



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD SEPTEMBER 18-19, 2008

The regular meeting of the Ohio Board of Nursing (Board) was held on September 18-19, 2008 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 18, at 8:38 a.m., President Lisa Klenke called the Board meeting to order. On Friday, September 19, at 8:33 a.m., President Lisa Klenke called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

BOARD MEMBERS

Lisa Klenke, MBA, RN, CNA-A, President
J. Jane McFee, LPN, Vice-President
Anne Barnett, BSN, RNC, CWS
Janet L. Boeckman, RN, DNP, CPNP
Elizabeth Buschmann, LPN
Debra Broadnax, MSN, RN, CNS, Supervising Member, Disciplinary Matters
Patricia Burns, LPN
Kathleen Driscoll, JD, MS, RN
Delphenia Gilbert, BA, RN, M.Ed, LSN
Kathleen O'Dell, RN, M.Ed, NCSN
Patricia Protopapa, LPN
Eric Yoon, MSN, ACNP, CCNS (absent after 11:30 a.m. on September 19, 2008)

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

ADMINISTRATIVE MATTERS

Board Meeting Overview

- On Thursday, the Board Reception was held at 8:00 a.m. A noon meeting of the Board Committee on Practice (OAC Chapters 4723-4 and 4723-20 Review) was held. Sheila Breckenridge and Christine Steese each addressed the Board, respectively, at 1:00 p.m. with their attorney, Elizabeth Collis.
- On Friday, Open Forum was held at 10:00 a.m. Following adjournment of the meeting, a continuing education activity was provided to the Board by staff.

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

Minutes of May 15-16, 2008 Board Meeting

Action: It was moved by Elizabeth Buschmann, seconded by Janet Boeckman to approve the minutes of the July 17-18, 2008 Board meeting as amended. Motion adopted by a unanimous vote of the Board members.

Executive Director Report

B. Houchen introduced Jennifer Smallwood who is the Board's new practice consultant. B. Houchen recognized Lesleigh Robinson for her twenty years of state service and Lisa Emrich for receiving the Exceptional Contributions Award at the 2008 NCSBN Annual Meeting in August. B. Houchen thanked Eric Mays and Cary Dachtyl for the IT work they are doing that impacts daily operations. E. Mays worked to establish a system for the Board to receive criminal records check results electronically.

The Board reviewed the statistics and discussed the Alternative Program and the Practice Intervention and Improvement Program (PIIP). The Board noted that NCSBN has convened a Chemical Dependency Committee and their work would be pertinent to the Board's Alternative Program. It was also noted that the Board, through its strategic plan, established goals to increase employers' roles in remedial education for the PIIP program. The Board agreed to have further discussion about the programs in early 2009.

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, to extend the discussion for fifteen minutes. Motion adopted by a unanimous vote of the Board members.

Elizabeth Buschmann recommended the nursing workforce survey be removed from the web site. The Board agreed that the survey be removed on October 1, 2008.

The Board questioned why certain nursing education programs have not provided the required annual reports to the Board and referred this to the Nursing Education Advisory Group for discussion.

Legislative Status Report

Tom Dilling updated the Board on legislative matters. He stated that he would continue to monitor HB 553 regarding certification for surgical technologists and that he expects this bill will be reintroduced in the next session. T. Dilling said it is unlikely that there will be any legislative action before the November election, and he will keep Board members informed if anything develops.

Fiscal Report

Kathy King highlighted the fiscal report and answered questions. K. Driscoll asked about the use of the Special Issues fund. The money previously was used for the Nursing Rewards program, and more recently, the funds were used to pay the membership fee for the National Forum of Nursing Centers.

Budget Request for Fiscal Years 2010-2011

K. King presented the budget request for fiscal years 2010-2011 and noted that the budget request would maintain on-going operations only. The request was submitted to the Office of Budget and Management and Board staff will continue to work with OBM throughout the budget review process.

NEW BUSINESS

Holly Fischer reviewed the rules, as revised, based on the discussion at the July 2008 Board meeting.

Chapter 4723-4 (Standards of Practice Relative to RN or LPN)

- Rule 4-01(B)(5): Based upon comments related to rule 4723-4-07, a definition has been added for “clinical judgment.” This is the definition adopted in the NCSBN Model Act, Article III (3.4 (B)).
- Rule 4-01(B)(9): Based on comments related to either eliminating the term “nursing diagnosis,” or alternatively, clarifying the current definition based upon current terminology, a new definition is proposed. The definition is that adopted in 1990 by the North American Nursing Diagnosis Association (NANDA). In 2008, NANDA considered requests to revise the definition, but concluded that more discussion was necessary prior to considering any change (see “Nursing Diagnosis: Is it time for a new definition?” Int. J. Nurs. Terminol. Classif., 2008 Jan-Mar; 19(1):2-13).
- Rule 4-03 (C) & (D): Comments were received that language might be added to distinguish the registered nurse practice from that of the licensed practical nurse by adding a reference to the application of clinical judgment. Because Rule 4-03(C) holds the registered nurse accountable for consistent performance of “all areas of practice in which the nurse is engaged”, and those areas of practice are statutorily prescribed (see 4723.01(B), ORC), paragraphs (C) and (D) are unchanged.

- Rule 4-03(F)(2): This language has been revised to clarify that the “ordering” practitioner is to be notified if the “registered” nurse determines not to follow the “order.”
- Rule 4-03(I): Language is revised to remove the “properly executed release” requirement from client consent to disclosure.
- Rule 4-03(J): The language at the end of the sentence “with respect to the nursing care” has been removed based on comment that it is redundant.
- Rule 4-04(C) & (D): No changes have been made as suggested in comments related to compliance with directions from the registered nurse; the rationale is that, as with Rule 4-03(C), both the LPN and RN are held to a statutorily prescribed scope of practice, which, for the LPN, includes acting at the direction of a registered nurse or other licensed professional.
- Rule 4-04(F): The language for licensed practical nurses has been revised based upon comments consistent with the changes made in Rule 4-03(F) for registered nurses, and to insert language related to the “directing registered nurse.”
- Rule 4-04(J): Redundant language has been removed at the end of the paragraph.
- Rule 4-06(C): Language has been added to require identification of credentials to other health care providers in addition to the client, when communicating via telecommunication.
- Rule 4-06(D): Language deleted related to rescinded Chapters 4723-21 & 22.
- Rule 4-06(I): The NCSBN definition of “professional boundaries” has been added (*from* NCSBN, Model Act, Article III, 3.4 (R)). Alternatively, this definition could be added to Rule 4-01.
- Rule 4-06(P): The language has been revised so that making a “false statement” to a client, member of a client’s family, or a client’s significant other is a violation, as opposed to submitting “false, misleading or deceptive information or documentation”, which is the standard applicable to other recipients.

- Rule 4-07(A)(1)(b): “Reporting” data has been moved to (A)(2) based upon comments that this flows logically following data analysis.
- Rule 4-07(A)(4)(a): The word “direction” is replaced with “regimen.”
- Rule 4-07(A)(4)(b): The word “Giving” is replaced with “providing.”
- Rule 4-07(A)(5)(b): Deleted based on comment that this is redundant as timely documentation is required under (A)(5)(a).
- Rule 4-08(A)(4)(b): Deleted phrase related to other members of the healthcare team based upon comments (i.e., other members of the team are informed through communication, as is already provided in (A)(4)(c)).

Chapter 4723-5-10 & 4723-5-11 (Nursing Education Program)

The following changes have been made to new proposed paragraph (C), related to foreign educated nurse graduates:

- Paragraph (C) is revised to allow the foreign educated nurse graduate, who otherwise meets the administrative, faculty or instructional personnel qualifications contained in the chapter, to meet the academic preparation requirement if the individual has practiced as a registered nurse in Ohio for *two* years (rather than *five* years as in the last proposed draft).

Chapter 4723-8 (Certification, Registration of Nurse-Midwife and Other Specialties) The only proposed revision to this chapter will not be implemented.

- Rule 8-07(D): the current language regarding national certification expiration is restored based upon Board comment that the current language is clear as written.

Chapter 4723-14 (Continuing Nursing Education)

- Rule 14-01(A): The language is revised to specify that Category A approved provider units must be headquartered in the state of Ohio.

Chapter 4723-20 (Prevention of Disease Transmission)

- The title of the Chapter is proposed to be renamed: **“Prevention of Disease Transmission and Infection Control.”** The Chapter is revised to incorporate the concept of “standard precautions,” based on the Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings 2007, U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Sections III-IV). Standard Precautions include “universal precautions,” but more broadly includes a group of infection prevention practices applicable to all patients in any setting in which healthcare is delivered.
- Rule 20-01(E): Standard precautions include respiratory hygiene/cough etiquette. This is a timely addition to the Chapter 4723-20 given the potential for influenza pandemic.
- Consistent with standard precaution terminology, Chapter 4723-20 proposed revisions include the term “hand hygiene” rather than the more narrow “hand washing”, and “personal protective equipment” rather than “barrier techniques.”
- Rule 20-01(C): The definition of “hand-washing” is revised to include the use of “other antimicrobial agents.”
- Rule 20-03(D) clarifies that physical hand washing with soap and water is the recommended precaution if contact with spores has likely occurred.
- Rule 20-05(C): The phrase “requirements established by the Ohio Department of Job and Family Services for the delivery of home care” has been substituted for “case management agency.”
- Rule 20-06(B): Language has been revised consistent with standard precautions and includes “excretions.”
- Rule 20-7: The title is changed to reflect that the licensee/certificate holder is held to a standard of using standard precautions, rather than being required to “prevent disease transmission.”

Chapter 4723-27 (Medication Administration by Certified Medication Aide)

- Rule 27-04(D): Language revised to reflect elimination of mandatory wallet card issuance, except for pilot program certificates.
- Rule 27-10(D): Staff found that the language regarding fees is inconsistent with changes made to the rules as amended in 2008, and therefore, have deleted the language.

B. Houchen noted that upon the effective date of this rule change, the Board would no longer issue wallet cards for nurses, medication aides, dialysis technicians, and community health workers. The Board agreed by consensus to the elimination of wallet cards on February 1, 2009.

On Thursday, September 18, 2008, the Board Committee on Practice reviewed the written comments received by the Board regarding the proposed rule revisions in Chapters 4723-4 and 4723-20. H. Fischer and L. Emrich discussed the comments and answered questions of the Board and members of the audience.

On Friday, September 19, 2008, H. Fischer distributed the third draft of the rule revisions reflecting the recommendations of the Board Committee on Practice and the Board's subsequent discussion. The Board agreed to the following additional revisions:

1. Rule 4723-4-01(B)(9): The definition of "nursing diagnosis" is restored to the current rule definition.
2. Rule 4723-4-03 & 4723-4-04: Deleted the word "appropriate" in (C)(2); (D)(1); (D)(2); (G); (H); inserted the word "necessary" for "appropriate" in (D)(2) & (G). Did not remove "appropriate" in (F)(1) ("Consult with an appropriate licensed practitioner") to allow some flexibility for nurse to determine which practitioner available is appropriate to consult with in clarifying an order.
3. Rule 4723-4-04(F)(3): Added language regarding "or directing registered nurse."
4. Rule 4723-4-05(D)(1) & (2): Deleted "appropriate"; substituted "necessary" in (D)(2).

5. Rule 4723-4-06(D): Revised to refer to delegation of nursing tasks, "including medication administration", in accordance with not only Chapter 4723-13, but also 4723-23 (DTs), 4723-26 (CHWs), and 4723-27 (MA-Cs).
6. Rule 4723-4-06(I): Deleted NCSBN definition of "professional boundaries" and restored to current rule language.
7. Rule 4723-4-07(A)(2)(c), substitute "necessary" for "appropriate"; delete "appropriate" in (A), (A)(1)(a)(i), (A)(3), and (A)(5)(b).
8. Rule 4723-4-08(A), (A)(1)(b), (A)(2)(b), (A)(4)(c), delete "appropriate."
9. Rule 4723-4-08(A)(3)(b), deleted "Giving" and replaced with "Providing."
10. Rule 4723-20-01(B)(1)(a): added "or droplet"; added (4) "Contact with contaminated environmental surfaces"; moved language related to "invasive procedure," currently in (B)(2), to definition of "invasive procedure", in (D).
11. Rule 4723-4-03(F)(3) – Replace the word "direction" with "order."
12. Rule 4723-4-04(F)(3) – Add "or order" after the word "direction."

Action: It was moved by Debra Broadnax, seconded by Janet Boeckman, that the Board approve for filing with the Joint Committee on Agency Rule Review, the proposed revisions to Ohio Administrative Code Chapters: 4723-4; 4723-6; 4723-18; 4723-20 and Ohio Administrative Code Rules 4723-5-04, 4723-5-10, 4723-5-11; 4723-7-05, 4723-7-06, 4723-7-07, 4723-7-09; 4723-9-04; 4723-14-01, 4723-14-02; 4723-27-04, 4723-27-05, 4723-27-06, 4723-27-10, and it was further moved that the Board approve for filing with the Joint Committee on Agency Rule Review the following rules as no change rules: 4723-4-09; 4723-18-02, 4723-18-05, 4723-18-09, and 4723-18-10. Motion adopted by unanimous vote of the Board members.

The Board determined that the administrative rules hearing would be held on November 19 at 1:00 p.m.

Review of Draft Annual Report

B. Houchen reported that the format for the Annual Report remains the same and all Board members who served at any point during the last fiscal year are included on the Board roster. K. Driscoll acknowledged the amount of work completed by staff and Board members. A. Barnett expressed concern with vacancies on the Board and timely appointments. The report will be revised to reflect suggestions and presented for final review and approval at the November Board meeting.

APPROVALS

Nursing Education-Determination of Program Approval Status

Miami Valley Career Technology Center Program of Practical Nursing

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to Miami Valley Career Technology Center Program of Practical Nursing for a period of five years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Professional Skills Institute School of Practical Nursing

Action: It was moved by Debra Broadnax, seconded by Kathleen O'Dell, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to Professional Skills Institute School of Practical Nursing, for a period of five years effective September 18, 2008. Motion adopted by unanimous vote of the Board members with J. Jane McFee abstaining.

Athena Career Academy Practical Nursing Education Program

Action: It was moved by Kathleen Driscoll, seconded by Delphenia Gilbert, that the Board grant full approval, in accordance with rule 4723-5-04, OAC, to Athena Career Academy Practical Nursing Education Program, for a period of five years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Toledo School of Practical Nursing

Action: It was moved by J. Jane McFee, seconded by Patricia Burns, that the Board place Toledo School of Practical Nursing on provisional approval for a period of one year, effective September 18, 2008, after fully considering the survey visit report which demonstrates the program failed to meet and maintain the requirements established in rule 4723-5-14, OAC. The program did not submit a timely response in accordance with rule 4723-5-06, OAC. It is further moved that the program submit progress reports to the Board on or before January 19, 2009 and May 20, 2009. Eric Yoon opposed the motion. Motion adopted by majority vote of the Board members with Elizabeth Buschmann and J. Jane McFee abstaining.

The Board requested that they receive a report on the program at the January Board meeting.

Medication Aide Pilot Program Facilities

The Village at St. Edward, Nursing Home

Action: It was moved by Debra Broadnax, seconded by Delphenia Gilbert, that the Board approve The Village at St. Edward, as a nursing home participant in the Medication Aide Pilot Program. Motion adopted by unanimous vote of the Board members.

The Village at St. Edward, Residential Care Facility

Action: It was moved by Anne Barnett, seconded by J. Jane McFee, that the Board approve The Village at St. Edward, as a residential care facility participant in the Medication Aide Pilot Program. Motion adopted by unanimous vote of the Board members.

Arden Courts of Bainbridge, Residential Care Facility

Action: It was moved by Debra Broadnax, seconded by Janet Boeckman, that the Board approve Arden Courts of Bainbridge, as a residential care facility participant in the Medication Aide Pilot Program. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Program – New Approval

The Village at St. Edward

Action: It was moved by Anne Barnett, seconded by Debra Broadnax, that the Board approve The Village at St. Edward Medication Aide Training Program in accordance with rule 4723-27-07, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Programs – Re-Approval

Arden Courts Westlake

Action: It was moved by Debra Broadnax, seconded by Anne Barnett, that the Board re-approve Arden Courts–Westlake Medication Aide Training Program in accordance with Rule 4723-27-07, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Arden Courts Bath

Action: It was moved by Kathleen Driscoll, seconded by J. Jane McFee, that the Board re-approve Arden Courts–Bath Medication Aide Training Program in accordance with Rule 4723-27-07, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Dialysis Training Programs – New Approval

DCI, Portsmouth

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that the Board approve DCI Portsmouth Dialysis Technician Training Program in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two

years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Dialysis Training Programs – Re-approval

American Renal Associates Kidney Center of Columbus East

Action: It was moved by Kathleen O'Dell, seconded by Anne Barnett, that the Board re-approve American Renal Associates of Columbus East Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members with Debra Broadnax abstaining.

Diversified Specialty Institutes

Action: It was moved by Anne Barnett, seconded by Kathleen Driscoll, that the Board re-approve Diversified Specialty Institutes Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Kidney Services of West Central Ohio

Action: It was moved by Debra Broadnax, seconded by Janet Boeckman, that the Board re-approve Kidney Services of West Central Ohio Dialysis Technician Training Program, in accordance with Rules 4723-23-07 and 4723-23-08, OAC, for a period of two years effective September 18, 2008. Motion adopted by unanimous vote of the Board members.

Extension of Start Date

Ohio Academy of Holistic Health, Inc., RN Program

Action: It was moved by Anne Barnett, seconded by Debra Broadnax, that the Board approve the extension of the program starting date of Ohio Academy of Holistic Health, Inc., RN Program to September 9, 2009. Motion adopted by majority vote of the Board members with Janet Boeckman abstaining. The Board requested that they receive a report on the program at the January Board meeting.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Kathleen O'Dell, that the Board retroactively ratify, as submitted, the licenses and certificates initially issued by the Board of nursing July 1, 2008 through August 31, 2008 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 CT P-externship), community health workers, Ohio certified dialysis technicians and medication aide pilot program certificates, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted

by majority vote of the Board members with Lisa Klenke abstaining on COA-10112.

Executive Session

On Thursday September 18, 2008:

Action: It was moved by J. Jane McFee that the Board adjourn into executive session to discuss pending or imminent court action with legal counsel and to discuss the appointment, employment or compensation of a public employee. Following the executive session the Board will deliberate on cases pending before the Board. Motion adopted by a unanimous roll call vote of the Board members.

ADJUDICATION AND COMPLIANCE

Board Actions

On Friday, September 19, 2008, President Klenke 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. Patricia Protopapa abstained from voting on all adjudication and compliance matters stating that the timing of her appointment did not allow her to review the materials in depth.

NOTICES OF OPPORTUNITY FOR HEARINGS

On Friday, September 19, 2008, 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 Eric Yoon, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Lantz, Tamara, S P.N. 079621 (CASE #07-0761); Anderson, Rebecca, M. P.N. 088845 (CASE #06-0884); Brunner, Stephanie, M R.N. NCLEX (CASE #08-1212); Corbin, Lisa, M R.N. 311557 (CASE #07-2955); Hankinson, April, R P.N. 111741 (CASE #08-0455); Thornsley, Jennifer, J. P.N. 111122 (CASE #04-0531); Rochester, Tamara, M. P.N. 117898 (CASE #06-0639); Andrews, Judith, R P.N. 129234 (CASE #08-2726); Rivera, Jamie, M R.N. 268205 (CASE #08-2522); Meese, Gwen, M P.N. 117825 (CASE #08-1709); Barrett, Kellie, A P.N. 068710 (CASE #08-1649); Kinas, Heather, J. P.N. 091231 (CASE #07-1973); Bryant, Timara, L. P.N. 113173 (CASE #05-2354); Eakle, Leslie, C P.N. 105799 (CASE #08-1909); Lord-Vanderveer, Rose, M R.N. 174052 (CASE #08-0382); Sanzen (Lee), Jessica, L R.N. 315813 (CASE #07-3803); Maxwell, Jenny , S P.N. 111411 (CASE #07-3493); Caster, Sheila, R P.N. 126919 (CASE #08-1441); Soja, Laurie, J P.N. 058682, R.N. 228634 (CASE #08-

1589); Williams, Kimberly, S P.N. 093267 (CASE #08-0919); Fair, Jessica, A P.N. 124039 (CASE #08-1082); Lyday, Donna, R.N. 210854 (CASE #07-3235); Ponikvar Jr., Joseph, F. R.N. 336816 (CASE #08-0651); Jablonski, Gloria, J. P.N. 114620 (CASE #08-0402); Sharp, Brianna, R.N. 325109 (CASE #06-1920); Wheeler, April, D P.N. 106625 (CASE #08-1555); Pagas, Jessica, L P.N. 111769 (CASE #08-0628); Lewis, Matthew, A P.N. NCLEX (CASE #08-1491); Mankey, Carole, A R.N. 332048 (CASE #08-1855); Mitchell IV, John, R P.N. 104775 (CASE #08-1448); and Bentley, Melissa, K P.N. 114044 (CASE #08-0974).

Motion adopted by majority vote of the members with Debra Broadnax and Patricia Protopapa abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the September 2008 Board meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Urich, Lisa, A P.N. 081098 (CASE #08-0074); Corey Kessler, Trisha, L R.N. 306329 (CASE #08-0840); Vickers, Anthony, M. R.N. 267584 (CASE #07-3918); Hall, Danny, J R.N. 127077, C.O.A. 00263 (CASE #08-0964); Davis, Betsy, M P.N. 088946 (CASE #07-3083); Lamb, Tracey, J R.N. 314122 (CASE #08-0542); Lancione, Tara, R.N. 158867 (CASE #08-1880); Murawski, Diana, L P.N. 085592, R.N. 268504 (CASE #08-2736); Starkey, Constance, L P.N. 094668 (CASE #08-1561); Riggle, Karen, M R.N. 275490 (CASE #07-2728); Lewis, Kimyada, M P.N. 114940 (CASE #08-1443); Fischmann, Mary, B. P.N. 122453 (CASE #08-0253); Ward, Jamie, L P.N. 118031 (CASE #08-0293); Watts, Branden, C P.N. 122877 (CASE #07-4077); Dunphy, Kerry, Jo R.N. 300504, P.N. 108812 (CASE #07-1971); Lowther, Wanda, K R.N. 318469 (CASE #08-0178); and Shonk, Holly, J R.N. 209840 (CASE #08-0918).

Motion adopted by majority vote of Board members with Debra Broadnax and Patricia Protopapa abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the September 2008 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):

Voss, Teresa, K P.N. 084225 (CASE #08-2214); Twiss, Kathaleen, M P.N. 112603 (CASE #08-2258); Padilla, Tonya, S P.N. 069966 (CASE #08-2263); Kirschbaum, Traci, A R.N. 259419 (CASE #08-2236); Fryer, Kimberly, A R.N. 228090 (CASE #07-3496); King, Fatima, L P.N. 123731 (CASE #08-1987); Cunningham, Michelle, M R.N. 283210 (CASE #08-2004); Jones, Tava, J R.N. 300845 (CASE #08-2531); Booher, Jody, R.N. 161739 (CASE #08-2211); Kubicki, Dawn, J P.N. 095357 (CASE #08-1618); Johnson, Julia, M P.N. 102915 (CASE #08-2524); Simon, Callie, R.N. 282316 (CASE #08-2577); Collins, Dara, L R.N. 321443 (CASE #08-2209) and Bryant, Martha, AJ R.N. 228874 (CASE #08-2523).

Motion adopted by majority vote of Board members with Debra Broadnax and Patricia Protopapa abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the September 2008 Board meeting.

TEMPORARY SUSPENSION

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board Temporarily Suspend the license and issue a Notice of Opportunity for Hearing for Cremean, Jennifer, S R.N. 252129 (CASE #08-2882) for violation of Chapter 4723. ORC.

Motion adopted by majority vote of Board members with Patricia Protopapa abstaining.

Complete copies of the Temporary Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the September 2008 Board meeting.

SURRENDERS

Voluntary Surrender

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

Stout, Steve, E R.N. 167943 (CASE #08-1832); Talley, Debra, L. P.N. 088143 (CASE #05-2724); Blessing, Arlene, M. P.N. 116010 (CASE #05-0824); Collins, Shauna, L. R.N. 265328 (CASE #07-2348); and Mann, Rockland, D R.N. 226592 (CASE #08-0666).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the September 2008 Board meeting.

Voluntary Non-Permanent Withdrawal of Endorsement Application

Action: it was moved by Kathleen O'Dell, seconded by Eric Yoon, that the Board accept the Voluntary Non-Permanent Withdrawal of Endorsement Application for the following case(s):

Keefer, Amy, L R.N. endorse (CASE #08-0576); DeGroft, Tammy, M. R.N. endorse (CASE #07-1889); and Ellison, Carolyn, S. P.N. endorse (CASE #07-2642).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Complete copies of the Voluntary Non-Permanent Withdrawal of Endorsement Applications shall be maintained in the exhibit book for the September 2008 Board meeting.

CONSENT AGREEMENTS

On Friday, September 19, 2008, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board approve the consent agreements for violations of Chapter 4723. ORC entered into by and between the Board and the following cases:

McCleery, Susan, A R.N. 277509, P.N. 079753 (CASE #08-1147); Foster, Connie, J. P.N. 104758 (CASE #07-3376); Swisher, Pamela, S. P.N. 097886 (CASE #07-0066); Shoup, Kerstin, R.N. 274488 (CASE #05-1865); Wilson, Chatham, E. R.N. 289045 (CASE #06-3226); Busch, Mary, M. R.N. 242352 (CASE #06-0179); Alley, Lisa, M P.N. 111133 (CASE #07-0714); Bilbrey, Deanna, E. R.N. 302810 (CASE #06-1773); Hampton, Tracy, L P.N. NCLEX (CASE #08-0936); Davidson, Marilyn, D R.N. 150200 (CASE #08-1596); Bruce, Heidi, Z R.N. 281836 (CASE #07-1309); Perkson, Cynthia, J. R.N. 119529

(CASE #08-0653); Aaron, Janet, M P.N. 036147 (CASE #08-1578); Carpenter, Linda, F P.N. 106131 (CASE #08-0587); Lane, Karreen, M P.N. 123120 (CASE #08-0138); Carter, Robin, L. R.N. 303395 (CASE #08-0026); Reese, Charmaine, N. P.N. 098680 (CASE #06-3425); Evans, Sheryl, A. P.N. 110047 (CASE #05-1725); Rashad, Salim, A. P.N. 054110 (CASE #06-1828); Coche, Nancy, E R.N. endorse (CASE #08-0578); Auburn Practical Nursing Program (CASE #08-2005); Pennington, Stacey, M P.N. 124565 (CASE #07-1541); Hughley, Kevin, E. P.N. 100498 (CASE #06-2243); Zeller, Adam, C. P.N. 124599 (CASE #08-0502); Henry, Dawn, P.N. 111324 (CASE #06-3358); Kolling, Rene, L. R.N. NCLEX (CASE #08-1421); Sumlin, Dawn, M P.N. NCLEX (CASE #08-0908); Newton, Lisa, K P.N. NCLEX (CASE #08-1090); Haney, Latosha, M. P.N. NCLEX (CASE #07-1813); Harp, Beth, A. P.N. NCLEX (CASE #07-0305); Baker, Lynn, S. R.N. 254983 (CASE #07-1989); Shelton, Angelia, D. P.N. 115139 (CASE #06-1667); Turner, Bernadette, M P.N. 119947 (CASE #08-0186); Daniels, Jacqueline, R R.N. 291408, P.N. 097524 (CASE #08-1310); Dingus, Sierra, J. P.N. 113406 (CASE #08-0376); Hall, Jimmie, C. P.N. 124890 (CASE #08-0032); Chieffo, Pamela, S P.N. 078275 (CASE #07-3701); Starr, Paige, L. R.N. 263458 (CASE #07-2163); Smith, Gregory, L. P.N. 092642 (CASE #04-1622); Knecht, Colleen, J. P.N. 125240 (CASE #07-2367); Jackson, Paula, A P.N. NCLEX (CASE #08-1309); Cornett, Brandy, TC 1 02756 (CASE #08-0203); Lutman, Brent, G R.N. NCLEX (CASE #08-1188); Pease, Shelley, L R.N. 279608 (CASE #08-1938); Wright, Teresa, L R.N. NCLEX, P.N. 098402 (CASE #07-3226); Kotkovskaya, Larisa, R.N. 327532 (CASE #06-2965); O'Neal, April, N. R.N. 294508 (CASE #06-1497); Williams, Lori, L. P.N. 117136 (CASE #07-3120); Gilbert, Deborah, S. P.N. 102993 (CASE #07-3464); Voth, Kristen, R. P.N. 101134 (CASE #07-3371); Jeffries, Megan, E IP 408269 (CASE #08-0887); Pummill, Lori, K P.N. 121914 (CASE #08-1609); Smith, James, E R.N. 329611, N.A. 09169 (CASE #08-1595); Cheatham, Tonya, P.N. 096184 (CASE #06-1265); Ossovicki, Brenda, M. P.N. 092236 (CASE #05-1340); Edmondson, Jules, R. D.T. 00694 (CASE #07-2465); Judy, Annabelle, L. R.N. 211072 (CASE #07-3463); Leggin, Deborah, M. R.N. 125539 (CASE #07-2279); Kearney, Christopher, M R.N. 315537 (CASE #08-0318); Johnson, Brooke, L. P.N. 123788 (CASE #07-1864); Folger, Susan, E. R.N. 307857 (CASE #06-1357); Smith, Robin, M P.N. 078779 (CASE #08-1762); Ohio Academy of Holistic Health PN Nursing Program (CASE #08-1935); Scripture, Deanna, L R.N. 140075, C.O.A. 03097, R.X. 03097 (CASE #08-2862); Baker, Amy, A P.N. 113650 (CASE #08-1553); Gutierrez, Kelley, B. R.N. 251109 (CASE #06-3542); Stiles, Angela, I. R.N. 243877 (CASE #07-1833); Adams, Robin, M R.N. 331058 (CASE #07-0710); Bayless, Jennifer, L P.N. 109655 (CASE #08-0056); Casiano, Bouphasa, TC 1 02583 (CASE #08-0815); Rangel, Michele, M. P.N. 085438 (CASE #07-2607); Howell, Laquandria, P.N. 106193 (CASE #08-2260); Rohs, Brandy, L R.N. 322919 (CASE #08-2259); Turner, Bobbi, J R.N. 322061 (CASE #08-1936); Stone, Amanda, D. P.N. 125676 (CASE #08-0589); Chapman, Cheryl, A R.N. 234079 (CASE #08-2685); Greenaway, Dianne, L. R.N. 233009 (CASE #06-

3426); McCormick, Sean, M. P.N. 111655 (CASE #08-1440); Goldsmith, Teresa, A. R.N. 296677 (CASE #07-3490); Hutton, Alicia, M P.N. 107895 (CASE #08-2216); Hartsock, John, R.N. 222770 (CASE #08-2580); Lawson, Cindy, M R.N. 263545 (CASE #08-0873); Straka, Amber, C. TC1 applicant (CASE #07-2505); Dennison, Deborah, L P.N. NCLEX (CASE #08-1386); Watson, Loretta, R.N. 245919 (CASE #08-2687); May, Angelita, N R.N. NCLEX (CASE #08-0644); Dickman, Kari, S R.N. NCLEX (CASE #08-2517); Arnold, Corrine, K P.N. NCLEX (CASE #08-0638); Pelfrey, Sandra, K P.N. 081692 (CASE #08-0475); Phelan, Edward, W P.N. 117733 (CASE #08-0892); Suttles, Sherri, A P.N. 107893 (CASE #08-1986); Hopson, Marchelle, L P.N. 124126 (CASE #08-0870); Armstrong, Monique, P.N. 114115 (CASE #08-2520); Arceneaux, Frederick, A R.N. NCLEX (CASE #08-2500); Fowler, Thomas, B R.N. endorse (CASE #08-2467); Miles, Leonard, P.N. NCLEX (CASE #08-1111); Kelley, Aaron, T. P.N. 113646 (CASE #07-2546); Kerr, Christina, M. R.N. 240259 (CASE #07-3673); Smith, Evonne, R.N. 210051 (CASE #08-0014); Medardi, Tina, M R.N. NCLEX (CASE #08-2559); Yozwiak, Valerie, L R.N. 265455, P.N. 059060 (CASE #08-0267); Staffrey, Brenda, M P.N. NCLEX (CASE #07-0589); and Smart, Akim, Y P.N. endorse (CASE #08-1477).

Debra Broadnax and Patricia Protopapa abstained from voting on all cases. Eric Yoon abstained from voting on the following case only: Smith, Gregory, L. P.N. 092642 (CASE #04-1622). Anne Barnett voted no on the following case only: Goldsmith, Teresa, A. R.N. 296677 (CASE #07-3490). Elizabeth Buschmann voted no on the following cases only: Miles, Leonard, P.N. NCLEX (CASE #08-1111); and Kerr, Christina, M. R.N. 240259 (CASE #07-3673). Kathleen Driscoll voted no on the following cases only: Carter, Robin, L. R.N. 303395 (CASE #08-0026); Leggin, Deborah, M. R.N. 125539 (CASE #07-2279); and Bayless, Jennifer, L P.N. 109655 (CASE #08-0056). J. Jane McFee voted no on the following cases only: Turner, Bernadette, M P.N. 119947 (CASE #08-0186); and Miles, Leonard, P.N. NCLEX (CASE #08-1111). Kathleen O'Dell voted no on the following case only: Bayless, Jennifer, L P.N. 109655 (CASE #08-0056). Eric Yoon voted no on the following cases only: McCleery, Susan, A R.N. 277509 (CASE #08-1147); Foster, Connie, J. P.N. 104758 (CASE #07-3376); Swisher, Pamela, S. P.N. 097886 (CASE #07-0066); Wilson, Chatham, E. R.N. 289045 (CASE #06-3226); Davidson, Marilyn, D R.N. 150200 (CASE #08-1596); Bruce, Heidi, Z R.N. 281836 (CASE #07-1309); Carpenter, Linda, F P.N. 106131 (CASE #08-0587); Auburn Practical Nursing Program (CASE #08-2005); Evans, Sheryl, A. P.N. 110047 (CASE #05-1725); Haney, Latosha, M. P.N. NCLEX (CASE #07-1813); Hall, Jimmie, C. P.N. 124890 (CASE #08-0032); Chieffo, Pamela, S P.N. 078275 (CASE #07-3701); Cornett, Brandy, TC 1 02756 (CASE #08-0203); Lutman, Brent, G R.N. NCLEX (CASE #08-1188); Voth, Kristen, R. P.N. 101134 (CASE #07-3371); O'Neal, April, N. R.N. 294508 (CASE #06-1497); Turner, Bernadette, M P.N. 119947 (CASE #08-0186); Cheatham, Tonya, P.N. 096184 (CASE #06-

1265); Leggin, Deborah, M. R.N. 125539 (CASE #07-2279); Kearney, Christopher, M R.N. 315537 (CASE #08-0318); Ohio Academy of Holistic Health PN Nursing Program (CASE #08-1935); Scripture, Deanna, L R.N. 140075 (CASE #08-2862); Casiano, Bouphasa, TC 1 02583 (CASE #08-0815); Rohs, Brandy, L R.N. 322919 (CASE #08-2259); Greenaway, Dianne, L. R.N. 233009 (CASE #06-3426); McCormick, Sean, M. P.N. 111655 (CASE #08-1440); Goldsmith, Teresa, A. R.N. 296677 (CASE #07-3490); Hutton, Alicia, M P.N. 107895 (CASE #08-2216); Watson, Loretta, R.N. 245919 (CASE #08-2687); Phelan, Edward, W P.N. 117733 (CASE #08-0892); Armstrong, Monique, P.N. 114115 (CASE #08-2520); and Fowler, Thomas, B R.N. endorse (CASE #08-2467). Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the September 2008 Board meeting.

WITHDRAWAL OF NOTICE

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board withdraw the following Notices that were issued by the Board due to failure to obtain proper service or make contact with licensee:

Bowman, Kim, J. P.N. 044235 (CASE #05-1921); Saunders, Trish, M. R.N. 281851 (CASE #06-2049); Cronin, Barbara, A. P.N. 057072 (CASE #06-1813); Polon, Cory, D. R.N. 250753 (CASE #04-2561); Moulder, Lisa, M. R.N. 211109 (CASE #04-2043); Brewer, Cynthia, D. R.N. endorse (CASE #06-0862); Clear, Brenda, L. P.N. 060875 (CASE #04-2898); Vess, Kelly, R.N. 214088 (CASE #06-3549); Burd, Lisa, J. R.N. 253205 (CASE #05-2372); Yarger, Paula, J. R.N. 262812 (CASE #04-2903); Cunningham, Delphine, W. R.N. 166790 (CASE #01-1093); Ready, Stephanie, C. P.N. 106862 (CASE #04-2026); Carter, Nona, D. P.N. 085234 (CASE #04-0334); and Jenders, Patricia, A. R.N. 277582 (CASE #07-1965).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Action: It was moved by Janet Boeckman, seconded by Anne Barnett, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on July 21, 2006 for **Julie Penn, PN 098507**, based upon the Recommendation of the Hearing Examiner.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that

the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on November 17, 2006 for **Daniel Mossing, RN 263365**, having received information that **Mr. Mossing** is deceased.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board withdraw the Notice of Opportunity for Hearing that was issued by the Board on July 18, 2008 for **Kristen Voth, PN 101134. Ms. Voth** subsequently signed a Consent Agreement that is also on the September 2008 Agenda.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

WITHDRAWAL OF NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that was issued by the Board on September 22, 2006 for **Rebecca Kominsky, RN 220809** based upon the expungement and sealing of **Ms. Kominsky's** records.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that the Board withdraw the Notice of Immediate Suspension and Opportunity for Hearing that was issued by the Board on January 19, 2007 for **Andrea Smith, PN 095253** based upon the dismissal and sealing of **Ms. Smith's** criminal record.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

WITHDRAW OF NOTICE OF OPPORTUNITY FOR HEARING DUE TO THE BOARD BEING UNABLE TO CONTACT AND/OR LOCATE

Action: It was moved by Kathleen O'Dell, seconded by Kathleen Driscoll, that the Board withdraw the following Notices of Opportunity for Hearing that were issued by the Board as the Board is unable to contact or locate the nurse:

Kopriva, Cynthia, L. P.N. 100641 (CASE #06-1617); Banus, Patty, A. P.N.

082301 (CASE #03-0035); and Barger, Carrie, A P.N. 109480 (CASE #06-1665).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

HEARING EXAMINER REPORT AND RECOMMENDATION

Breckenridge, Shelia, R. P.N. 074936 (CASE #04-2624);

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, in the matter of Shelia Breckenridge, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that Shelia Breckenridge's license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BRECKENRIDGE** shall be subject to probationary terms, conditions, and limitations for a minimum period of one (1) year and the Permanent Practice Restrictions set forth below. The rationale for the modification is based upon the mitigating circumstances, including no patient harm and no evidence of drug use.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. BRECKENRIDGE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRECKENRIDGE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. BRECKENRIDGE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: four (4) hours of Ethics; four (4) hours of Professional Boundaries; and four (4) hours of Documentation.

Reporting Requirements of MS. BRECKENRIDGE

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

6. **MS. BRECKENRIDGE** 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.
7. **MS. BRECKENRIDGE** 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.
8. **MS. BRECKENRIDGE** 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.
9. **MS. BRECKENRIDGE** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MS. BRECKENRIDGE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. BRECKENRIDGE** shall submit to a BCI criminal records check.

DURATION

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

Following reinstatement, MS. BRECKENRIDGE shall be subject to the following probationary terms, conditions, and limitations for a minimum period of one (1) year.

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

Employment Conditions

3. Prior to accepting employment as a nurse, each time with every employer,

MS. BRECKENRIDGE shall notify the Board.

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

Reporting Requirements of MS. BRECKENRIDGE

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

refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

MS. BRECKENRIDGE 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. BRECKENRIDGE shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

The stay of **MS. BRECKENRIDGE's** suspension shall be lifted and **MS. BRECKENRIDGE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BRECKENRIDGE** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BRECKENRIDGE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BRECKENRIDGE** 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. BRECKENRIDGE** has complied with all aspects of this Order; and (2) the Board determines that **MS. BRECKENRIDGE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BRECKENRIDGE** and review of the reports as required herein. Any period during which **MS. BRECKENRIDGE** 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 **SHELIA R. BRECKENRIDGE** to surrender her licensed practical nurse license #P.N. 074936 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 19th day of September 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Creamer, Tammie, L. PN NCLEX (CASE #07-0333)

Action: It was moved by, Janet Boeckman, seconded by J. Jane McFee, in the matter of Tammie Creamer, the Board accept 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:

TAMMIE CREAMER's application for a license by examination to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY DENIED**.

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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Steese, Christine, P.N. 118521 (CASE #08-0302)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, in the matter of Christine Steese, that the Board accept all all of the Findings of Fact, Conclusions of Law, modified the recommendation in the Hearing Examiner's Report and Recommendation and ordered that **CHRISTINE STEESE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. STEESE** shall be subject to probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below. The rationale for the modification is based upon mitigating circumstances, including no prior discipline, the nurse's

age and lack of maturity in decision-making, and the Board's determination that Ms. Steese can be remediated in a supervised and structured environment.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. STEESE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STEESE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. STEESE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: twelve (12) hours of Ethics.

Monitoring

4. **MS. STEESE** 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. STEESE's** history. **MS. STEESE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. STEESE** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. STEESE** 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. STEESE** shall provide the chemical dependency professional with a copy of this Order, the Order of Summary Suspension and Notice of Opportunity for Hearing. Further, **MS. STEESE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STEESE's** license, and a statement as to whether **MS. STEESE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

Reporting Requirements of MS. STEESE

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

DURATION

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

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

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

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

Monitoring

3. **MS. STEESE** 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. STEESE's** history. **MS. STEESE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. STEESE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. STEESE** 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. STEESE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STEESE's** history.
6. **MS. STEESE** 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. STEESE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

STEESE throughout the duration of this Order.

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

Employment Conditions

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

Reporting Requirements of MS. STEESE

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

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

Permanent Practice Restrictions

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

MS. STEESE 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. STEESE shall not function in a nursing position, which would require **MS. STEESE** to provide direct, hands-on patient care to pediatric patients. *For the purposes of this Order, pediatric patients shall include patients under the age of 18, and between the ages of newly born through age 17.*

FAILURE TO COMPLY

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

Order; and (2) the Board determines that **MS. STEESE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STEESE** and review of the reports as required herein. Any period during which **MS. STEESE** 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 **CHRISTINE STEESE** to surrender her licensed practical nurse license #P.N. 118521 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 19th day of September, 2008.

Elizabeth Buschmann opposed the motion. Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

NO REQUEST FOR HEARING CASES

North, David, E. R.N. 211502 (CASE #06-3203)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **DAVID EARL NORTH** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. NORTH** 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. NORTH's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DAVID EARL NORTH** to surrender his registered nurse license #R.N. 211502 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Simmons, Teresa, A. P.N. 078541 (CASE #07-2199)

Action: It was moved by Anne Barnett, seconded by Patricia Burns that upon consideration of the charges stated against **TERESA ANN VARNER SIMMONS** in the January 22, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds

that **MS. SIMMONS** 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. SIMMONS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, retroactive to January 24, 2008, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SIMMONS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. SIMMONS** 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. SIMMONS's** history. **MS. SIMMONS** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. SIMMONS** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. SIMMONS** 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. SIMMONS** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SIMMONS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SIMMONS's** license, and a statement as to whether **MS. SIMMONS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. SIMMONS** 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. SIMMONS's** license.

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

Reporting Requirements of MS. SIMMONS

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

DURATION

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

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

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

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

Monitoring

3. **MS. SIMMONS** 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. SIMMONS's** history. **MS. SIMMONS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SIMMONS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. SIMMONS** 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. SIMMONS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SIMMONS's** history.
6. **MS. SIMMONS** 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. SIMMONS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

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

Reporting Requirements of MS. SIMMONS

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

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SIMMONS** 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. SIMMONS** has complied with all aspects of this Order; and (2) the Board determines that **MS. SIMMONS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SIMMONS** and review of the reports as required herein. Any period during which **MS. SIMMONS** 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 **TERESA ANN VARNER SIMMONS** to surrender her licensed practical nurse license #P.N. 078541 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Kosir, Karen, D. P.N. 073517 (CASE #06-0141)

Action: It was moved by Kathleen Driscoll, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **KAREN D. KOSIR** in the October 1, 2007, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KOSIR** 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. KOSIR'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 below for a minimum period of one (1) year, and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

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

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

2. **MS. KOSIR** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to applying for renewal of her nursing license, MS. KOSIR** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Documentation; five (5) hours of Medication Administration; and five (5) hours of Neurological Assessment.

Monitoring

4. **MS. KOSIR** 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. KOSIR's** history. **MS. KOSIR** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. KOSIR** shall abstain completely from the use of alcohol.
6. **Prior to applying for renewal of her nursing license, MS. KOSIR** 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. KOSIR** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. KOSIR** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. KOSIR's** license, and a statement as to whether **MS. KOSIR** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. KOSIR** 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. KOSIR's** license.
8. **For a minimum, continuous period of six (6) months prior to applying for renewal of her nursing license and continuing throughout the probationary period, MS. KOSIR** 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. KOSIR'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. KOSIR** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KOSIR's** history.
9. Within thirty (30) days prior to **MS. KOSIR** initiating drug screening, **MS. KOSIR** 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. KOSIR**.
 10. After initiating drug screening, **MS. KOSIR** 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. KOSIR** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 11. **For a minimum, continuous period of six (6) months prior to applying for renewal of her nursing license and continuing throughout the probationary period, MS. KOSIR** 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. KOSIR** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Employment Conditions

12. Prior to accepting employment as a nurse, each time with every employer, **MS. KOSIR** shall notify the Board.
13. **MS. KOSIR** 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. KOSIR** shall provide her

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

Reporting Requirements of MS. KOSIR

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

Temporary Narcotic Restriction

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

refills.

Temporary Practice Restrictions

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

MS. KOSIR 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. KOSIR's suspension shall be lifted and MS. KOSIR's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. KOSIR** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. KOSIR** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MS. KOSIR** 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. KOSIR** has complied with all aspects of this Order; and (2) the Board determines that **MS. KOSIR** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. KOSIR** and review of the reports as required herein. Any period during which **MS. KOSIR** 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Richter, Sharon, L.P.N. 118039 (CASE #07-1233)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **SHARON LEE RICHTER** in the March 17, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RICHTER** 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. RICHTER'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. RICHTER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. RICHTER** 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. RICHTER's** history. **MS. RICHTER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. RICHTER** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. RICHTER** 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. RICHTER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. RICHTER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. RICHTER's** license, and a statement as to whether **MS. RICHTER**

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

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

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

Reporting Requirements of MS. RICHTER

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

DURATION

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

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

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

Monitoring

3. **MS. RICHTER** 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. RICHTER's** history. **MS. RICHTER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RICHTER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. RICHTER** 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. RICHTER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RICHTER's** history.
6. **MS. RICHTER** 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. RICHTER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

8. **MS. RICHTER** 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. RICHTER** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. RICHTER** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. RICHTER

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. RICHTER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. RICHTER** 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. RICHTER** has complied with all aspects of this Order; and (2) the Board determines that **MS. RICHTER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. RICHTER** and review of the reports as required herein. Any period during which **MS. RICHTER** 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 **SHARON LEE RICHTER** to surrender her licensed practical nurse license #P.N. 118039 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Gard, Amy, P.N. 123878 (CASE #07-1513)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **AMY MICHELLE GARD** in the March 17, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GARD** 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. GARD's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **AMY MICHELLE GARD** to surrender her licensed practical nurse license #P.N. 123878 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Niehaus, Karol, S. P.N. 075802 (CASE #07-0147)

Action: It was moved by Eric Yoon, seconded by Kathleen Odell, that upon consideration of the charges stated against **KAROL SUE NIEHAUS** in the January 22, 2008, Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. NIEHAUS** 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. NIEHAUS'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 below for a minimum period of three (3) years, and the Permanent Practice Restrictions set forth below.

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

1. **MS. NIEHAUS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. NIEHAUS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Within ninety (90) days after renewal of her nursing license, MS. NIEHAUS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: four (4) hours of Documentation; four (4) hours of Medication Administration; four (4) hours of Patient Rights; and four (4) hours of Ethics.

Educational Needs Assessment and Learning Plan

4. **Within sixty (60) days after renewal of her nursing license, MS. NIEHAUS** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program. **Within sixty (60) days after renewal of her nursing license, MS. NIEHAUS** shall have the educator provide the Board with a written report of an assessment of **MS. NIEHAUS**, which identifies **MS. NIEHAUS's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. NIEHAUS** shall provide the nursing educator with a copy of this Order and the Notice of

- Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. NIEHAUS** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. NIEHAUS's** employer(s), former employers, and Board staff. Following the assessment, **MS. NIEHAUS** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. NIEHAUS** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. NIEHAUS** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. NIEHAUS** shall complete such learning plan. **MS. NIEHAUS** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. NIEHAUS** has successfully completed the learning plan, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. NIEHAUS's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. NIEHAUS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. NIEHAUS** shall be responsible for all costs associated with meeting this requirement.
5. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. NIEHAUS's** license.

Employment Conditions

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

Reporting Requirements of MS. NIEHAUS

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

Permanent Practice Restrictions

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

MS. NIEHAUS 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. NIEHAUS's suspension shall be lifted and MS. NIEHAUS's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. NIEHAUS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. NIEHAUS** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MS. NIEHAUS** 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. NIEHAUS** has complied with all aspects of this Order; and (2) the Board determines that **MS. NIEHAUS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. NIEHAUS** and review of the reports as required herein. Any period during which **MS. NIEHAUS** 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Parkinson, Marcia, J R.N. 209963 (CASE #08-0543)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **MARCIA PARKINSON** in the March 14, 2008 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. PARKINSON** 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. PARKINSON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. PARKINSON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. PARKINSON** 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. PARKINSON's** history. **MS. PARKINSON** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. PARKINSON** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. PARKINSON** 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. PARKINSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. PARKINSON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. PARKINSON's** license, and a statement as to whether **MS. PARKINSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. PARKINSON** 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. PARKINSON's** license.
7. **For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, MS. PARKINSON** 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. PARKINSON'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. PARKINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PARKINSON's** history.
8. Within thirty (30) days prior to **MS. PARKINSON** initiating drug screening, **MS. PARKINSON** 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. PARKINSON**.
 9. After initiating drug screening, **MS. PARKINSON** 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. PARKINSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 10. **For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, MS. PARKINSON** 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. PARKINSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. PARKINSON

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

Board or to employers or potential employers.

14. **MS. PARKINSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MS. PARKINSON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. PARKINSON** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. PARKINSON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. PARKINSON** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

4. **MS. PARKINSON** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. PARKINSON** 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. PARKINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. PARKINSON's** history.
6. **MS. PARKINSON** 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. PARKINSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

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

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

Reporting Requirements of MS. PARKINSON

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

designee, **MS. PARKINSON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Practice Restrictions

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

MS. PARKINSON 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. PARKINSON's** suspension shall be lifted and **MS. PARKINSON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. PARKINSON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. PARKINSON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. PARKINSON** 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. PARKINSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. PARKINSON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. PARKINSON** and review of the reports as required herein. Any period during which **MS. PARKINSON** 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 **MARCIA PARKINSON** to surrender her registered nurse license #R.N. 209963 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Day (Worrels), Yvette, L.R.N. 294777 (CASE #08-0085)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that upon consideration of the charges stated against **Yvette Lynn (Worrels) Day** in the March 17, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DAY** 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. DAY's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DAY** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. DAY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DAY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. DAY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: twelve (12) hours of Ethics.

Monitoring

4. **MS. DAY** 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. DAY's** history. **MS. DAY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. DAY** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. DAY** 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. DAY** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. DAY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DAY's** license, and a statement as to whether **MS. DAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. DAY** 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. DAY's** license.
 8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. DAY** 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. DAY'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. DAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DAY's** history.
 9. Within thirty (30) days prior to **MS. DAY** initiating drug screening, **MS. DAY** 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. DAY**.
 10. After initiating drug screening, **MS. DAY** 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. DAY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

Reporting Requirements of MS. DAY

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

DURATION

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

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

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

Monitoring

4. **MS. DAY** 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. DAY's** history. **MS. DAY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. DAY** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. DAY** 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. DAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DAY's** history.
6. **MS. DAY** 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. DAY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. DAY

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

MS. DAY 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. DAY's suspension shall be lifted and MS. DAY's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. DAY** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DAY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DAY** 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. DAY** has complied with all aspects of this Order; and (2) the Board determines that **MS. DAY** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DAY** and review of the reports as required herein. Any period during which **MS. DAY** 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 **Yvette Lynn (Worrels) Day** to surrender her registered nurse license #R.N. 294777 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Lange, Barry, W. P.N. 114550 (CASE #06-2255)

Action: It was moved Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **BARRY W. LANGE, L.P.N.**, in the October 1, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LANGE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio

Board of Nursing Orders that **MR. LANGE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. LANGE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. LANGE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. LANGE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MR. LANGE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: twelve (12) hours of Ethics.

Monitoring

4. **MR. LANGE** 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. LANGE's** history. **MR. LANGE** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MR. LANGE** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MR. LANGE** shall, at his 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. LANGE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. LANGE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. LANGE's** license, and a statement as to whether **MR. LANGE** is capable of practicing nursing

according to acceptable and prevailing standards of safe nursing care.

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

attendance to the Board prior to reinstatement.

Reporting Requirements of MR. LANGE

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

DURATION

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

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

1. **MR. LANGE** shall obey all federal, state, and local laws, and all laws and

rules governing the practice of nursing in Ohio.

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

Monitoring

3. **MR. LANGE** 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. LANGE's** history. **MR. LANGE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. LANGE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. LANGE** 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. LANGE** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. LANGE's** history.
6. **MR. LANGE** 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. LANGE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

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

Reporting Requirements of MR. LANGE

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

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

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

charges and automatic suspension of his license. Upon receipt of this notice, **MR. LANGE** 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. LANGE** has complied with all aspects of this Order; and (2) the Board determines that **MR. LANGE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. LANGE** and review of the reports as required herein. Any period during which **MR. LANGE** 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 **BARRY W. LANGE** to surrender his licensed practical nurse license #P.N. 114550 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 19th day of September, 2008.

Eric Yoon opposed the motion. Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Kelly, Jeanette, K. R.N. 301502 (CASE #06-1335)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **JEANETTE KELLY** in the March 17, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KELLY** 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. KELLY's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JEANETTE KELLY** to surrender her registered nurse license #R.N. 301502 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Akers, Kimberly, A P.N. 095983 (CASE #08-0734)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **KIMBERLY A. AKERS** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. AKERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing and the Ohio Board of Nursing Orders that **MS. AKERS's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KIMBERLY A. AKERS** to surrender her licensed practical nurse license #P.N. 095983 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Bohazi, Valerie, A. P.N. 089009 (CASE #08-0386)

Action: It was moved by Elizabeth Buschmann, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **VALERIE BOHAZI** in the May 19, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BOHAZI** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing Orders that **MS. BOHAZI's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BOHAZI** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. BOHAZI** 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. BOHAZI's** history. **MS. BOHAZI** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. BOHAZI** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. BOHAZI** 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. BOHAZI** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. BOHAZI** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BOHAZI's** license, and a statement as to whether **MS. BOHAZI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. BOHAZI** 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. BOHAZI's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. BOHAZI** 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. BOHAZI'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. BOHAZI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge

of **MS. BOHAZI's** history.

8. Within thirty (30) days prior to **MS. BOHAZI** initiating drug screening, **MS. BOHAZI** 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. BOHAZI**.
9. After initiating drug screening, **MS. BOHAZI** 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. BOHAZI** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. BOHAZI** 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. BOHAZI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. BOHAZI

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

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

16. **MS. BOHAZI** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. BOHAZI** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. BOHAZI** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

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

MS. BOHAZI is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BOHAZI

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

Permanent Practice Restrictions

MS. BOHAZI shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals

who directly engage **MS. BOHAZI** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. BOHAZI 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. BOHAZI's suspension shall be lifted and MS. BOHAZI's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. BOHAZI** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BOHAZI** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. BOHAZI** 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. BOHAZI** has complied with all aspects of this Order; and (2) the Board determines that **MS. BOHAZI** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BOHAZI** and review of the reports as required herein. Any period during which **MS. BOHAZI** 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 **VALERIE BOHAZI** to surrender her licensed practical nurse license #P.N. 089009 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Davis, Delores, P.N. 052776 (CASE #05-3075)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **DELORES DAVIS** in the October 1, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DAVIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of

Opportunity for Hearing, and the Ohio Board of Nursing Orders that **MS. DAVIS'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. DAVIS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. DAVIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DAVIS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. DAVIS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Patient Safety; and ten (10) hours of Anger Management.

Reporting Requirements of MS. DAVIS

4. **MS. DAVIS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MS. DAVIS** 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.
6. **MS. DAVIS** 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.
7. **MS. DAVIS** 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.
8. **MS. DAVIS** 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.

9. **MS. DAVIS** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MS. DAVIS** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
11. **MS. DAVIS** shall submit to a BCI criminal records check.

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. DAVIS

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

Permanent Practice Restrictions

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

MS. DAVIS 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. DAVIS's suspension shall be lifted and MS. DAVIS's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. DAVIS** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. DAVIS** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. DAVIS** 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. DAVIS** has complied with all aspects of this Order; and (2) the Board determines that **MS. DAVIS** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. DAVIS** and review of the reports as required herein. Any period during which **MS. DAVIS** 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 **DELORES DAVIS** to surrender her licensed practical nurse license #P.N. 052776 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Sovine, Gina, R.R.N. 242098 (CASE #07-1458)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **GINA SOVINE** in the March 17, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SOVINE** 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. SOVINE's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **GINA SOVINE** to surrender her registered nurse license #R.N. 242098 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Blackwood, Elizabeth, A. R.N. 252179 (CASE #07-2158)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **ELIZABETH ANN BLACKWOOD** in the October 1, 2007, Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BLACKWOOD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing Orders that **MS. BLACKWOOD's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time and that the suspension shall be stayed subject to the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

MS. BLACKWOOD shall be subject to the following probationary terms, conditions, and limitations:

1. **MS. BLACKWOOD** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BLACKWOOD** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BLACKWOOD's** employment as a nurse is restricted to her current nursing position(s) for a minimum period of nine (9) months. **MS. BLACKWOOD** may request modification of this employment restriction after nine (9) months as long as **MS. BLACKWOOD** has complied with the terms, conditions, and limitations in this Order and has obtain approval in advance by the Board or its designee.

Monitoring

4. **MS. BLACKWOOD** 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. BLACKWOOD's** history. **MS. BLACKWOOD** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. BLACKWOOD** shall abstain completely from the use of alcohol.
 6. **Prior to requesting modification of her employment restriction, MS. BLACKWOOD** 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. BLACKWOOD** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. BLACKWOOD** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BLACKWOOD's** license, and a statement as to whether **MS. BLACKWOOD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 7. **MS. BLACKWOOD** 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. BLACKWOOD's** license.
 8. **Prior to requesting modification of her employment restriction, MS. BLACKWOOD** shall, at her own expense, seek a mental health evaluation from a Board approved mental health counselor and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. BLACKWOOD** shall provide the mental health counselor with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the mental health counselor to obtain any information deemed appropriate and necessary for the evaluation. The mental health counselor shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BLACKWOOD's** license, and a statement as to whether **MS. BLACKWOOD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

9. **MS. BLACKWOOD** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health counselor described above until released. Further, the Board may utilize the mental health counselor's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BLACKWOOD's** license.
10. **For a minimum, continuous period of nine (9) months prior to requesting modification of her employment restriction and continuing throughout the probationary period, MS. BLACKWOOD** 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. BLACKWOOD'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. BLACKWOOD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BLACKWOOD's** history.
11. Within thirty (30) days prior to **MS. BLACKWOOD** initiating drug screening, **MS. BLACKWOOD** 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. BLACKWOOD**.
12. After initiating drug screening, **MS. BLACKWOOD** 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. BLACKWOOD** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of nine (9) months prior to requesting modification of her employment restriction and continuing throughout the probationary period, MS. BLACKWOOD** 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. BLACKWOOD** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Employment Conditions

14. **Within fifteen (15) days of the effective date of this Order, MS. BLACKWOOD** shall notify the Board, in writing, of the name(s) and address(es) of her current employer(s). Prior to accepting employment as a nurse, each time with every employer, **MS. BLACKWOOD** shall notify the Board.
15. **Within fifteen (15) days of the effective date of the Order, MS. BLACKWOOD** shall provide her current employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. **MS. BLACKWOOD** 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. BLACKWOOD** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. BLACKWOOD** is under a continuing duty to provide a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. BLACKWOOD

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

by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

21. **MS. BLACKWOOD** shall verify that the reports and documentation required by this Order are received in the Board office.
22. **MS. BLACKWOOD** 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.
23. Prior to working as a nurse and if requested by the Board or its designee, **MS. BLACKWOOD** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. BLACKWOOD 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. BLACKWOOD's** suspension shall be lifted and **MS. BLACKWOOD's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. BLACKWOOD** has violated or breached any terms or conditions of this Order. Following the

automatic suspension, the Board shall notify **MS. BLACKWOOD** via certified mail of the specific nature of the charges and automatic suspension of his license. Upon receipt of this notice, **MS. BLACKWOOD** 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. BLACKWOOD** has complied with all aspects of this Order; and (2) the Board determines that **MS. BLACKWOOD** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BLACKWOOD** and review of the reports as required herein. Any period during which **MS. BLACKWOOD** 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Linton, Hailey, R. P.N. 105468 (CASE #08-0029)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that upon consideration of the charges stated against **HAILEY R. LINTON** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LINTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing Orders that **MS. LINTON'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. LINTON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

Monitoring

3. **MS. LINTON** 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. LINTON's** history. **MS. LINTON** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MS. LINTON** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. LINTON** 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. LINTON** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. LINTON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LINTON's** license, and a statement as to whether **MS. LINTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. LINTON** 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. LINTON's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LINTON** 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. LINTON'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. LINTON**

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

8. Within thirty (30) days prior to **MS. LINTON** initiating drug screening, **MS. LINTON** 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. LINTON**.
9. After initiating drug screening, **MS. LINTON** 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. LINTON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LINTON** 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. LINTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. LINTON

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

15. **MS. LINTON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
16. **MS. LINTON** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MS. LINTON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MS. LINTON** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. LINTON** shall notify the Board.
11. **MS. LINTON** 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. LINTON** shall provide his employer(s) with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt

of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. LINTON** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. LINTON

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

Temporary Narcotic Restriction

MS. LINTON shall be subject to the following Temporary Narcotic Restriction for a minimum period of one (1) year:

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

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

Temporary Practice Restrictions

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

MS. LINTON 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. LINTON's suspension shall be lifted and MS. LINTON's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. LINTON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. LINTON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LINTON** 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. LINTON** has complied with all aspects of this Order; and (2) the Board determines that **MS. LINTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LINTON** and review of the reports as required herein. Any period during which **MS. LINTON** 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 **HAILEY R. LINTON** to surrender her licensed practical nurse license #P.N. 105468 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 19th day of September, 2008.

Eric Yoon opposed the motion. Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Lewis, Deborah, J. P.N. 051607 (CASE #07-3324)

Action: It was moved by Patricia Burns, seconded by Anne Barnett that upon consideration of the charges stated against **DEBORAH J. LEWIS** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LEWIS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing Orders that **MS. LEWIS'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. LEWIS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. LEWIS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. LEWIS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. LEWIS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Medication Administration; five (5) hours of Documentation; and five (5) hours of Ethics.

Monitoring

4. **MS. LEWIS** 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. LEWIS's**

- history. **MS. LEWIS** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. LEWIS** shall abstain completely from the use of alcohol.
 6. Prior to seeking reinstatement by the Board, **MS. LEWIS** 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. LEWIS** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. LEWIS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LEWIS's** license, and a statement as to whether **MS. LEWIS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 7. **MS. LEWIS** 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. LEWIS's** license.
 8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LEWIS** 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. LEWIS'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. LEWIS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEWIS's** history.
 9. Within thirty (30) days prior to **MS. LEWIS** initiating drug screening, **MS. LEWIS** 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. LEWIS**.
10. After initiating drug screening, **MS. LEWIS** 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. LEWIS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. LEWIS** 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. LEWIS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 12. Prior to seeking reinstatement by the Board, **MS. LEWIS** shall, at her own expense, seek a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. LEWIS** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. LEWIS's** license, and a statement as to whether **MS. LEWIS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 13. **MS. LEWIS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. LEWIS's** license.

Reporting Requirements of MS. LEWIS

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

15. **MS. LEWIS** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
16. **MS. LEWIS** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MS. LEWIS** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MS. LEWIS** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MS. LEWIS** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MS. LEWIS** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
21. **MS. LEWIS** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MS. LEWIS** 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. LEWIS's** history. **MS. LEWIS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. LEWIS** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. LEWIS** 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. LEWIS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. LEWIS's** history.
6. **MS. LEWIS** 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. LEWIS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. LEWIS

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

of any change in employment status or of any change in residential or home address or telephone number.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LEWIS** and review of the reports as required herein. Any period during which **MS. LEWIS** 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 **DEBORAH J. LEWIS** to surrender her licensed practical nurse license #P.N. 051607 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 19th day of September, 2008.

Motion adopted by majority vote of the Board member with Debra Broadnax and Patricia Protopapa abstaining.

Adcock, Joseph, M. R.N. 290525 (CASE #07-2643)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that upon consideration of the charges stated against **JOSEPH MATTHEW ADCOCK** in the October 1, 2007 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ADCOCK** 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 the allegation in Paragraph 2. Item 4. is dismissed and, that for the remaining violations, **MR. ADCOCK's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. ADCOCK** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

4. **MR. ADCOCK** shall abstain completely from the use of alcohol.
5. Prior to requesting reinstatement by the Board, **MR. ADCOCK** shall, at his 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. ADCOCK** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. ADCOCK** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. ADCOCK's** license, and a statement as to whether **MR. ADCOCK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MR. ADCOCK** 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. ADCOCK's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. ADCOCK** 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. ADCOCK'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. ADCOCK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ADCOCK's** history.
8. Within thirty (30) days prior to **MR. ADCOCK** initiating drug screening, **MR. ADCOCK** 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. ADCOCK**.

9. After initiating drug screening, **MR. ADCOCK** 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. ADCOCK** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MR. ADCOCK** 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. ADCOCK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. ADCOCK

11. **MR. ADCOCK** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
12. **MR. ADCOCK** 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.
13. **MR. ADCOCK** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. **MR. ADCOCK** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
15. **MR. ADCOCK** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

16. **MR. ADCOCK** shall verify that the reports and documentation required by this Order are received in the Board office.
17. **MR. ADCOCK** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
18. **MR. ADCOCK** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MR. ADCOCK** 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. ADCOCK's** history. **MR. ADCOCK** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. ADCOCK** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. ADCOCK** 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. ADCOCK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ADCOCK's** history.

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

Treating Practitioners and Reporting

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

Employment Conditions

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

new employer prior to accepting employment.

Reporting Requirements of MR. ADCOCK

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

The Board further Orders **JOSEPH MATTHEW ADCOCK** to surrender his registered nurse license #R.N. 290525 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Burke, Judith, E. R.N. 137505 (CASE #08-0028)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **JUDITH E. BURKE** in the March 17, 2008 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BURKE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity

for Hearing and the Ohio Board of Nursing Orders that **MS. BURKE's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JUDITH E. BURKE** to surrender her registered nurse license #R.N. 137505 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Snow, Erin, N. P.N. 119840 (CASE #06-2694)

Action: It was moved by Elizabeth Buschmann, seconded by Anne Barnett, that upon consideration of the charges stated against **ERIN SNOW** in the July 23, 2007 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SNOW** 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. SNOW'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. SNOW** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. SNOW** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SNOW** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. SNOW** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Chemical Dependency / Substance Abuse; five (5) hours of Professionalism; and five (5) hours of Ethics.

Monitoring

4. **MS. SNOW** 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. SNOW's** history. **MS. SNOW** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. SNOW** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. SNOW** 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. SNOW** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SNOW** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SNOW's** license, and a statement as to whether **MS. SNOW** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. SNOW** 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. SNOW's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SNOW** 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. SNOW'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. SNOW** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SNOW's** history.

9. Within thirty (30) days prior to **MS. SNOW** initiating drug screening, **MS. SNOW** 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. SNOW**.
10. After initiating drug screening, **MS. SNOW** 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. SNOW** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SNOW** 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. SNOW** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. SNOW

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

South High Street, Suite 400, Columbus, OH 43215-7410.

17. **MS. SNOW** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. SNOW** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
19. **MS. SNOW** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. SNOW** shall notify the Board.
11. **MS. SNOW** 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. SNOW** shall provide his employer(s) with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received. Further,

MS. SNOW is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. SNOW

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

Temporary Narcotic Restriction

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

refills.

Permanent Practice Restrictions

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

MS. SNOW 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. SNOW's suspension shall be lifted and MS. SNOW's license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. SNOW** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. SNOW** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. SNOW** 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. SNOW** has complied with all aspects of this Order; and (2) the Board determines that **MS. SNOW** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. SNOW** and review of the reports as required herein. Any period during which **MS. SNOW** 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 **ERIN SNOW** to surrender her licensed practical nurse license #P.N. 119840 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Yerington, Jill, R.N. 291202 (CASE #06-0409)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **JILL KRISTEN YERINGTON** in the January 22, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. YERINGTON** 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. YERINGTON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. YERINGTON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. YERINGTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. YERINGTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. YERINGTON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Medication Administration; five (5) hours of Documentation; five (5) hours of Ethics.

Monitoring

4. **MS. YERINGTON** 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. YERINGTON's** history. **MS. YERINGTON** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. YERINGTON** shall abstain completely from the use of alcohol.
6. Prior to seeking reinstatement by the Board, **MS. YERINGTON** 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. YERINGTON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. YERINGTON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. YERINGTON's** license, and a statement as to whether **MS. YERINGTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. YERINGTON** 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. YERINGTON's** license.
 8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. YERINGTON** 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. YERINGTON'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. YERINGTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. YERINGTON's** history.
 9. Within thirty (30) days prior to **MS. YERINGTON** initiating drug screening, **MS. YERINGTON** 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. YERINGTON**.
 10. After initiating drug screening, **MS. YERINGTON** 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. YERINGTON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

Reporting Requirements of MS. YERINGTON

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

DURATION

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

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

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

Monitoring

3. **MS. YERINGTON** 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. YERINGTON's** history. **MS. YERINGTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. YERINGTON** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. YERINGTON** 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. YERINGTON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. YERINGTON's** history.
6. **MS. YERINGTON** 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. YERINGTON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. YERINGTON

12. **MS. YERINGTON** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. YERINGTON** shall submit any and all information that the Board may

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

14. **MS. YERINGTON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MS. YERINGTON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. YERINGTON** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
17. **MS. YERINGTON** shall verify that the reports and documentation required by this Order are received in the Board office.
18. **MS. YERINGTON** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse and if requested by the Board or its designee, **MS. YERINGTON** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

compensation, or other consideration or as a volunteer.

MS. YERINGTON 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. YERINGTON's** suspension shall be lifted and **MS. YERINGTON's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. YERINGTON** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. YERINGTON** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. YERINGTON** 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. YERINGTON** has complied with all aspects of this Order; and (2) the Board determines that **MS. YERINGTON** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. YERINGTON** and review of the reports as required herein. Any period during which **MS. YERINGTON** 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 **JILL KRISTEN YERINGTON** to surrender her registered nurse license #R.N. 291202 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Smith, Barbara, E P.N. 091198 (CASE #08-0235)

Action: It was moved by Eric Yoon, seconded by Kathleen O'Dell, that upon consideration of the charges stated against **BARBARA ELAINE SMITH** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SMITH** 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. SMITH's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED.**

The Board further Orders **BARBARA ELAINE SMITH** to surrender her licensed practical nurse license #P.N. 091198 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Stiffler, Shannan, L. P.N. 084926 (CASE #06-2484)

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee, that upon consideration of the charges stated against **SHANNAN LEE (YOUNG, NEWMAN) STIFFLER** in the March 19, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STIFFLER** 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. STIFFLER'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. STIFFLER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. STIFFLER** 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. STIFFLER's** history. **MS. STIFFLER** shall self-administer the prescribed

drugs only in the manner prescribed.

4. **MS. STIFFLER** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. STIFFLER** 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. STIFFLER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. STIFFLER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STIFFLER's** license, and a statement as to whether **MS. STIFFLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. STIFFLER** 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. STIFFLER's** license.
7. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. STIFFLER** 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. STIFFLER'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. STIFFLER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STIFFLER's** history.
8. Within thirty (30) days prior to **MS. STIFFLER** initiating drug screening, **MS. STIFFLER** 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. STIFFLER**.

9. After initiating drug screening, **MS. STIFFLER** 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. STIFFLER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. STIFFLER** 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. STIFFLER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. STIFFLER

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

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

18. **MS. STIFFLER** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

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

Employment Conditions

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

Reporting Requirements of MS. STIFFLER

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

MS. STIFFLER shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care

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

MS. STIFFLER 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. STIFFLER's** suspension shall be lifted and **MS. STIFFLER's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. STIFFLER** has violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MS. STIFFLER** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. STIFFLER** 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. STIFFLER** has complied with all aspects of this Order; and (2) the Board determines that **MS. STIFFLER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STIFFLER** and review of the reports as required herein. Any period during which **MS. STIFFLER** 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 **SHANNAN LEE (YOUNG, NEWMAN) STIFFLER** to surrender her licensed practical nurse license #P.N. 084926 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Garner, Richard, R.R.N. 256106 (CASE #07-3061)

Action: It was moved by Delphenia Gilber, seconded by Patricia Burns, that upon consideration of the charges stated against **RICHARD R. GARNER** in the May 19, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. GARNER** 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. GARNER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. GARNER** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Practice restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MR. GARNER** 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. GARNER's** history. **MR. GARNER** shall self-administer the prescribed drugs only in the manner prescribed.
4. **MR. GARNER** shall abstain completely from the use of alcohol.
5. Prior to requesting reinstatement by the Board, **MR. GARNER** shall, at his 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. GARNER** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. GARNER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional

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

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

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

Reporting Requirements of MR. GARNER

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

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

17. **MR. GARNER** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. GARNER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. GARNER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.
20. **MR. GARNER** shall submit to a BCI criminal records check.

DURATION

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

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

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

Monitoring

3. **MR. GARNER** 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. GARNER's** history. **MR. GARNER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. GARNER** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. GARNER** 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. GARNER** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. GARNER's** history.

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

Treating Practitioners and Reporting

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

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MR. GARNER** shall notify the Board.
11. **MR. GARNER** 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. GARNER** shall provide his employer(s) with a copy of this Order and Notice of Immediate Suspension

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

Reporting Requirements of MR. GARNER

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

Permanent Practice Restrictions

MR. GARNER shall not practice nursing as a registered nurse (1) for agencies

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

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

The Board further Orders **RICHARD R. GARNER** to surrender his registered nurse license #R.N. 256106 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax, Kathleen Driscoll and Patricia Protopapa abstaining.

Garceau, Brenda, J. P.N. 080633 (CASE #04-0829)

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that upon consideration of the charges stated against **BRENDA JO GARCEAU** in the March 21, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GARCEAU** 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. GARCEAU's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **BRENDA JO GARCEAU** to surrender her licensed practical nurse license #P.N. 080633 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Lewis, Beverly, A. P.N. 113955 (CASE #06-1946)

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that upon consideration of the charges stated against **BEVERLY ANN (THOMAS) LEWIS** in the March 17, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LEWIS** 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 the allegation in Paragraph C.2. of the Notice of Opportunity for Hearing is dismissed and for the remaining violations, **MS. LEWIS's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **BEVERLY ANN (THOMAS) LEWIS** to surrender her licensed practical nurse license #P.N. 113955 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 19th day of September, 2008.

Anne Barnett opposed the motion. Motion adopted by majority vote of Board members with Debra Broadnax and Patricia Protopapa abstaining.

Hysell, Laura, K. R.N. 273612 (CASE #07-3359)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that upon consideration of the charges stated against **LAURA HYSELL** in the March 17, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HYSELL** 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. HYSELL's** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LAURA HYSELL** to surrender her registered nurse license #R.N. 273612 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Mendenhall, Howard, K. P.N. 112267 (CASE #07-3655)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that upon consideration of the charges stated against **HOWARD K. MENDENHALL** in the March 14, 2008 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. MENDENHALL** 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. MENDENHALL's** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **HOWARD K. MENDENHALL** to surrender his licensed practical nurse license #P.N. 112267 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 19th day of September, 2008.

Motion adopted by Majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Clevidence, Sandra, K D.T. 01938 (CASE #07-3574)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **SANDRA KAY CLEVIDENCE** in the May 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CLEVIDENCE** 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. CLEVIDENCE's** certificate to practice as a dialysis technician is hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CLEVIDENCE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (2) years.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. CLEVIDENCE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of dialysis care in Ohio.
2. **MS. CLEVIDENCE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. Prior to seeking reinstatement by the Board, **MS. CLEVIDENCE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Professional Boundaries; five (5) hours of Professionalism; five (5) hours of Ethics; and one (1) hour of Ohio Law and Rules.

Reporting Requirements of MS. CLEVIDENCE

4. **MS. CLEVIDENCE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
5. **MS. CLEVIDENCE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe dialysis care.
6. **MS. CLEVIDENCE** 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.
7. **MS. CLEVIDENCE** 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.
8. **MS. CLEVIDENCE** 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.
9. **MS. CLEVIDENCE** shall verify that the reports and documentation required by this Order are received in the Board office.
10. **MS. CLEVIDENCE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

11. **MS. CLEVIDENCE** shall submit to a BCI criminal records check.

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. CLEVIDENCE

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

6. **MS. CLEVIDENCE** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe dialysis care.
7. **MS. CLEVIDENCE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. CLEVIDENCE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. CLEVIDENCE** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. CLEVIDENCE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. CLEVIDENCE** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
12. Prior to working as a dialysis technician and if requested by the Board or its designee, **MS. CLEVIDENCE** shall complete a refresher course or extensive orientation approved in advance by the Board.

FAILURE TO COMPLY

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

review of the reports as required herein. Any period during which **MS. CLEVIDENCE** does not work in a position for which a dialysis technician certificate is required shall not count toward fulfilling the probationary period imposed by this Order.

The Board further Orders **SANDRA KAY CLEVIDENCE** to surrender her dialysis technician certificate #D.T. 01938 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Castellane, Bonnie , J. P.N. 047770 (CASE #05-2348)

Action: It was moved by Kathleen O'Dell, seconded by Eric Yoon, that upon consideration of the charges stated against **BONNIE JO CASTELLANE** in the September 22, 2006 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CASTELLANE** 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. CASTELLANE'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. CASTELLANE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

3. **MS. CASTELLANE** 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.**

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

4. **MS. CASTELLANE** shall abstain completely from the use of alcohol.
5. Prior to seeking reinstatement by the Board, **MS. CASTELLANE** 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. CASTELLANE** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. CASTELLANE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CASTELLANE's** license, and a statement as to whether **MS. CASTELLANE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **MS. CASTELLANE** 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. CASTELLANE's** license.
7. Prior to seeking reinstatement by the Board, **MS. CASTELLANE** 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. CASTELLANE** shall provide the psychiatrist with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. CASTELLANE** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CASTELLANE's** license, and a statement as to whether **MS. CASTELLANE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. CASTELLANE** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan

- developed by the psychiatrist described above until released. Further, the Board may utilize the psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. CASTELLANE's** license.
9. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. CASTELLANE** 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. CASTELLANE'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. CASTELLANE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CASTELLANE's** history.
 10. Within thirty (30) days prior to **MS. CASTELLANE** initiating drug screening, **MS. CASTELLANE** 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. CASTELLANE**.
 11. After initiating drug screening, **MS. CASTELLANE** 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. CASTELLANE** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 12. **For a minimum, continuous period of twelve (12) months immediately prior to requesting reinstatement, MS. CASTELLANE** 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. CASTELLANE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. CASTELLANE

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

DURATION

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

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

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

laws and rules governing the practice of nursing in Ohio.

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

Monitoring

3. **MS. CASTELLANE** 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. CASTELLANE's** history. **MS. CASTELLANE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. CASTELLANE** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. CASTELLANE** 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. CASTELLANE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. CASTELLANE's** history.
6. **MS. CASTELLANE** 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. CASTELLANE** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

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

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

Employment Conditions

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

Reporting Requirements of MS. CASTELLANE

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

by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. CASTELLANE 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. CASTELLANE's** suspension shall be lifted and **MS. CASTELLANE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MS. CASTELLANE** has violated or breached any terms or conditions of this Order. Following the

automatic suspension, the Board shall notify **MS. CASTELLANE** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. CASTELLANE** 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. CASTELLANE** has complied with all aspects of this Order; and (2) the Board determines that **MS. CASTELLANE** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. CASTELLANE** and review of the reports as required herein. Any period during which **MS. CASTELLANE** 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 JO CASTELLANE** to surrender her licensed practical nurse license #P.N. 047770 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 19th day of September, 2008.

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

DEFAULT ORDERS

Proper, Brian, J. P.N. endorse (CASE #07-2534)

Action: It was moved by Elizabeth Buschmann, seconded by Kathleen Driscoll, that the Board make the following findings:

On October 25, 2007, the Board ordered **BRIAN PROPER, L.P.N. ENDORSEMENT APPLICANT** to an evaluation, pursuant to Section 4723.28(G) of the Ohio Revised Code. On March 14, 2008, the Board found that **MR. PROPER** admitted to the allegations set forth in the October 25, 2007 exam order because **MR. PROPER** failed to submit to the evaluation and the failure was not due to circumstances beyond his control.

Accordingly, on March 14, 2008, the Board issued a Default Order in which **MR. PROPER's** application for a license to practice as a licensed practical nurse was denied for an indefinite period of time with conditions for reapplication. The March 2008 Default Order also informed **MR. PROPER** that he was entitled to a hearing in the matter if the hearing was requested within thirty days

of the mailing of the Default Order. A true copy of the March 2008 Default Order is attached hereto and incorporated herein.

In accordance with Section 119.07, Ohio Revised Code, the March 2008 Default Order was sent via certified mail, return receipt requested, to the address of record of **MR. PROPER**. No hearing request has been received from **MR. PROPER** and more than thirty (30) days have elapsed since the mailing of the Default Order.

Upon consideration of the allegations contained in the October 25, 2007 exam order and the findings contained in the March 2008 Default Order, the Board finds that **MR. PROPER** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2008 Default Order, and the Board orders that **MR. PROPER's** application for a license to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied with conditions for reapplication set forth in the March 2008 Default 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Dariushnia , Cheryl, A R.N. 150171 (CASE #07-1670)

Action: It was moved by Anne Barnett, seconded by Patricia Burns, that the Board make the following findings:

On December 18, 2007, the Board ordered **CHERYL DARIUSHNIA, R.N.**, to an evaluation, pursuant to Section 4723.28(G) of the Ohio Revised Code. On March 14, 2008, the Board found that **MS. DARIUSHNIA** admitted to the allegations set forth in the December 18, 2007 exam order because **MS. DARIUSHNIA** failed to submit to the evaluation and the failure was not due to circumstances beyond her control.

Accordingly, on March 14, 2008, the Board issued a Default Order suspending **MS. DARIUSHNIA's** license to practice nursing as a registered nurse for an indefinite period of time with conditions for reinstatement. The March 2008 Default Order also informed **MS. DARIUSHNIA** that she was entitled to a hearing in the matter if the hearing was requested within thirty days of the mailing of the Default Order. A true copy of the March 2008 Corrected Default Order is attached hereto and incorporated herein.

In accordance with Section 119.07, Ohio Revised Code, the March 2008 Corrected Default Order was sent via certified mail, return receipt requested, to the address of record of **MS. DARIUSHNIA**. No hearing request has been received from **MS. DARIUSHNIA** and more than thirty (30) days have elapsed since the mailing of the Default Order.

Upon consideration of the allegations contained in the December 18, 2007 exam order and the findings contained in the March 2008 Corrected Default Order, the Board finds that **MS. DARIUSHNIA** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2008 Corrected Default Order, and the Board orders that **MS. DARIUSHNIA's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended with conditions for reinstatement set forth in the March 2008 Corrected Default 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Lightle, Kenneth, T. P.N. 101601 (CASE #06-3530)

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the Board make the following findings:

On May 1, 2007, the Board ordered **KENNETH LIGHTLE, L.P.N.**, to an evaluation, pursuant to Section 4723.28(G) of the Ohio Revised Code. On March 14, 2008, the Board found that **MR. LIGHTLE** admitted to the allegations set forth in the May 1, 2007 exam order because **MR. LIGHTLE** failed to submit to the evaluation and the failure was not due to circumstances beyond his control.

Accordingly, on March 14, 2008, the Board issued a Default Order suspending **MR. LIGHTLE's** license to practice nursing as a licensed practical nurse for an indefinite period of time with conditions for reinstatement. The March 2008 Default Order also informed **MR. LIGHTLE** that he was entitled to a hearing in the matter if the hearing was requested within thirty days of the mailing of the Default Order. A true copy of the March 2008 Default Order is attached hereto and incorporated herein.

In accordance with Section 119.07, Ohio Revised Code, the March 2008 Default Order was sent via certified mail, return receipt requested, to the address of record of **MR. LIGHTLE**. No hearing request has been received

from **MR. LIGHTLE** and more than thirty (30) days have elapsed since the mailing of the Default Order.

Upon consideration of the allegations contained in the May 1, 2007 exam order and the findings contained in the March 2008 Default Order, the Board finds that **MR. LIGHTLE** has committed acts in violation of the Nurse Practice Act, as set forth in the March 2008 Default Order, and the Board orders that **MR. LIGHTLE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended with conditions for reinstatement set forth in the March 2008 Default 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 19th day of September, 2008.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

MONITORING

LIFTS OF SUSPENSION/PROBATIONS

Action: It was moved by Kathleen Driscoll, seconded by Elizabeth Buschmann, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements:

McKillips, Dena, E. R.N. 254455 (CASE #05-1971); Strausburg, Carolyn, M R.N. 165137 (CASE #05-3546); Glassmeyer, Jean, H R.N. 131616, N.A. 00191 (CASE #07-1034); Smith, Michele, A. P.N. 115729 (CASE #06-1232); Hall, Rhonda, G R.N. 337138, P.N. 098799 (CASE #07-1147); and Bell, Kari, D R.N. 337137 (CASE #07-1502).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

LIFTS OF SUSPENSION/PROBATION PERMANENT WORK RESTRICTION(S) REMAINS

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Debra Broadnax, supervising Member for Disciplinary matters, be released from their consent agreements or adjudications order with exception of the permanent licensure restriction(s) that will remain in effect:

Perry, Angela, M. P.N. 126152 (CASE #07-0350); Mills, Heather, M. R.N. 335050 (CASE #06-3213); Baum, Erika, J. R.N. 285907 (CASE #01-0467);

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

LIFT OF SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT WORK RESTRICTION(S) REMAINS

Action: It was moved by Patricia Burns, seconded by Anne Barnett, that the following, having met the terms and conditions of their consent agreements or adjudication orders with the Board, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released early from their consent agreements or adjudications order with the exception of the permanent practice restriction(s) that will remain in effect:

Kozak, Wendy, S. R.N. 280133 (CASE #04-2947).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

LIFT OF NARCOTIC RESTRICTION

Action: It was moved by Janet Boeckman, seconded by J. Jane McFee that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their narcotic restrictions within their respective consent agreement:

Spragg, Abbey, D. P.N. 113565 (CASE #06-3380); Wilson, Catherine, H. R.N. 285876 (CASE #07-2131); Lewis, Susan, E. R.N. 301746 (CASE #04-2128); Moss, Michelle, R. R.N. 315429 (CASE #06-3110); Waddell, Korinna, N. P.N. 125241 (CASE #06-2480); Erwin, Bobbi, L P.N. 097581 (CASE #07-3485); and Lively, Andrea, D. R.N. 265083 (CASE #05-2554).

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the following, having met the terms and conditions of her consent agreement with the Board, that **Andrea Lively, RN 265083, NP 07394, and CTP 07394**, be approved to have her COA and CTP reinstated. This reinstatement has been recommended by Debra Broadnax, Supervising Member for Disciplinary Matters.

Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

REINSTATEMENT REQUEST

Action: It was moved by Delphenia Gilbert, seconded by Patricia Burns, that **Angela Efaw, PN 113980**, having met the requirements for license reinstatement contained within the May 18, 2007, Adjudication Order with the Board, be reinstated subject to the terms and conditions of probation contained within the Adjudication Order. This reinstatement has been recommended by Debra Broadnax, Supervising Member for Disciplinary Matters. Motion adopted by majority vote of the Board members with Debra Broadnax and Patricia Protopapa abstaining.

LIFT OF SUSPENSION ONLY – PERMANENT WORK AND NARCOTIC RESTRICTIONS REMAIN

Action: It was moved by Janet Boeckman, seconded by Delphenia Gilbert, that the following, with the recommendation by Debra Broadnax, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudications order with exception of the permanent licensure restriction(s) that will remain in effect:

Walker, Jeanne, M. R.N. 233839 (CASE #05-1789).

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

REPORTS TO THE BOARD

Board Committee Reports

H. Fischer reported on the discussion regarding OAC Chapters 4723-4 and 4723-20 at the Board Committee on Practice meeting.

Open Forum – 10:00 a.m. Friday, September 19, 2008 – No participants

Advisory Group Reports

CPG Meeting

E. Yoon reported on the Committee on Prescriptive Governance meeting held September 8, 2008. E. Yoon was elected Chair. The Committee is currently discussing possible revisions to the APN Formulary so it is easier to use.

Dialysis Meeting

D. Broadnax reported on the Dialysis Advisory Group meeting held August 12, 2008. T. Dilling talked about a legislative vehicle for the proposed revisions in dialysis technician certification. The Advisory Group also discussed nursing delegation and dialysis technicians in acute care settings.

Continuing Education Meeting

A. Barnett reported that the Ohio Nurses Foundation and the Board collaborated to provide a continuing education activity that was held on August 27, 2008. The learning activity entitled "Approved Approvers: Roles and Functions With the Ohio Board of Nursing" focused on OBN Approver/continuing education activities and processes. In addition, the Advisory Group recommended that the Board approve an additional membership category for an individual who is involved with a national accreditation system for nursing continuing education.

Action: It was moved by J. Jane McFee, seconded by Janet Boeckman, that the Board revise the Board policy, "Advisory Groups and Board Committees (B-09)," to authorize the appointment of an additional member to the Advisory Group for Continuing Education who is actively involved with a national accreditation system for nursing continuing education. Motion adopted by unanimous vote of the Board members.

Other Reports

Nursing Education Study Committee

J. Boeckman reported on the September 16, 2008 Nursing Education Study Committee meeting. She reported at the Committee meeting that a clinical simulation study did not show there is a correlation between higher NCLEX scores and simulation in education programs. J. Boeckman also reported to the Committee that another study showed no correlation between number of clinical hours and the NCLEX pass rate.

Ohio Board of Regents (OBR) representative, Carlos Bing, spoke to the Committee and indicated that OBR is considering eliminating the NEALP funds designated for practical nurse education and making the funds available for post-graduate education for applicants intending to become nursing faculty. E. Buschmann stated several concerns with this proposal. First, LPNs are contributing to NEALP funds through licensure fees. She also noted, based on the data, the issue with NEALP is not insufficient funds for

those pursuing post-graduate education to become nursing faculty, the problem is that there are not enough individuals applying for the funds. Further, she noted that many individuals begin a nursing career through practical nurse education and continue with further education to become nursing faculty. E. Buschmann also stated she believes that nursing faculty salaries must be addressed to impact the nursing faculty shortage.

E. Yoon stated he believes the qualifications for a post-licensure degree should be modified. J. Boeckman noted the Board has worked with OBR on several issues, i.e., eliminating the application of the expected family income for post-graduate education if sufficient funds exist for all applicants; eliminating one of the two application periods; allowing those pursuing education on a part-time education to qualify; and marketing efforts. The Board requested that staff invite Carlos Bing to a future Board meeting to discuss NEALP.

J. Boeckman stated that the Ohio Association of Advanced Practice Nurses (OAAPN) addressed the Committee and suggested that changing some of the requirements for the endorsement of certificates to prescribe (CTP) could help alleviate the faculty shortage. T. Dilling discussed possible changes in the Nurse Practice Act and noted that earlier this year, when the Board discussed HB 253, the Board reviewed and agreed with proposed equivalency language that would revise certain requirements for CTP endorsement. The next meeting of the Committee is October 21, 2008.

NEGP Quarterly Report

L. Emrich provided the NEGP quarterly report and stated that programs receiving NEGP funds are following the requirements and certain expenditures have been delayed due to purchases planned later in the grant cycle.

NCLEX Testing

L. Robinson reviewed the memorandum regarding NCLEX testing. The group consensus at the Nursing Education Advisory Group was to require a two-year time limit from the date of graduation, with a maximum of eight attempts to pass the test during these two years. The group also discussed the possibility of requiring remediation after the second time the student has failed the exam and any subsequent failures. B. Houchen stated that these changes would require a statutory amendment and that, at this time, the Board is not sufficiently staffed to monitor and enforce a requirement for remediation. The Board agreed, by general consensus, for Board staff to examine including a provision that would require first time test takers to take the examination within two years after graduation.

GENERAL INFORMATION (FYI)

L. Klenke reviewed the General Information items and asked if Board members had questions. The Board discussed the Medication Aide Pilot Program and patient safety. It was noted that when the Board promulgated the administrative rules, the Board included safeguards for patient safety. Also it was noted that the Ohio Department of Health would survey nursing homes and residential care facilities and notify the Board about potential violations. B. Houchen stated that other states have conducted studies regarding medication errors and the use of medication aides and she will obtain information about the studies for the Board.

BOARD GOVERNANCE

Appointment of Board Committee for Advisory Group Appointments

Board members J. Boeckman, K. Driscoll, D. Gilbert, and J. McFee volunteered to be members of the Board Committee on Advisory Group Appointments. The Committee will meet from 12:00 p.m. to 1:00 p.m. on November 20, 2008.

Employee Survey

Beth Lewis reviewed the results of the employee survey and highlighted areas of the report. The questions from last year's survey were used so the results could be compared. The survey, in general, asked questions that seek a positive response. In 2007, the positive response rate to all questions was 61.6%. In 2008, the positive response rate to all questions was 82.8%, an increase of 21.2%. Board members stated the 2008 results were outstanding.

Report on NCSBN Annual Meeting

Janet Boeckman provided a report on the NCSBN Annual Meeting.

Board Dinner in November

Joseph Kirk reported that Schmidt's is available and the Board agreed to hold the Board dinner at Schmidt's in German Village on November 19, 2008.

Designation of Board Member Mentor

J. Jane McFee volunteered to serve as the Board Member Mentor for Patricia Protopapa.

Hotel Reservations for 2009

After discussion, Board members agreed by general consensus, that they would make their own room reservations at the Hyatt at Capitol Square for 2009 at the state rate and submit the expense on their travel expense reports for reimbursement. A handout was provided with instructions about making the reservations.

EVALUATION OF MEETING AND ADJOURNMENT

The meeting adjourned on September 19, 2008 at 1:45 p.m.

Lisa Klenke, MBA, RN, CNAA
President

Handwritten signature of Lisa R. Klenke in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Secretary

Handwritten signature of Betsy J. Houchen in cursive script.