PRESCRIBE**

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman, that the following, having met the terms and conditions of their consent agreement(s), have their suspension on their certificate to prescribe lifted. Debra Broadnax, Supervising Member For Disciplinary Matters, has recommended this release.

Sterling, Rosemary R.N. 192002 (CASE#05-0754)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

**LIFT EMPLOYER REPORT ONLY**

**Action:** It was moved by Kathleen O'Dell, seconded by Judith Brachman, that the following, having met the terms and conditions of their consent agreement, have only the employer report requirement lifted. Debra Broadnax, Supervising Member For Disciplinary Matters, has recommended this release.

Lanser, Sandra P.N. 086984 (CASE #03-1198)

Motion adopted by majority vote of the members present. Debra Broadnax abstained from voting on all cases.

**REPORTS TO THE BOARD**

**Board Committee Reports**

### **Ohio Center for Nursing**

E. Buschmann, Chair of the Board Committee on the Ohio Center for Nursing, reported on the September 28, 2007 meeting. She thanked Board staff for their work and stated the work on the web site and workforce survey is progressing well and near completion. The target date for conducting the workforce survey is from early November through January of 2008. This committee will meet again at noon on Friday, November 16, 2007.

### **Board Committee Report- NEGP**

K. Driscoll reported that the NEGP Committee reviewed processes, format, content, scoring, etc. She complimented staff for bringing materials to the meeting and identifying issues. The Committee will meet again at noon on November 14, 2007.

### **Advisory Group Reports Nursing Education**

K. Driscoll reported on the August 9, 2007 meeting of the Advisory Group on Nursing Education. The Advisory Group reviewed and discussed the proposed revisions for Chapter 4723-5. They also discussed the preparation of practical nurses and the group recommends a moratorium on new high-school programs. J. McFee stated that all other individuals the Board regulates must be eighteen years old and have a high school degree and she believes this should be the requirement for practical nurses. E. Buschmann believes there are mature teenagers and she does not view high school programs as a problem. J. Boeckman believes there could be major opposition. H. Fischer responded that to add a minimum age for licensure a statutory change would be required.

### **Committee on Prescriptive Governance**

L. Emrich reported on the meeting of the Committee on Prescriptive Governance. The Committee is reviewing the feasibility of a data-based system for the APN formulary. Members of the Committee reported that the Ohio State Medical Association and the Ohio Association of Advanced Practice Nurses are near agreement regarding the proposed legislation that would expand APN prescriptive authority for scheduled drugs.

### **Open Forum – 10:00 a.m. Friday, September 28, 2007 – no participants**

### **Report on NCSBN Annual Meeting and Delegate Assembly**

C. Krueger noted that there was a good working environment and she reported on the break-out sessions she attended. L. Klenke reported that she talked with representatives from North Carolina about “Just Culture” initiatives in their state and stated that she was pleased that L. Emrich is attending a Just Culture seminar in October. B. Houchen reported that she attended the Compact Administrator’s meeting and they continue to address issues of consistency between the compact states.

## **Other Reports**

### **Report on Practice Question of Administration of Botox and Dermal Fillers**

L. Emrich distributed additional information about other jurisdictions' regulation of nursing practice pertaining to administration of botox and dermal fillers. She stated A. Rettig did on-line research and solicited information through NCSBN. L. Emrich answered questions of the Board regarding the cosmetic use of Botox, complications, judgment used for administration, and training. After discussion, the Board agreed by general consensus to refer the question to the Board Committee on Practice Issues. The Committee will meet November 15, 2007 at noon.

### **Revised School Nursing Decision Making Models**

K. O'Dell thanked L. Emrich, A. Rettig, and H. Fischer for their work on the school nursing decision-making models. They met with school nursing consultants from the Ohio Department of Health regarding the models and to discuss questions about school nursing. K. O'Dell believes the models will be helpful for school nurses. K. O'Dell reported that she presented information at the school nursing conference and it was well received.

**Action:** It was moved by Kathleen O'Dell, seconded by Kathleen Driscoll, that the board approve the school nurse decision making models as presented. Motion adopted by unanimous vote of the board members present.

### **Carnegie Foundation Report on Nursing Education**

J. Brachman asked for a further discussion regarding recommendations of the Carnegie Foundation Report on Nursing Education. A discussion of the recommendations was held noting many excellent recommendations and acknowledging the challenges for implementation.

### **NCLEX Process**

At the Board Retreat the Board discussed NCLEX testing for licensure and requested additional information. L. Halliburton reviewed the NCLEX information provided to the Board and answered questions. She also recognized Karen Scott for her experience in licensing and thanked her for preparing materials for the Board's review. K. Driscoll suggested there be some type of limitation to the number of times a person may take the test or a certain timeframe within which it must be taken and E. Buschmann agreed. The Board asked staff and Board members to pose the question to education groups. L. Halliburton stated that another question for review is the duration of the validity of the Authorization to Test.

### **Medication Aide Report**

L. Emrich reported that survey visits are being conducted for Pilot Program facilities. Some issues were noted and a letter was sent to notify participating

facilities about these issues and how to comply with the requirements. A. Barnett noted that a number of facilities were approved to participate in the Pilot Program but were not using medication aides. L. Emrich stated that it is taking facilities time to implement the use of medication aides and noted that she spoke at the AOPHA conference about the Pilot Program where most of the questions were about implementation strategies, not regulations.

### **Paperless Licensing and Primary Source Verification**

The Board held a discussion regarding paperless licensing. Part of the Board's 2007-2009 Strategic Plan is to increase the use of technologies to streamline the licensure process and increase efficiencies. There are potential benefits and costs associated with eliminating paper licenses. Potential benefits of electronic licensure include reduction of costs and printing errors and mitigation of identity theft, fraud, and imposterism. Employers would use electronic licensure as primary source verification. L. Klenke asked whether paper licenses would be used in times of emergency. There may be an advantage of having a one time card with a printed licensure number for reference that it is not to be used for primary source verification. The Board agreed by general consensus to pursue paperless licensure but requested Board staff obtain additional information about other states' experience.

### **GENERAL INFORMATION (FYI)**

President Krueger reviewed the general information items. There were no questions or discussion on these items.

### **BOARD GOVERNANCE**

#### **November Board dinner**

K. O'Dell reported that the annual Board dinner would be held on November 15, 2007 at Schmitz's restaurant at 6:30 p.m.

#### **Appoint Board Committee for Advisory Group Appointments**

**Action:** It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the board approve the following board members to the board committee for advisory group appointments: Janet Boeckman, Elizabeth Buschmann, Kathleen Driscoll, and Debra Broadnax. Motion adopted by unanimous vote of the board members present.

#### **Designation of Hotel for 2008**

T. Williams reported that the Hyatt at Capitol Square is available for the 2008 Board meetings. The Board agreed by general consensus to stay at the Hyatt for the meetings in 2008.

### **Ethics Materials and Training Schedule**

H. Fischer reported that additional ethics materials from the Governor's office have been distributed to Board members. In addition, she is answering ethics questions from staff. All Board members are required to attend the ethics training sessions being sponsored by the Governor's office.

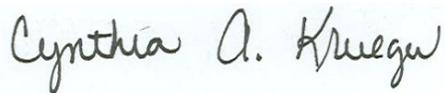
### **Staff Survey**

B. Houchen reviewed the results of the Staff Survey. K. Driscoll suggested reviewing the results closely if the percentages are over 30% in the disagree category. It was suggested that performance appraisals are a good opportunity to ask about job suggestions and ideas.

### **EVALUATION OF MEETING AND ADJOURNMENT**

The meeting was adjourned at 1:50 p.m. on September 28, 2007.

Cynthia Krueger, RN, MSN  
President



Attest:

Betsy Houchen, RN, MS, JD  
Secretary

