

Ohio Board of Nursing
Columbus, Ohio
Minutes of Meeting
May 20-21, 2004

Regular Meeting of the
Board May 20-21, 2004

The regular meeting of the Ohio Board of Nursing was held on May 20-21, 2004. The president, vice-president, and executive director reviewed the agenda prior to the meeting.

On Thursday May 20, 2004, at 9:00 a.m. the meeting of the full Board began at the Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, Ohio. At 9:00 a.m. President Yvonne Smith called the meeting to order in open session.

Board Members:

Yvonne Smith, MSN, RN, CNS, President
Mary Jean Flossie, LPN, LNHA, Vice President (left at 1:30 p.m. Friday)
Anne Barnett, BSN, RNC
Judith Brachman, Consumer Member
Debra Broadnax, MSN, RN, CNS
Elizabeth Buschmann, LPN
T. Diann Caudill, LPN
Kathleen Driscoll, JD, MS, RN
Lisa Klenke, MBA, RN, CNA-A
Cynthia Krueger, RN, MSN
Bertha Lovelace, RN, BA, CRNA, Supervising Member, Disciplinary Matters
Patricia Schlecht, RN, MSN
Teresa Williams, LPN

Staff Members:

John M. Brion, RN, MS, Executive Director
Vacant, Associate Executive Director
Rosemary Booker, Fiscal Manager
Lisa Emrich, MSN, RN, Monitoring Unit Manager
Lisa Ferguson-Ramos, RN, JD, Compliance Manager
Diana Hisle, Executive Assistant
Betsy Houchen, RN, MS, JD, Adjudication Coordinator
Jacqueline Loversidge, RNC, MS, Nursing Education Consultant
Nancy Manns, RN, MS, Standards/Practice Consultant
Eric Mays, BS, Operations Manager
Susan Milne, RN, MSN, JD, Advanced Practice Consultant
Norma Selders, RN, MS, Nursing Practice & Education Manager (absent Friday AM)
Rosa Smith, Administrative Assistant
Cynthia Snyder, JD, Legislative/Regulatory Specialist
A. Phalyn Williams, JD, Adjudication Coordinator (Friday AM only)
Rick Young, MBA, RN, LMT, Monitoring Agent (Friday PM only)

Katherine Bockbrader, JD, Assistant Attorney General (Thursday only)
Holly R. Fisher, JD, Assistant Attorney General (Friday only)

Unless noted in these minutes as exhibits, all written reports submitted to the Board shall be maintained on file in the Board office according to the Board's records retention schedule.

Vice President Mary Jean Flossie read the Board's mission statement and stated that the mission statement is printed on the agenda and on the condensed agenda.

<i>Administrative Matters</i> Report of the President Announcements of meetings/scheduled events	President Smith: <ul style="list-style-type: none">• Reported that on Thursday May 20, 2004, during a lunch meeting the LPN Scope of Practice Board Task Force is scheduled to meet. A report of the task force will follow later during this meeting;• Reported that on Friday May 21, 2004, at 8:00 a.m. the Center for Nursing Excellence and Workforce Planning Task Force is scheduled to meet. Report to follow during this meeting;• Reported that Attorneys Alan Schabes and Phillip Bisesi (Benesch Friedlander Coplan & Aronoff) are scheduled to speak to the Board regarding the RNFA Rules during Open Forum;• During a lunch meeting the Board Mission Statement Task Force is scheduled to meet. Report to follow during this meeting; and• Executive sessions will be held on Thursday May 20, 2004 and Friday May 21, 2004, as needed.
Housekeeping items/reminders	President Smith: <ul style="list-style-type: none">• On Thursday May 20, 2004 and on Friday May 21, 2004 welcomed the gallery and recognized students from Otterbein College and Wright State University;• Requested Board members to introduce themselves and indicate their practice areas and hometowns; and• Reminded Board members that motions to extend discussion should be for a minimum of 15-30 minutes.
Discussion of the Agenda, Report Agenda	<p>The Board agreed by general consent to the changes to the ordering of the agenda necessitated by the timed agenda. The minutes are presented in the order of the agenda. The meeting took place on Thursday May 20, 2004, from 9:00 a.m. through 5:45 p.m. and on Friday May 21, 2004, from 9:00 a.m. through 5:30 p.m. The dates and times of time sensitive agenda items are noted in the minutes.</p> <p>IT WAS MOVED BY LISA KLENKE, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD ACCEPT THE REPORT AGENDA AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.</p> <p>3.2.2.1 DRAFT RECOMMENDATIONS FROM THE COMPASSIONATE CARE TASK FORCE</p> <p>4.3.3.1 DAVITA, CINCINNATI, REPORT OF DIALYSIS TECHNICIAN TRAINING PROGRAM SITE VISIT</p>
Minutes of March 18-19, 2004 Board meeting	IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY PATRICIA SCHLECHT, THAT THE MINUTES OF THE MARCH 18-19, 2004 MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.
Minutes of April 15-16, 2004 Board Retreat meeting	IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT THE MINUTES OF THE APRIL 15-16, 2004 BOARD RETREAT MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.
Executive Director report	<p>The Board received the Executive Director's written report submitted by John Brion. Director Brion provided verbal highlights of the report and answered questions for clarification as follows:</p> <p>Nurse Education Grant Program: Draft rules have been developed to implement this program that was authorized by House Bill 95, the biennial budget bill (see 3.1.2.2). The program was the initiative of Senator Jeff Jacobson (R-Dayton) and Representative Kevin DeWine (R-Fairborn). Pending approval by the board at the May meeting, these draft rules will be disseminated to interested parties for comment as a prelude to formal preparation and filing with the Joint Committee on Agency Rule Review. It is anticipated that the rulemaking process will be concluded this fall and the program will be established by the Board in early 2005. The first grants to nurse education programs will be made in September 2005.</p>

Executive Director
report (cont'd.)

Community Health Worker Rules: A package of initial rule drafts is included in the board packet (see 3.1.2.1) for discussion at the May meeting. Pending board approval, the draft rules will be shared with all interested parties for comments and concerns. This will serve to begin the process of moving toward a formal rule draft that will go through the ORC Chapter 119 administrative rule making process in the fall of 2004.

Nursing Education and Recruitment Campaign: Work continues on Education and Recruitment Campaign information packets that will be distributed statewide to healthcare facilities and other potential campaign partners. The information will be mailed by early summer (June). It is anticipated that this mailing will generate significant interest from potential regional partners. Inquiries about partnering, generated by this mailing, will be responded to either by phone or, if necessary, in person. The web site continues to experience high levels of activity and the inclusion of job postings continues to be a means for helping to connect employers with nurses.

License Application Revision: Updated applications for licensure by NCLEX and endorsement have been printed and mailed to nursing education programs. Additional information, approved at the January Board meeting, was incorporated into the compliance section to allow for a more stringent check on certain applicant behaviors. A graphic designer was contracted to streamline the applications and give them a more professional look. A number of education programs expressed some discomfort with the new questions related to specific psychiatric conditions. A letter of explanation was sent to the Deans and Directors of all nursing education programs to explain the rationale for the inclusion of the questions. Included in the explanation was an assurance that asking such questions, which are similar to those asked by other regulatory boards, is legally permitted (as verified by the AAG) was included in the communication.

The Governor's Task Force on the Healthcare Worker Shortage: The Governor's Task Force on the Healthcare Worker Shortage has completed recommendations to be forwarded to the Governor's Workforce Policy Board (**Attachment A**). The final meeting of the task force will be held on May 24th, 2004.

International Nurse Issues, NCSBN sub-committee: The second meeting of the International Nurse Issues sub-committee of the National Council of State Boards of Nursing (NCSBN) was held in Chicago April 6 & 7, 2004. The committee is looking at issues related to the licensing of international nurses. The committee continues to make progress toward reviewing and updating resource materials for member boards on international nurse issues related to education, immigration and endorsement. An additional second charge to establish standards for licensure for international nurses has been given to the committee. Work continues on developing recommendations regarding the level of credential evaluation needed for regulatory purposes. The sub-committee plans a review of the services of available credentialing evaluation agencies and avail this information to member boards. Two more meetings of the sub-committee are scheduled (May 24 & 25; June 15 & 16) to allow the sub-committee to complete work for presentation at NCSBN Delegate Assembly in August.

NCSBN Executive Officer Seminar: A seminar, "Creating a Vision for Nurse Regulators" was held in Laguna Beach, California April 22nd & 23rd. Thirty-eight state boards of Nursing, including Ohio, were represented by their executive officers. As a part of the process Director Brion was asked to serve on the "Executive Officers Budget and Planning Committee" for NCSBN. The key duty of this committee is to establish a budget for the next fiscal year for costs associated with meetings of NCSBN Member Board Executive Officers. In addition to budget planning, the committee will serve as a planning body to facilitate EO meetings occurring during the next year.

The EO Seminar focused on helping to clarify the role of the EO within the regulatory arena, examine ways to meet specific challenges and methods for communicating the impact that the EO, the staff and the Board have on regulation. The intention of the seminar was to facilitate growth for the EOs in attendance and to help clarify "who we are, what we do and the difference we make".

Executive Director
report (cont'd.)

NCSBN Committee on Executive Officer Competencies: Director Brion participated with three other Executive Directors (Nebraska, Delaware, Nevada) on a committee to identify core competencies of Executive Officers for Nursing Regulatory Boards. Three central themes of public safety, accountability, and critical thinking were identified and will be included in an introductory paragraph. Core competencies were grouped under five themes: Knowledge; Management; Leadership; Communication and Self-care. A core theme of psychological attributes was also identified. A final report of the committee will be presented at NCSBN Delegate Assembly in August.

Office of Budget Management: An appeals letter (**Attachment B**) was submitted to OBM as a preliminary step in budget preparation for the '06/'07 biennium. Considerable input from Finance (Rosemary Booker), Compliance (Lisa Ramos) and Nursing Practice and Education (Norma Selders) as well as editorial help from Cynthia Snyder allowed for the submission of an exemplary appeals letter that positions the OBN very well in terms of requests for increased staff positions (investigator, adjudication coordinator, clerical support). Additionally, we were able to identify that our current budget would allow for the immediate creation of an additional investigator position. Once these facts were verified with OBM and we secured their approval such a position was created and is now in the hiring process.

Nursing Facility Reimbursement Study Council (NFRSC): This group continues to meet to discuss the general issue of state expenditures for persons in long term care facilities. In state fiscal year 2003, the state spent \$2.6 billion on services for people in nursing facilities. The bulk of these services are paid for by the state and federally funded Medicaid program, an entitlement program for poor and disabled persons. It has been estimated that one category of Medicaid eligible, poor families and children, represent 75 percent of Medicaid recipients and account for only 25 percent of Medicaid expenditures. The other Medicaid eligible group, aged, blind, and disabled, account for 25 percent of the Medicaid population but consumes 75 percent of the Medicaid resources. By far, the bulk of this is paid to nursing homes and other long-term care facilities.

For the past several years, the Governor's office has sought to adopt a variety of different reform measures to restrain the "unsustainable" growth in state payments to nursing facilities. The Nursing Facility Reimbursement Study Council (NFRSC), chaired by Representative Shawn Webster (R-Hamilton), is seeking ways in which to assist in this effort. One of the measures that has been proposed by the Regulatory Reform subcommittee of the Council is to create a pilot program to allow for use of "medication technicians" in nursing home settings. It is the intention of this subcommittee and NFRSC to present a proposal along these lines to the Board together with a recommendation that the Board of Nursing assume regulatory responsibility for such individuals. The target date for completion of the NFRSC report and recommendations is June 2004 so that certain recommendations can be built into budget assumptions and proposals for fiscal years 2006-2007.

Nurse Licensure Compact: We are currently in a holding pattern with this effort. We hope to begin to work with Senator Kirk Schuring, (R-Canton) and LSC this fall to draft language. Sharon Weisenbeck, ED from Kentucky informed Director Brion that her state Board is actively working to enact the compact for their state. They are, however, very early in the process. Indiana was scheduled to enact the compact in April 2004, but has been delayed due to legal issues related to language included with the bill.

The ED report also covered the following areas or programs:

- Director Brion announced that Betsy Houchen, RN, MS, JD will assume the position of Associate Executive Director effective May 30, 2004;
- Rosemary Booker – Financial Administration;
- Eric Mays - Information Technology; and Facilities and Telecommunications;
- Stacy Thacker – Human Resources - New Hires; Separations; Internal Promotions/Reassignments/Transfers; and Pending Personnel Actions;
- Cynthia Snyder – Sunset Review Committee; Physician Assistant Prescriptive Authority; and Definition of Advanced Practice Nurses;

- Executive Director report (cont'd.)
- Norma Selders – Education, Licensure and Nursing Practice; Continuing Education; Advisory Group for Continuing Education; Activities with Other Agencies; and Other Activities of Significance;
 - Nancy Manns – Nursing Practice/Dialysis;
 - Susan Milne - Advanced Practice; Compassionate Care Task Force; APN Definition and Title Protection; and Physician Assistants and Prescriptive Authority;
 - Jackie Loversidge - Nursing Education Progress Reports; Program Updates; Meetings/Speeches; Upcoming survey visits to Nursing Education Programs, 2004; and Proposed Programs;
 - Lisa Ferguson-Ramos – Compliance; and
 - Lisa Emrich - Monitoring & Alternative Programs Alternative Program for Chemical Dependency Stats
- Legislative/regulatory Issues report
- The Board received the written report (see agenda item 1.3) on Legislative and Regulatory Issues submitted by Cynthia Snyder. Ms. Snyder highlighted the report, and answered questions for clarification as follows:

Advanced Practice Nurses

We appear to be close to resolving the issue of a definition of Advanced Practice Nurses (APNs) within Chapter 4723., the Nurse Practice Act. At a meeting of interested parties on May 6, 2004, convened by **Representative Bill Seitz (R-Cincinnati)**, all parties, including the anesthesiologists who had precipitated the controversy, agreed to language proposed by Representative Seitz and refined by the Legislative Service Commission (LSC). The amendment, which will be added to **Senate Bill 124 (Amstutz, R-Wooster)**, will do the following:

4723.01 Definitions.

(O) Change the existing definition of advanced practice nurse to eliminate references to pilot projects and to specify that the term means a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner;

4723.03 Unlicensed Practice of Nursing; Authorized Titles and Initials.

(C)(7) Allow use of the title “advanced practice nurse” or the initials “APN” by certified registered nurse anesthetists, clinical nurse specialists, certified nurse-midwives, or certified nurse practitioners;

4723.43 Scope of Practice of Specialized Nursing Services.

Add a sentence to the first paragraph that specifically subjects each category of advanced practice nurse to the scope of practice set forth in paragraphs (A) through (D) of this section. These paragraphs define the statutory scope of practice for each category. For example, in paragraph (B), it very clearly states that a certified registered nurse anesthetist (CRNA) must practice under the supervision and in the immediate presence of a physician, podiatrist, or dentist, and includes the other parameters of a CRNAs practice in Ohio. By referencing these sections, the amendment lays to rest any speculation that including CRNAs in the definition of advanced practice nurse affects their existing scope of practice.

The anesthesiologists only signed off on this amendment language after the Board provided to Senator Steve Stivers (R-Columbus) a letter stating that the Board did not intend to pursue a change in scope of practice for CRNAs through administrative rule. (See **Attachment C**).

Senate Bill 147- Physician Assistants Prescriptive Authority

This bill remains under discussion in the Senate Health Committee. Sponsored by **Senator Lynn Wachtmann (R-Napoleon)**, the bill would make several changes in the laws governing physician assistants (PAs), including granting prescriptive authority to certain physician assistants. There have been several elements of the proposed legislation that have generated concern within the nursing community. The bill’s proponents have addressed many of these, while some remain under advisement. Specific areas of concern have been: educational requirements for PAs seeking

Legislative/regulatory
Issues report (cont'd.)

prescriptive authority; time frame for physician review of PA prescriptive and other medical orders; content of a PA formulary and process for defining and implementing the formulary; nurse liability for acting upon orders of a physician assistant; and other similar procedural issues. Board staff met with the sponsor, at his request, to discuss the APN formulary and the Committee on Prescriptive Governance. At that time, he indicated that the schedule for moving the bill forward was uncertain. The staff indicated that the Board welcomed involvement in the discussions on this bill and was happy to provide any additional information desired.

The following points were highlighted during the discussion:

- The Formulary for Physician Assistants (PA's) should have the same parameters as the Advanced Practice Nurse Formulary;
- The Pharmacy Board has pointed out that there may be a problem with PA's receiving DEA numbers;
- Pharmacists will have difficulty knowing which PA's have authority to prescribe; and
- Immunity language has been added at the suggestion of the Ohio Nurses Association (ONA) regarding nurses implementing PA orders.

House Bill 188- Dietetics Board Enforcement Authority

This legislation is a carry over from the last General Assembly that has been introduced again by **Representative Linda Reidelbach (R-Columbus)**. In its initial versions, it would have precluded the State Board of Dietetics from attempting to regulate individuals engaged in nutrition counseling and other related activities without being licensed as a dietician. More recent drafts would create a new practitioner in state law called a "natural health educator" whose scope of practice would include "providing nutrition education, nutrition counseling, and nutrition services about naturally occurring nutritional substances". The Board of Dietetics would be required to issue "registrations to practice" to individuals who meet one of several education and/or training criteria set forth in the legislation.

The State Medical Board has gone on record as opposing this legislation as it would authorize natural health educators to "provide patient specific/condition specific nutritional counseling, a carve-out from the practice of medicine currently limited to dietitians." [Letter from Medical Board members Greg Browning and Patty Davidson, MD, to Rep. Ron Young, dated May 3, 2004]. (See **Attachment D**) They have expressed concern that the education and training requirements needed to qualify an individual as a natural health educator "are not sufficiently robust to support the scope of practice granted them in the bill." Representatives of the Ohio Dietetic Association, Central Ohio Diabetes Association, National Kidney Foundation of Ohio, Older Ohioans Network, and certain Area Agencies on Aging have also expressed opposition to the bill. The Governor's office is neutral on the bill.

The Board of Nursing has been asked to add its voice to those who encourage defeat of this legislation. **House Bill 188** is currently under consideration in the House Commerce and Labor Committee.

The Board began a discussion regarding House Bill 188 – the Dietetics Board Enforcement Authority bill. The following issues were discussed:

- Concerns regarding unlicensed workers being allowed to give injections;
- Whether the Board of Dietetics would have the ability to discipline these workers; and
- Concerns regarding unlicensed workers administering supplements that are not regulated by the FDA.

Staff member Cynthia Snyder informed the Board that the Governor's office is neutral on this issue at the moment. Ms. Snyder also informed the Board that she would get copies of the testimony that had been given regarding House Bill 188 for review by the Board. There was a recommendation that Executive Director Brion and Ms. Snyder meet with Representative Reidelbach and address the Board's concerns with House Bill 188. It was agreed by general consent that Director Brion and Ms. Snyder meet with Representative Reidelbach as suggested.

Legislative/regulatory
Issues report (cont'd.)

House Bill 487- Nurses Month

Representative Joyce Beatty (D-Columbus) has introduced legislation that would permanently designate each May as “Nurses Month” in Ohio. The month would be so designated “in recognition of the hard work and dedication of nurses and their enormous contributions to improving the health care of Ohio’s citizens.” This bill appears to be an initiative that originated with Representative Beatty who has, over the years, been a great supporter of nursing.

House Bill 487 should be referred to committee the week of May 10th. The cosponsor list includes both Republicans and Democrats.

Sunset Review Committee

The joint House-Senate Sunset Review Commission issued its required report on May 3, 2004. Among the boards, committees, and commissions recommended to continue in existence is the **Committee on Prescriptive Governance (CPG)**. Based on the commission’s report, the revised sunset date for the CPG is December 31, 2010. The commission has also recommended that a similar review panel be convened in 2009 to assess the continued need for boards, committees, and commissions existing at that time.

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY BERTHA LOVELACE, THAT THE DISCUSSION CONTINUE FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Staff member Cynthia Snyder began a discussion regarding rescinding the Registered Nurse First Assistant (RNFA) rule and requested feedback from the Board. Some of the issues discussed were:

- Some will perceive this as a barrier to practice by those not holding certification and will be opposed to rescinding this rule;
- The Board no longer has statutory authority to justify this rule; and
- Definition of direct supervision versus immediate presence.

IT WAS MOVED BY BERTHA LOVELACE, SECONDED BY MARY JEAN FLOSSIE, THAT THE DISCUSSION CONTINUE FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The Board requested that staff member Cynthia Snyder present scenarios and consequences regarding rescinding the RNFA rule. Ms. Snyder provided the following information to the Board as requested:

Following the rules discussion in fall and winter of 2003, the Board filed with JCARR a notice of its intent to refile (TBR) the proposed rescission of rule 4723-4-10, First Nurse Assistant in Surgery. Currently the rule remains in limbo and the Board needs to determine its next step with regard to this rule. Four options follow.

1. **Move forward with rescission**
 - A) Refile proposal to rescind;
 - B) Risk public outcry from current RNFAs;
 - C) Create concerns with the Medical Board and legislature when eliminate the direct supervision requirement;
 - D) Could result in onerous legislation beyond the control of OBN;
 - E) Last year’s experience could result in additional supporters for a proposal to rescind.
2. **Withdraw proposal to rescind and refile with amendments**
 - A) No consensus on which elements of existing rule should remain and which should be eliminated;
 - B) If propose to eliminate direct supervision requirement will have potential difficulties with Medical Board and legislature;
 - C) Could propose a change in language to clarify direct supervision requirement but could be challenged based on lack of statutory authority;
 - D) Proposing to modify the direct supervision requirement could be perceived as a patient safety issue which is part of the stated mission of the Board;

- E) New public hearing required;
- F) Subsequent review date (5 years or fewer) will be required.

Legislative/regulatory
Issues report (cont'd.)

3. **Withdraw proposal to rescind and refile as No Change rule**
 - A) Maintains the discrimination between RNFAs and other RNs while failing to address LPNs and others serving in first assisting capacity;
 - B) Retains the direct supervision requirement while not proposing to define the term, leaving current RNFAs at potential risk of practice violation and requiring that the Board initiate an investigation in response to a complaint;
 - C) Could propose to maintain current rule to be reviewed in two years or other period less than five years that the board deems necessary to fully address the issues relating to this rule;
 - D) New public hearing process must be undertaken;
 - E) Would allow for a more deliberate discussion of the issues surrounding supervision and, by implication, immediate presence, however participants would include those not friendly to interests of nursing community.

4. **Withdraw proposal to rescind and take no further action**
 - A) Rule would remain as it currently exists in the Administrative Code with the issues outlined in 3;
 - B) Board could request a 180 day extension of the five year review requirement (currently 4/1/04);
 - C) There is no penalty for failing to comply with the five year review requirement other than possibly a public notice of failure to comply;
 - D) Argument could be made that the proposal to rescind filed in 2003 satisfies the five year review requirement;
 - E) Rule would have to be reviewed again in five years.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY LISA KLENKE, THAT THE DISCUSSION CONTINUE FOR FIFTEEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Following review and discussion of the information presented by Cynthia Snyder, IT WAS MOVED BY MARY JEAN FLOSSIE, SECONDED BY PATRICIA SCHLECHT, THAT THE BOARD RESCIND THE RNFA RULE 4723-4-10. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH, KATHLEEN DRISCOLL AND ANNE BARNETT OPPOSED.

Fiscal Report

The Board received the written financial report covering the quarterly report reflecting the expenditures and revenue that occurred during SFY 2004 through May 10, 2004 with the following exception: funds encumbered in SFY 2004 still pending payment. Ms. Booker's report included the report legend; SFY 2004 Report Summary; and an update on the Special Issues-Nursing Shortage Fund balance and donations received this year.

The Board also received a copy of a memo to the Office of Budget Management regarding a budget appeal for FY06-07 submitted by staff member Rosemary Booker. Ms. Booker answered questions of the Board for clarification. A request was made to have information presented in graph form comparing expenditures and budget revenue. Ms. Booker informed the Board that she would include this information in her next report as requested.

Ms. Booker informed the Board that there are a few minor issues with the new CAVU system in regards to the ability to back out a bad check once payment has been rectified and that she is currently working on resolving this issue.

Executive Sessions

On Thursday May 20, 2004,
IT WAS MOVED BY MARY JEAN FLOSSIE, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PENDING AND IMMINENT COURT ACTION AND TO DISCUSS A PERSONNEL MATTER RELATED TO THE EMPLOYMENT OF STAFF. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

- Executive Sessions
(cont'd.)
- On Thursday May 20, 2004, at 2:50 p.m. the Board went into executive session to discuss pending and imminent court action and to discuss a personnel matter related to the employment of staff. All staff members and all visitors left the meeting room, except for Executive Director John Brion and AAG Kathy Bockbrader.
- At 3:45 p.m. the Board reconvened in open session and Mary Jean Flossie reported that at 2:50 p.m. on Thursday May 20, 2004, the Board went into executive session to discuss pending and imminent court action and to discuss a personnel matter related to the employment of staff.
- Before going into executive session President Smith asked all Board members whether they had reviewed all materials relevant to the deliberations and requested those who had not reviewed the materials to refrain from participating.
- On Thursday May 20, 2004,
IT WAS MOVED BY MARY JEAN FLOSSIE, THAT THE BOARD GO INTO EXECUTIVE SESSION TO DELIBERATE ON CASES BEFORE THE BOARD. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.
- On Thursday May 20, 2004, at 3:45 p.m. the Board went into executive session to deliberate on cases before the Board. Board members Yvonne Smith, Bertha Lovelace, AAG Kathy Bockbrader, all staff members and visitors left the room.
- At 5:45 p.m. the Board reconvened in open session and on Friday May 21, 2004 at 9:05 a.m. Mary Jean Flossie reported that at 3:45 p.m. on Thursday May 20, 2004, the Board went into executive session to deliberate on cases before the Board.
- Report of Assistant Attorney General
- On Thursday May 20, 2004, the Board received a written report on pending and imminent court actions from AAG Kathy Bockbrader.
- Special Orders
- Choose delegates for Delegate Assembly
- President Smith began the discussion by asking Executive Director Brion to give a brief overview of the Delegate Assembly functions. Director Brion briefly discussed the functions that are carried out at Delegate Assembly as requested. President Smith informed the Board that Mr. Brion had suggested that staff member Betsy Houchen attends as an alternate. She then asked the Board members if anyone was interested in attending. Board member Bertha Lovelace informed the Board that she was interested in attending. Board member Anne Barnett also informed the Board that she was interested in attending but would need to verify that her schedule would allow her to attend Delegate Assembly. Board member T. Diann Caudill informed the Board that she would be interested in attending next year.
- Following discussion,
IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY PATRICIA SCHLECHT, THAT THE FOLLOWING ATTEND NATIONAL COUNCIL IN AUGUST AS DELEGATES: EXECUTIVE DIRECTOR JOHN BRION AND PRESIDENT YVONNE SMITH; AND AS ALTERNATES: STAFF MEMBER BETSY HOUCHEM AND BOARD MEMBER BERTHA LOVELACE. IT WAS FURTHER MOVED THAT A SECOND STAFF MEMBER, TO BE CHOSEN BY DIRECTOR BRION, AND A SECOND BOARD MEMBER, POSSIBLY ANNE BARNETT, ALSO ATTEND. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. BOARD MEMBER JUDITH BRACHMAN OPPOSED.
- Needs Assessment for Board member Appointments based upon Board make-up, recommendations to the Governor in accordance with policy
- President Smith announced that there are 3 Board members with terms expiring this year and asked if they would be seeking reappointment. Debra Broadnax and Elizabeth Buschmann stated that they would be seeking reappointment. Having already been reappointed to a second term, Patricia Schlecht is not eligible for reappointment. Based upon this information it was determined that it was certain the Board would need an RN appointment.
- 4723-B-011

Following discussion of geographical and practice areas needing representation, the Board agreed by general consent that Director Brion draft a letter to the Governor to be reviewed and approved at the July Board meeting.

Open Forum

At 10:00 a.m. on Thursday, May 20, 2004, attorneys Alan E. Schabes and Phillip P. Bisesi of Benesch Friedlander Coplan & Aronoff LLP, addressed the Board regarding the Registered Nurse First Assistant (RNFA) regulation and asked for input from the Board as requested by one of their clients. The Board received a written report which included copies of various Sections of the Revised Code including: 4723, 4715, 4760, 5101 and 4731; and various Chapters of 4723 OAC printed from Anderson's OnLine Documentation. Mr. Schabes and Mr. Bisesi answered questions of the Board for clarification. Following the presentation, AAG Holly Fischer requested that information be provided to the Board from Benesch Friedlander Coplan & Aronoff LLP regarding use of the word "surgery" as mentioned in the information which was submitted to the Board.

Reports from Board Members

Task Force Reports
Center for Nursing Excellence and Workforce Planning Task Force

Executive Director Brion informed the Board that he and Board member Mary Jean Flossie met at 8:00 a.m. on Friday morning. Director Brion reported that the group discussed the following possibilities: contracting with someone to write a report using the survey data; creating a data management position within the Board; and/or creating a stand-alone nursing center. It was also suggested that Pat Martin of Wright State University be invited to address the Board during Open Forum to describe their grant initiative for a nursing center model in a university setting. This group is scheduled to meet at 12 noon on Friday July 16, 2004.

Board Task Force on LPN Scope of Practice

Board member Mary Jean Flossie highlighted the discussion of the Board Task Force on the LPN Scope of Practice, which met during lunch on Thursday May 20, 2004. During the meeting the task force reviewed additional assessment definitions provided by staff member Norma Selders which supported the idea that the focus should be on clarifying the rule, not changing the law.

There was discussion regarding possibly sending out an educational brochure explaining the RN and LPN distinction with renewal applications. There was also positive feedback given regarding a presentation by staff member Jackie Loversidge as well as information provided by R. Wynne Simpkins of LPNAO. Board member Anne Barnett requested a copy of the information presented by Ms. Simpkins. This task force is scheduled to meet at noon on Thursday, July 15, 2004.

Board Task Force on Mission Statement

The Board received a copy of proposed revisions to the mission statement submitted by Board member Anne Barnett. There was a brief discussion regarding the proposed mission statement with suggested changes to be made.

Following discussion,
IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY LISA KLENKE, THAT THE BOARD ADOPT THE REVISED MISSION STATEMENT AS PRESENTED BY THE COMMITTEE WITH THE ADDITION OF THE WORD "ACTIVELY" BEFORE THE WORD "SAFEGUARD." MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advisory Group Chair Reports
Report of the Advisory Group on Nursing Practice & Education Issues

Kathleen Driscoll, Chair, and staff member Jackie Loversidge reported that the Advisory Group on Nursing Practice and Education Issues met in April 2004. Ms. Driscoll reported that the decision-making model is being revised and will come to the full Board for review. Ms. Loversidge briefly discussed an articulation agreement from schools; putting a list on the Board's web page with links to advanced nursing education; and supervision of student nursing rules. Staff member Nancy Manns will include copies of an article regarding a different perspective on the nursing shortage in the July 2004 Board meeting material.

Report of the
Advisory Group on
CE

Board member Lisa Klenke, Chair of the Advisory Group on Continuing Education, informed the Board that the group met on April 23, 2004. Ms. Klenke highlighted the following items discussed:

- Nursing Practice and Education Issues Task Force refresher course recommendations;
- Interpretation of the continuing education rules; and
- Reviewing Chapter 14 rules.

Ms. Klenke informed the Board that staff member Nancy Manns attended this meeting and discussed continuing education needs for dialysis technicians and asked for clarification of charges.

Following discussion;

IT WAS MOVED BY LISA KLENKE, CHAIR, ON BEHALF OF THE CE ADVISORY GROUP, THAT THE BOARD AMEND THE CHARGE OF THE CE ADVISORY GROUP FROM THE CURRENT LANGUAGE, "RECOMMEND STRUCTURE AND SYSTEMS TO EFFECTIVELY MONITOR QUALITY OF PROGRAMMING PROVIDED BY OBN PROVIDER UNITS" TO THE FOLLOWING LANGUAGE: "PROVIDE STRUCTURE AND SYSTEMS TO APPROVERS TO EFFECTIVELY MONITOR QUALITY OF PROGRAMMING PROVIDED BY OBN PROVIDERS AND PROVIDER UNITS." MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Report of the
Advisory Group on
Dialysis
(See agenda item 1.3)

Board member Debra Broadnax, Chair, Advisory Group on Dialysis reported that the group discussed criminal record checks on dialysis technicians. Ms. Broadnax informed the Board that the advisory group requests to look at the advisory group membership at the July Board meeting. Ms. Broadnax also informed the Board that the group is reviewing the dialysis technician rules and is awaiting information regarding direct supervision. She reported that the federal regulations have not been finalized in regards to "home dialysis."

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY LISA KLENKE, TO EXTEND THE DISCUSSION FOR 15 MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

There was a discussion regarding the federal rules not specifying RN or LPN. The Ohio Board of Nursing rules specify that an RN must be present. Staff member Nancy Manns informed the Board that there is a pilot program currently being conducted in the Chicago area.

Reports from Board
Liaisons

President Smith began a discussion regarding the roles of the Board member liaisons. Following discussion, the Board agreed by general consent to eliminate the Board member liaisons and during the July review of the Board member guidelines make a decision where to place the Hospitality report on the agenda.

***Governance-Strategic
Planning***

Identification of
potential law changes
Interstate Licensure
Compact

See agenda item 1.3 Executive Director Report.

Advanced Practice
Nurse statutes

See agenda item 1.3 Executive Director Report.

Alternative Program
statutes

See agenda item 1.3 Executive Director Report.

Identification of
potential rule changes
Update on
Community Health
Worker Rules

The Board received a copy of the draft Community Health Worker (CHW) rules submitted by Cynthia Snyder. Ms. Snyder highlighted the draft rule language. The Board also received a copy of an email from staff member Cynthia Snyder responding to an additional information request regarding the proposed CHW and Nurse Education Grant Program (NEGP) rules. Ms. Snyder answered questions of the Board for

clarification and informed the Board that the draft rules had not yet been reviewed by the social worker community. Staff member Nancy Manns reported that the CHW draft rules were modeled after a program in Arizona.

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY KATHLEEN DRISCOLL, TO EXTEND THE DISCUSSION FOR 15 MINUTES. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS.

Following further discussion, the Board agreed by general consent to go forward and request feedback from interested parties on the draft Community Health Worker rule language.

Nurse Education
Grant Program Rules

The Board received a copy of the draft Nurse Education Grant Program (NEGP) rules submitted by staff member Cynthia Snyder. Ms. Snyder highlighted the draft language and answered questions for clarification. The Board agreed by general consent to go forward and request feedback from interested parties on the draft NEGP rule language.

Internal & External
environment to
support effective
dialogue, respect, trust,
and organizational
growth
Internal
Communications
Board
Governance/Planning
Strategic Plan
Review

The Board received a draft revision of the Strategic Plan submitted by Board member Lisa Klenke. Ms. Klenke highlighted the information and informed the Board that the group could meet and further define the format. She informed the Board that this review is mostly for content, not format. Ms. Klenke requested that Director Brion find out if National Council of State Boards of Nursing (NCSBN) has some sort of evaluation tool. Director Brion informed the Board that he would be in Chicago at NCSBN on Monday and would check into this as requested. Board member Lisa Klenke requested feedback on the content and format of the Strategic Plan revision. President Smith directed the Board members to email their suggestions to Director Brion. This group is scheduled to meet at 8:00 a.m. on Friday July 16, 2004.

Needs Assessment
(See 1.2.1)

President Smith began a discussion regarding changes that need to be made to increase the effectiveness of the Board as a whole. She informed the Board that the office space formerly occupied by former staff member Sara Larson has now been transformed into two monitoring meeting rooms. President Smith informed the Board that the staff has been looking at every possibility to make sure that space is being efficiently used but are still running out of space. She informed the Board that there is space available on this floor and that if the Board so pleases, members could view the space during a break. After review of the available space, the Board agreed by general consent to instruct Director Brion to request approval from the Controlling Board to acquire the additional space.

Board member
governance summaries

The Board received a copy of the governance summaries submitted by Executive Director Brion and answered questions of the Board for clarification. Mr. Brion informed the Board that item #17 – the process used to select executive officers is fair and appropriate - would be discussed through policy revision. A discussion began regarding the decision of the Board to go to a paperless Board meeting and the length of time it would take to reach this goal. Mr. Brion informed the Board that he had spoken with the Executive Director of the Kentucky Board and was told that the transition to a paperless Board meeting was a smooth one. Director Brion also reported that key staff had been instructed to contact similar staff of the Kentucky Board for feedback on their respective areas of responsibility. The paperless Board meeting could possibly become a reality within six months.

A discussion began regarding the Board mailings of Compliance materials. The Board requested that the materials are sent in smaller mailing with a limit of three mailings. The Board also requested that the final mailing be sent sooner. Staff member Lisa Ferguson-Ramos, Compliance Unit Manager was not present for this discussion. However, staff member Betsy Houchen informed the Board that she would forward their request to Ms. Ramos.

Budget
review/Preparation

See agenda item 1.3 Executive Director Report.

Approvals

Nursing Education
Programs

The Board received and reviewed information regarding the request for curriculum change from the Practical Nursing Program of Canton City Schools, Canton;

Curriculum approvals
Practical Nursing
Program of Canton
City Schools, Canton

IT WAS MOVED BY KATHLEEN DRISCOLL, CHAIR, ON BEHALF OF THE ADVISORY GROUP ON NURSING PRACTICE & EDUCATION ISSUES THAT THE BOARD GRANT APPROVAL FOR THE CURRICULUM REVISIONS AS SUBMITTED FOR THE PRACTICAL NURSE PROGRAM OF CANTON CITY SCHOOLS, CANTON. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. YVONNE SMITH ABSTAINED.

Determination of
Program
Approval Status
Xavier University
Bachelor of Science
in Nursing Program

The Board received and reviewed the report of the March 15-17, 2004 survey visit to the Xavier University Bachelor of Science in Nursing Program conducted to determine approval status;

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY T. DIANN CAUDILL, THAT THE XAVIER UNIVERSITY BACHELOR OF SCIENCE IN NURSING PROGRAM, CINCINNATI, BE GRANTED CONTINUING FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Miami University,
Associate Degree
Program in Nursing

The Board received and reviewed the report of the April 12-14, 2004 survey visit to the Miami University, Associate Degree Program in Nursing conducted to determine approval status;

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT THE MIAMI UNIVERSITY, ASSOCIATE DEGREE PROGRAM IN NURSING, HAMILTON BE GRANTED FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. IT WAS FURTHER MOVED THAT THE RECOMMENDATIONS FOR ENHANCEMENT OF THE PROGRAM BE FORWARDED TO THE PROGRAM ADMINISTRATOR, AND THAT A PROGRESS REPORT BE SUBMITTED TO THE BOARD FOUR WEEKS PRIOR TO THE MAY 19-20, 2005 BOARD MEETING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Mercy College of
Northwest Ohio,
Baccalaureate
Nursing Program

The Board received and reviewed the report of the April 26-29, 2004 survey visit to the Mercy College of Northwest Ohio, Baccalaureate Nursing Program conducted to determine approval status;

IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT THE MERCY COLLEGE OF NORTHWEST OHIO, BACCALAUREATE PROGRAM, TOLEDO, BE GRANTED FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

James A. Rhodes
College Practical
Nursing Program

The Board received and reviewed the report of the April 27-29, 2004 survey visit to the James A. Rhodes College Practical Nursing Program conducted to determine approval status;

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA SCHLECHT, THAT THE JAMES A. RHODES COLLEGE PRACTICAL NURSING PROGRAM, LIMA, BE GRANTED FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The Knoedler School
of Practical Nurse
Education

The Board received and reviewed the report of the April 22-23, 2004 survey visit to The Knoedler School of Practical Nurse Education conducted to determine approval status;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY TERESA WILLIAMS, THAT THE KNOEDLER SCHOOL OF PRACTICAL NURSE EDUCATION, JEFFERSON, BE GRANTED FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. IT WAS FURTHER

MOVED THAT THE RECOMMENDATIONS FOR ENHANCEMENT OF THE PROGRAM BE FORWARDED TO THE PROGRAM ADMINISTRATOR, AND THAT A PROGRESS REPORT BE SUBMITTED TO THE BOARD FOUR WEEKS PRIOR TO THE MAY 19-20, 2005 BOARD MEETING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Northwest State
Community College,
Associate Degree
Program, Archbold

The Board received and reviewed documents that supported evidence of a violation of the statute and rules in 4723-5-10(B)(3) OAC and Section 4723.03(C), ORC at Northwest State Community College, Associate Degree Program, Archbold submitted by Jackie Loversidge. The College took appropriate actions as indicated in the documents after discovering that both the statute and rules had been violated. The program has complied with requests for policy change and information and no further deficiencies are outstanding at this time. Because the program violated statute and rules, reconsideration of the program's approval status is required for the Northwest State Community College, Associate Degree Program, Archbold;

IT WAS MOVED BY LISA KLENKE, SECONDED BY DEBRA BROADNAX, THAT THE NORTHWEST STATE COMMUNITY COLLEGE, ASSOCIATE DEGREE PROGRAM, ARCHBOLD, BE GRANTED CONTINUING FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. PATRICIA SCHLECHT AND CYNTHIA KRUEGER ABSTAINED.

Trumbull Career &
Technical Center
School of PN – High
School Program

The Board received and reviewed the report of the May 4-6, 2004 survey visit summary to the Trumbull Career & Technical Center School of PN – High School Program conducted to determine approval status;

IT WAS MOVED BY ANNE BARNETT, SECONDED BY ELIZABETH BUSCHMANN, THAT THE TRUMBULL CAREER AND TECHNICAL CENTER—PRACTICAL NURSING PROGRAM—HIGH SCHOOL PROGRAM, WARREN, BE GRANTED CONTINUING FULL APPROVAL EFFECTIVE MAY 21, 2004, IN ACCORDANCE WITH RULE 4723-5-04 OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Licensees/Certificate
Holders
RNS AND LPNS

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES INITIALLY ISSUED BY THE BOARD OF NURSING MARCH 1, 2004 THROUGH APRIL 30, 2004 TO REGISTERED NURSES AND LICENSED PRACTICAL NURSES AS DEFINED IN SECTION 4723.09 ORC, TAKING INTO ACCOUNT THOSE LICENSES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Advanced Practice
Nurses
Certificates of
Authority (COAs)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY CYNTHIA KRUEGER, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES OF AUTHORITY (COA) INITIALLY ISSUED MARCH 1, 2004 THROUGH APRIL 30, 2004 TO CERTIFIED REGISTERED NURSE ANESTHETISTS, CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.41 ORC TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER, OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Certificates to
Prescribe
(CTP & CTP
Externship)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY CYNTHIA KRUEGER, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES TO PRESCRIBE (CTP AND CTP- EXTERNSHIP) INITIALLY ISSUED MARCH 1, 2004 THROUGH APRIL 30, 2004 TO CERTIFIED NURSE-MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS AS DEFINED IN SECTION 4723.48 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

OCDTs IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD OF NURSING RETROACTIVELY RATIFY, AS SUBMITTED, ALL CERTIFICATES ISSUED MARCH 1, 2004 THROUGH APRIL 30, 2004 TO OHIO CERTIFIED DIALYSIS TECHNICIANS (OCDTs) AS DEFINED IN SECTION 4723.75 ORC, TAKING INTO ACCOUNT THOSE CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Adjudication
Notices of
Opportunity

On Friday May 21, 2004, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY T. DIANN CAUDILL, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASES: CODNER, MONICA R.N. #288202 (CASE #03-1804); CROWL, TAMMY R.N. #274855 (CASE #03-1411); DAVIS, BEVERLY P.N. #042047 (CASE #02-1294); GOLUS, KAREN R.N. #195179 (CASE # 02-0728); JONES, DAWN R.N. #252282 (CASE #01-0491); MORTON, DIANNE R.N. #255800 P.N. #078328 (CASE #01-0853); PIQUET, LISA P.N. #097040 (CASE #02-0034); PRECHEL, MELANIE R.N. #119218 (CASE #02-0248); SCHUMANN, SANDRA R.N. #271662 (CASE #03-2069); WILLIAMS, SHARON R.N. #299239 (CASE #02-0143); AND CORRAI, ANNIE R.N. #228805 (CASE #04-0493). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the May 2004 Board meeting.

Notice of Immediate
Suspension and
Opportunity for
hearing

IT WAS MOVED BY LISA KLENKE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASES: BAKER, RICHARD R.N. #156166 (CASE #02-0167); BAYLESS, GREGORY R.N. #261091 (CASE #02-1525); BRYANT, MARTHA R.N. #228874 (CASE #03-0736); GITCHEFF, CANDY R.N. #252843 (CASE #02-1264); GREEN, GWENDOLYN P.N. #105878 (CASE #03-0906); HAWK, JODELL P.N. #074431 (CASE #02-0500); KISER, JILL R.N. #191258 (CASE #03-1475); MARTIN, TARINA P.N. #101279 (CASE #03-0531); PERRINE, SUSAN R.N. #190270 (CASE #03-0110); RUSK, JANENE P.N. #086771 (CASE #03-1524); SCHWIND, PETER P.N. #093649 (CASE #03-1307); AND WILSON, CLIFFORD R.N. #201351 (CASE #03-0637). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Complete copies of the Notices of Immediate Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the May 2004 Board meeting.

Notices of
Automatic
Suspension and
Opportunity for
Hearing

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY TERESA WILLIAMS, THAT THE BOARD ISSUE A NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 ORC FOR THE FOLLOWING: ALLEN, CHANDRA P.N. #093157 (CASE #03-1344); COLEMAN, JULIE R.N. #146715 (CASE #04-0507); FERRY, LOIS P.N. #100666 (CASE #04-0827); FISHER, RENEE P.N. #090450 (CASE #03-2242); HOWARD, YVONNE P.N. #091134 (CASE #03-1558); MIXSON, FRANK P.N. #091060 (CASE #04-0508); SMITH, JOYCE P.N. #085475 (CASE #04-0264); TAYLOR, DANIELLE R.N. #272479 (CASE #04-0810); ZUPPO, HOLLY P.N. #102329 (CASE #04-0804); AND HALE, JODI R.N. #259741 (CASE #04-0828). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Complete copies of the Notices of Automatic Suspension and Opportunity for Hearing shall be maintained in the exhibit book for the May 2004 Board meeting.

Surrenders
Voluntary
Surrenders

IT WAS MOVED BY LISA KLENKE, SECONDED BY DEBRA BROADNAX, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY SURRENDERS OF LICENSE FOR THE FOLLOWING: CALLAHAN, EDWARD R.N. #211731 (CASE #04-0157); HALL, STACIE P.N. #109917 (CASE #03-1582); WEIKER, PATRICIA R.N. #229303 P.N. #048354 (CASE #03-1866); DAVIS (LAMBERT), CRYSTAL P.N. #107625 (CASE #04-0670); PRICHARD, STACEY P.N. #106352 (CASE #03-0423); AND BATTLES, DANA R.N. #219770 P.N. #044663 (CASE #04-0565). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the May 2004 Board meeting.

Voluntary Non-
Permanent
withdrawal of
NCLEX Application
Minter, Susan PN
NCLEX (CASE
#03-1177)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY CYNTHIA KRUEGER, THAT THE BOARD ACCEPT THE VOLUNTARY NON-PERMANENT WITHDRAWAL OF NCLEX APPLICATION FOR LICENSURE FOR THE FOLLOWING: MINTER, SUSAN PN NCLEX (CASE #03-1177). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Voluntary
Permanent
withdrawal of
Endorsement
Application
Northcutt, Tammy
RN End Appl
(Case #04-0220)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT THE BOARD ACCEPT THE VOLUNTARY PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY ENDORSEMENT FOR THE FOLLOWING: NORTHCUTT, TAMMY RN ENDORSEMENT APPLICANT (CASE #04-0220). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Consent Agreements

On Friday May 21, 2004, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT THE BOARD APPROVE THE CONSENT AGREEMENTS FOR VIOLATIONS OF CHAPTER 4723. ORC ENTERED INTO BY AND BETWEEN THE BOARD AND THE FOLLOWING LICENSEES: BURDEN, TINA P.N. #093822 (CASE #04-0289); CLICK, TOMMY P.N. #091517 (CASE #03-2119); DILLON, KAREN R.N. #204186 (CASE #03-0835); GIBBS, MELISSA P.N. #102878 (CASE #01-0071); HORNSBY, DARIN R.N. #263487 (CASE #03-1678); OLDING, DANIELLE R.N. #308707 (CASE #04-0199); SHROADES, JULIE R.N. #260925 (CASE #01-0593); WOOD, DAVID R.N. #205123 P.N. #076307 (CASE #03-0069); CULLERS, KIMBER R.N. #217365 (CASE #02-1028); GRIZZARD, ROBERT P.N. #092508 (CASE #03-1318); KASKEY, KIMBERLY R.N. #229820 (CASE #04-0620); MCCARDLE, KATHY P.N. #093185 (CASE #02-0349); POTTER, SHERRE P.N. #075733 (CASE #03-2006); SPORING, LISA R.N. #242069 (CASE #02-0572); BIGGS, DORENA R.N. #163171 (CASE #04-0690); HALLMAN, RENEE R.N. #166806 (CASE #04-0077); MATTES, MARILYN R.N. #302910 (CASE #02-1241); MITCHELL (HILL), TRACY TC1 #01345 (CASE #04-0162); RICHARDS, LORI R.N. #280523 (CASE #03-2193); RUTLEDGE, NANCY P.N. #043830 (CASE #99-0906); LOWERY, KATHLEEN R.N. #293547 (CASE #03-0445); MELVIN, VALERIE R.N. #260168 (CASE #03-0889); MCNERNEY, DENISE P.N. #060840 (CASE #03-1127); HESTON, HARLEY D.T. APPLICANT (CASE #04-0234); DYE, JODI R.N. #233583 (CASE #03-1551); VOITS, SAUNDRA R.N. #249999 (CASE #03-1825); DYE, JULIE R.N. #209582 (CASE #04-0784); THOMAS, RUBY P.N. #026180 (CASE #03-0723); JACKSON, SHARITA P.N. NCLEX (CASE #04-0458); CRAWFORD, TWILA R.N. #227439 (CASE #03-1583); ALLEN, VICKEY P.N. NCLEX (CASE #02-1519); RODERICK, JODI R.N. #280346 N.P. #05280 (CASE #04-0541); RILL, DEBRA R.N. #173372 N.S. #04391 N.P. #02546 (CASE #04-0460); OWEN, LAURA R.N. #185994 (CASE #03-1476); WALLACE, KIMMY P.N. NCLEX (CASE #04-0322); JOHNSON, KEESHA R.N. #291175 (CASE #04-0192); BARNES, GERRI TC2 #00530 (CASE #04-0637); KERR, CHRISTINA R.N.

Consent Agreements (cont'd.) #240259 (CASE #03-2094); BUCKNER, O. C. P.N. #101943 (CASE #01-0343); GERMAN, TIMOTHY R.N. #205719 (CASE #03-1405); HOLIVAY, CANDIS R.N. END APPLICANT P.N. #102664 (CASE #04-0229); JOHNSON, N. JANE R.N. #127235 (CASE #04-0254); HOOVER, LINDA R.N. #191393 N.P. #01959 (CASE #04-0813); MEYER, BRUCE R.N. #160658 (CASE #99-0550); MURPHY, PATRICIA R.N. #117403 (CASE #03-1816); GRAVITT, BRANDY TC1 #00879 (CASE #04-0609); LAMB, DORIS R.N. #170114 (CASE #02-0599); VOSPER, KAREN R.N. #183915 (CASE #04-0256); WEISBRODT, VICKI R.N. #240504 (CASE #03-2001); FYFFE, SHELLEY R.N. #254001 P.N. #078029 (CASE #'s 03-2068, 02-1390); RUSSELL, MARIANNE R.N. #234611 (CASE #03-1787); SHAFER, ALVA P.N. #080212 (CASE #02-1161); SHAFER, DAVID R.N. #201967 (CASE #03-0157); SURFACE, INGRID R.N. #199194 P.N. #063769 (CASE #02-1176); DAVIS, MARY P.N. #105201 (CASE #03-1106); AND HOMA, JAMES R.N. #253436 (CASE #02-0199).

MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. JUDITH BRACHMAN OPPOSED ON THE FOLLOWING CASES: GIBBS, MELISSA P.N. #102878 (CASE #01-0071); SHROADES, JULIE R.N. #260925 (CASE #01-0593); MCCARDLE, KATHY P.N. #093185 (CASE #02-0349); BIGGS, DORENA R.N. #163171 (CASE #04-0690); THOMAS, RUBY P.N. #026180 (CASE #03-0723); MURPHY, PATRICIA R.N. #117403 (CASE #03-1816); FYFFE, SHELLEY R.N. #254001 P.N. #078029 (CASE #'s 03-2068, 02-1390); RUSSELL, MARIANNE R.N. #234611 (CASE #03-1787); AND DAVIS, MARY P.N. #105201 (CASE #03-1106). ANN BARNETT OPPOSED ON THE FOLLOWING CASES: SHROADES, JULIE R.N. #260925 (CASE #01-0593); RUTLEDGE, NANCY P.N. #043830 (CASE #99-0906); JACKSON, SHARITA P.N. NCLEX (CASE #04-0458); MURPHY, PATRICIA R.N. #117403 (CASE #03-1816); AND FYFFE, SHELLEY R.N. #254001 P.N. #078029 (CASE #'s 03-2068, 02-1390). PATRICIA SCHLECHT OPPOSED ON THE FOLLOWING CASES: BIGGS, DORENA R.N. #163171 (CASE #04-0690); AND CRAWFORD, TWILA R.N. #227439 (CASE #03-1583). ELIZABETH BUSCHMANN ABSTAINED ON THE FOLLOWING CASE: KERR, CHRISTINA R.N. #240259 (CASE #03-2094). YVONNE SMITH AND BERTHA LOVELACE ABSTAINED ON ALL CASES. MARY JEAN FLOSSIE WAS ABSENT.

Complete copies of the Consent Agreement(s) shall be maintained in the exhibit book for the May 2004 Board meeting.

Hearing Officer
Reports
Miller, Kathleen
P.N. #086354 (Case
#02-0166)

On Friday May 21, 2004, President Smith requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

In the matter of Miller, Kathleen P.N. #086354 (Case #02-0166); upon hearing affirmative responses from each voting Board member that they reviewed all of the following: Hearing transcript, State's Exhibits, Respondent's Exhibits, Report and Recommendation.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA SCHLECHT, THAT IN THE MATTER OF KATHLEEN MILLER, THAT THE BOARD ACCEPT ALL OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND THE RECOMMENDATION IN THE HEARING EXAMINER'S REPORT AND RECOMMENDATION FOR PERMANENT REVOCATION AND THAT KATHLEEN MILLER'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS KATHLEEN MILLER TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #086354 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

Miller, Kathleen
P.N. #086354
(Case #02-0166)
(cont'd.)

UPON THIS REPORT AND RECOMMENDATION AND UPON 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.

KATHLEEN MILLER'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Berry, Denise R.N.
#123381 (Case #03-0639)

On Friday May 21, 2004, President Smith requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY CYNTHIA KRUEGER, THAT IN THE MATTER OF DENISE BERRY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. BERRY IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. BERRY HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT DENISE BERRY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS DENISE BERRY TO SURRENDER HER REGISTERED NURSING LICENSE R.N. #123381 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Ervin, Cheryl R.N.
#283967 (Case #02-0084)

On Friday May 21, 2004, President Smith requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY T. DIANN CAUDILL, THAT IN THE MATTER OF CHERYL ERVIN, UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. ERVIN IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. ERVIN HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT CHERYL ERVIN'S LICENSE TO PRACTICE NURSING AS A REGISTERED

Ervin, Cheryl R.N.
#283967 (Case #02-
0084) (cont'd.)

NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN FIVE (5) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. ERVIN SHALL BE SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF FIVE (5) YEARS AND PERMANENT PRACTICE RESTRICTIONS AND A PERMANENT NARCOTIC RESTRICTION.

MS. ERVIN'S LICENSE IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN FIVE (5) YEARS. MS. ERVIN MAY SUBMIT A WRITTEN REQUEST FOR REINSTATEMENT ANY TIME AFTER MAY 2009. THE BOARD WILL CONSIDER REINSTATEMENT ONLY IF THE FOLLOWING TERMS AND CONDITIONS ARE MET:

MS. ERVIN SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. ERVIN SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD AND PRIOR TO REINSTATEMENT.

MS. ERVIN SHALL SUBMIT A SATISFACTORY PERSONAL STATEMENT REGARDING COMPLIANCE WITH THE TERMS OF THIS ORDER AND PROGRESS WITHIN ONE MONTH PRIOR TO REINSTATEMENT.

MS. ERVIN SHALL, IN ADDITION TO THE REQUIREMENTS OF LICENSURE RENEWAL, SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING EDUCATION: TWO (2) HOURS OF OHIO NURSING LAW AND RULES; TWO (2) HOURS OF CHEMICAL DEPENDENCY.

MONITORING OF REHABILITATION AND TREATMENT

MS. ERVIN 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. ERVIN'S HISTORY. MS. ERVIN SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. ERVIN SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

NOT LESS THAN TWO (2) YEARS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. ERVIN 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. ERVIN SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. ERVIN SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES, AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. ERVIN 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. ERVIN'S LICENSE.

Ervin, Cheryl R.N.
#283967 (Case #02-
0084) (cont'd.)

WITHIN THREE (3) MONTHS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. ERVIN 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. ERVIN SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. ERVIN 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 ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MS. ERVIN'S LICENSE TO PRACTICE, AND STATING WHETHER MS. ERVIN IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

FOR A MINIMUM CONSECUTIVE PERIOD OF TWO (2) YEARS PRIOR TO REQUESTING REINSTATEMENT, MS. ERVIN 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 HE/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. ERVIN SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ERVIN'S HISTORY.

FOR A MINIMUM CONSECUTIVE PERIOD OF TWO (2) YEARS PRIOR TO REQUESTING REINSTATEMENT, MS. ERVIN SHALL ATTEND THREE (3) TWELVE STEP MEETINGS PER WEEK, SUCH AS ALCOHOLICS ANONYMOUS, NARCOTICS ANONYMOUS, COCAINE ANONYMOUS, OR CADUCEUS OR A PROFESSIONAL GROUP MEETING APPROVED IN ADVANCE BY THE BOARD. MS. ERVIN SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD ON A QUARTERLY BASIS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THIS ORDER, MS. ERVIN 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. ERVIN SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

MS. ERVIN 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. ERVIN THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. ERVIN SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

Ervin, Cheryl R.N.
#283967 (Case #02-
0084) (cont'd.)

REPORTING REQUIREMENTS

MS. ERVIN SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT REQUESTED DOCUMENTATION OR INFORMATION DIRECTLY TO THE BOARD.

MS. ERVIN SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. ERVIN SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. ERVIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. ERVIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. ERVIN SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. ERVIN SHALL INFORM THE BOARD WITHIN THREE (3) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN ADDRESS AND/OR TELEPHONE NUMBER.

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MS. ERVIN SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MS. ERVIN HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MS. ERVIN IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MS. ERVIN AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MS. ERVIN SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF FIVE (5) YEARS.

MS. ERVIN SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MS. ERVIN SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE ON A QUARTERLY BASIS OR AS OTHERWISE REQUESTED BY THE BOARD.

MS. ERVIN SHALL SUBMIT, ON A QUARTERLY BASIS, OR AS OTHERWISE REQUESTED BY THE BOARD, SATISFACTORY PERSONAL STATEMENTS TO THE BOARD REGARDING PROGRESS, HER EMPLOYMENT, IF WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED, AND WHETHER MS. ERVIN HAS COMPLIED WITH ALL OF THE PROVISIONS OF THIS ORDER.

Ervin, Cheryl R.N.
#283967 (Case #02-
0084) (cont'd.)

MONITORING OF REHABILITATION AND TREATMENT

MS. ERVIN SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIS BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ERVIN'S HISTORY. MS. ERVIN SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MS. ERVIN SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

MS. ERVIN 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. ERVIN SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ERVIN'S HISTORY.

MS. ERVIN SHALL ATTEND THREE (3) TWELVE STEP MEETINGS PER WEEK, SUCH AS ALCOHOLICS ANONYMOUS, NARCOTICS ANONYMOUS, COCAINE ANONYMOUS, OR CADUCEUS OR A PROFESSIONAL GROUP MEETING APPROVED IN ADVANCE BY THE BOARD. MS. ERVIN SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD ON A QUARTERLY BASIS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THIS ORDER, MS. ERVIN 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. ERVIN SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

MS. ERVIN 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. ERVIN THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MS. ERVIN SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

EMPLOYMENT CONDITIONS

PRIOR TO ACCEPTING EMPLOYMENT AS A NURSE, EACH TIME WITH EVERY EMPLOYER, MS. ERVIN SHALL NOTIFY THE BOARD.

WHEN WORKING AS A NURSE, MS. ERVIN SHALL ONLY WORK IN SETTINGS IN WHICH A REGISTERED NURSE SUPERVISOR IS PRESENT ON-SITE AT ALL TIMES.

Ervin, Cheryl R.N. #283967 (Case #02-0084) (cont'd.) MS. ERVIN SHALL NOT WORK ANY OVERTIME IN ANY NURSING JOB FOR THE FIRST YEAR OF EMPLOYMENT OR AS OTHERWISE APPROVED BY THE BOARD OR ITS DESIGNEE.

MS. ERVIN SHALL NOT WORK ANY NIGHT SHIFTS FOR THE FIRST YEAR OF EMPLOYMENT OR AS OTHERWISE APPROVED BY THE BOARD OR ITS DESIGNEE.

MS. ERVIN SHALL HAVE A WORK SITE REGISTERED NURSE (HEREINAFTER "CONTACT NURSE") WHO SUPERVISES MS. ERVIN AND AGREES TO MONITOR MS. ERVIN'S WORK PERFORMANCE AND PROGRESS AND TO BE IN CONTACT WITH THE BOARD. MS. ERVIN SHALL HAVE THE CONTACT NURSE TALK WITH THE BOARD PRIOR TO MS. ERVIN WORKING AS A NURSE. MS. ERVIN SHALL HAVE THE CONTACT NURSE MAINTAIN CONTACT WITH THE BOARD. IN THE EVENT THAT THE CONTACT NURSE BECOMES UNABLE OR UNWILLING TO SERVE IN THIS CAPACITY, MS. ERVIN MUST IMMEDIATELY NOTIFY THE BOARD IN WRITING AND MAKE ARRANGEMENTS ACCEPTABLE TO THE BOARD FOR ANOTHER CONTACT NURSE TO MONITOR PROGRESS AND STATUS AS SOON AS PRACTICABLE.

MS. ERVIN 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. ERVIN SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. ERVIN IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS

MS. ERVIN SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

MS. ERVIN SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MS. ERVIN SHALL NOT SUBMIT TO THE BOARD ANY MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MS. ERVIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MS. ERVIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MS. ERVIN SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MS. ERVIN 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.

Ervin, Cheryl R.N.
#283967 (Case #02-
0084) (cont'd.)

PRIOR TO WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED, MS. ERVIN SHALL COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF A REFRESHER COURSE TO BE APPROVED IN ADVANCE BY THE BOARD OR ITS DESIGNEE.

PERMANENT NARCOTIC RESTRICTION

MS. ERVIN SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. ERVIN'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ERVIN'S HISTORY OF CHEMICAL DEPENDENCY, ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. ERVIN SHALL NOT POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. ERVIN SHALL NOT COUNT NARCOTICS DURING THIS NARCOTIC RESTRICTION PERIOD.

PERMANENT LICENSURE RESTRICTIONS

MS. ERVIN SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. ERVIN TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. ERVIN SHALL NOT FUNCTION AS A SUPERVISOR WHILE WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED.

FAILURE TO COMPLY

MS. ERVIN'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. ERVIN HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THE ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. ERVIN VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HIS/HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. ERVIN 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. ERVIN HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. ERVIN IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. ERVIN AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. ERVIN 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 CHERYL ERVIN TO SURRENDER HER REGISTERED NURSE LICENSE R.N. #283967 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Gloyd, Jason R.N.
#274889 (Case #01-0725)

On Friday May 21, 2004, President Smith requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

IT WAS MOVED BY T. DIANN CAUDILL, SECONDED BY KATHLEEN DRISCOLL, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. GLOYD IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. GLOYD HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT JASON GLOYD'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN FIVE (5) YEARS WITH CREDIT FOR THREE (3) YEARS TIME OUT OF NURSING PRACTICE. MR. GLOYD MAY REQUEST REINSTATEMENT ANYTIME AFTER JULY 2006 IF HE MEETS THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW. FOLLOWING REINSTATEMENT, MR. GLOYD SHALL BE SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF FIVE (5) YEARS.

JASON GLOYD'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN FIVE YEARS WITH CREDIT FOR TIME OUT OF NURSING PRACTICE FOR THREE (3) YEARS. MR. GLOYD MAY REQUEST REINSTATEMENT ANYTIME AFTER JULY 2006. THE BOARD WILL CONSIDER REINSTATEMENT ONLY IF THE FOLLOWING TERMS AND CONDITIONS ARE MET:

CONDITIONS FOR REINSTATEMENT

MR. GLOYD SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MR. GLOYD SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD AND PRIOR TO REINSTATEMENT.

MR. GLOYD SHALL SUBMIT A SATISFACTORY PERSONAL STATEMENT REGARDING COMPLIANCE WITH THE TERMS OF THIS ORDER AND PROGRESS WITHIN ONE MONTH PRIOR TO REINSTATEMENT.

MR. GLOYD SHALL, IN ADDITION TO THE REQUIREMENTS OF LICENSURE RENEWAL, SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING EDUCATION: TWO (2) HOURS OF OHIO NURSING LAW AND RULES; TWO (2) HOURS OF CHEMICAL DEPENDENCY.

MONITORING OF REHABILITATION AND TREATMENT

MR. GLOYD 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. GLOYD'S HISTORY. MR. GLOYD SHALL SELF-ADMINISTER THE PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MR. GLOYD SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

NOT LESS THAN TWO (2) YEARS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MR. GLOYD 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. GLOYD SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MR. GLOYD SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES, AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MR. GLOYD 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. GLOYD'S LICENSE.

WITHIN THREE (3) MONTHS PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MR. GLOYD 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. GLOYD SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MR. GLOYD 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 ANY ADDITIONAL RESTRICTIONS TO BE PLACED ON MR. GLOYD'S LICENSE TO PRACTICE, AND STATING WHETHER MR. GLOYD IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

FOR A MINIMUM CONSECUTIVE PERIOD OF TWO (2) YEARS PRIOR TO REQUESTING REINSTATEMENT, MR. GLOYD 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. GLOYD SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. GLOYD'S HISTORY.

FOR A MINIMUM CONSECUTIVE PERIOD OF TWO (2) YEARS PRIOR TO REQUESTING REINSTATEMENT, MR. GLOYD SHALL ATTEND THREE (3) TWELVE STEP MEETINGS PER WEEK, SUCH AS ALCOHOLICS ANONYMOUS, NARCOTICS ANONYMOUS, COCAINE ANONYMOUS, OR CADUCEUS OR A PROFESSIONAL GROUP MEETING APPROVED IN ADVANCE BY THE BOARD. MR. GLOYD SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD ON A QUARTERLY BASIS.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THIS ORDER, MR. GLOYD 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. GLOYD SHALL BE UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER, PRIOR TO INITIATING TREATMENT, TO ADDITIONAL TREATING PRACTITIONERS, AND TO UPDATE THE LIST OF TREATING PRACTITIONERS WITH THE BOARD WITHIN FORTY-EIGHT (48) HOURS OF BEING TREATED BY ANOTHER PRACTITIONER.

MR. GLOYD 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. GLOYD THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MR. GLOYD SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

REPORTING REQUIREMENTS

MR. GLOYD SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT REQUESTED DOCUMENTATION OR INFORMATION DIRECTLY TO THE BOARD.

MR. GLOYD SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MR. GLOYD SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MR. GLOYD SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MR. GLOYD SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MR. GLOYD SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MR. GLOYD SHALL INFORM THE BOARD WITHIN THREE (3) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN ADDRESS AND/OR TELEPHONE NUMBER.

THE BOARD MAY ONLY ALTER THE INDEFINITE SUSPENSION IMPOSED IF: (1) MR. GLOYD SUBMITS A WRITTEN REQUEST FOR REINSTATEMENT; (2) THE BOARD DETERMINES THAT MR. GLOYD HAS COMPLIED WITH ALL CONDITIONS OF REINSTATEMENT; (3) THE BOARD DETERMINES THAT MR. GLOYD IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND

PREVAILING STANDARDS OF SAFE NURSING CARE BASED UPON AN INTERVIEW WITH MR. GLOYD AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

FOLLOWING REINSTATEMENT, MR. GLOYD SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF FIVE (5) YEARS.

MR. GLOYD SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

MR. GLOYD SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE ON A QUARTERLY BASIS OR AS OTHERWISE REQUESTED BY THE BOARD.

MR. GLOYD SHALL SUBMIT, ON A QUARTERLY BASIS, OR AS OTHERWISE REQUESTED BY THE BOARD, SATISFACTORY PERSONAL STATEMENTS TO THE BOARD REGARDING PROGRESS, HIS EMPLOYMENT, IF WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED, AND WHETHER MR. GLOYD HAS COMPLIED WITH ALL OF THE PROVISIONS OF THIS ORDER.

MONITORING OF REHABILITATION AND TREATMENT

MR. GLOYD SHALL ABSTAIN COMPLETELY FROM THE PERSONAL USE OR POSSESSION OF DRUGS, EXCEPT THOSE PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIS BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. GLOYD'S HISTORY. MR. GLOYD SHALL SELF-ADMINISTER PRESCRIBED DRUGS ONLY IN THE MANNER PRESCRIBED.

MR. GLOYD SHALL ABSTAIN COMPLETELY FROM THE USE OF ALCOHOL.

MR. GLOYD 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 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 MR. GLOYD SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HIM BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. GLOYD'S HISTORY.

MR. GLOYD SHALL ATTEND THREE (3) TWELVE STEP MEETINGS PER WEEK, SUCH AS ALCOHOLICS ANONYMOUS, NARCOTICS ANONYMOUS, COCAINE ANONYMOUS, OR CADUCEUS OR A PROFESSIONAL GROUP MEETING APPROVED IN ADVANCE BY THE BOARD. MR. GLOYD SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD ON A QUARTERLY BASIS.

TREATING PRACTITIONERS AND REPORTING

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF THIS ORDER, MR. GLOYD 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. GLOYD 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.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

MR. GLOYD 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. GLOYD THROUGHOUT THE DURATION OF THIS ORDER.

WITHIN TWENTY-FOUR (24) HOURS OF RELEASE FROM HOSPITALIZATION OR MEDICAL TREATMENT, MR. GLOYD SHALL NOTIFY THE BOARD OF ANY AND ALL MEDICATION(S) OR PRESCRIPTION(S) RECEIVED.

EMPLOYMENT CONDITIONS

PRIOR TO ACCEPTING EMPLOYMENT AS A NURSE, EACH TIME WITH EVERY EMPLOYER, MR. GLOYD SHALL NOTIFY THE BOARD.

MR. GLOYD SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MR. GLOYD TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

WHEN WORKING AS A NURSE, MR. GLOYD SHALL ONLY WORK IN SETTINGS IN WHICH A REGISTERED NURSE SUPERVISOR IS PRESENT ON-SITE AT ALL TIMES AND SHALL NOT FUNCTION AS A SUPERVISOR WHILE WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED.

MR. GLOYD SHALL NOT WORK ANY OVERTIME IN ANY NURSING JOB FOR THE FIRST YEAR OF EMPLOYMENT OR AS OTHERWISE APPROVED BY THE BOARD OR ITS DESIGNEE.

MR. GLOYD SHALL NOT WORK ANY NIGHT SHIFTS FOR THE FIRST YEAR OF EMPLOYMENT OR AS OTHERWISE APPROVED BY THE BOARD OR ITS DESIGNEE.

MR. GLOYD SHALL HAVE A WORK SITE REGISTERED NURSE (HEREINAFTER "CONTACT NURSE") WHO SUPERVISES MR. GLOYD AND AGREES TO MONITOR MR. GLOYD'S WORK PERFORMANCE AND PROGRESS AND TO BE IN CONTACT WITH THE BOARD. MR. GLOYD SHALL HAVE THE CONTACT NURSE TALK WITH THE BOARD PRIOR TO MR. GLOYD WORKING AS A NURSE. MR. GLOYD SHALL HAVE THE CONTACT NURSE MAINTAIN CONTACT WITH THE BOARD. IN THE EVENT THAT THE CONTACT NURSE BECOMES UNABLE OR UNWILLING TO SERVE IN THIS CAPACITY, MR. GLOYD MUST IMMEDIATELY NOTIFY THE BOARD IN WRITING AND MAKE ARRANGEMENTS ACCEPTABLE TO THE BOARD FOR ANOTHER CONTACT NURSE TO MONITOR PROGRESS AND STATUS AS SOON AS PRACTICABLE.

MR. GLOYD 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. GLOYD SHALL PROVIDE HIS EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HIS EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MR. GLOYD IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

REPORTING REQUIREMENTS

MR. GLOYD SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

MR. GLOYD SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

MR. GLOYD SHALL NOT SUBMIT TO THE BOARD ANY MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

MR. GLOYD SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

MR. GLOYD SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-3413.

MR. GLOYD SHALL VERIFY THAT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ARE RECEIVED IN THE BOARD OFFICE.

MR. GLOYD SHALL INFORM THE BOARD WITHIN FIVE (5) BUSINESS DAYS, IN WRITING, OF ANY CHANGE IN EMPLOYMENT STATUS OR OF ANY CHANGE IN RESIDENTIAL OR HOME ADDRESS OR TELEPHONE NUMBER.

PRIOR TO WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED, MR. GLOYD SHALL COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF A REFRESHER COURSE TO BE APPROVED IN ADVANCE BY THE BOARD OR ITS DESIGNEE.

TEMPORARY NARCOTIC RESTRICTION

MR. GLOYD SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MR. GLOYD'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. GLOYD'S HISTORY), ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS FOR A MINIMUM OF ONE (1) YEAR IN WHICH MR. GLOYD IS WORKING IN A POSITION THAT REQUIRES A NURSING LICENSE. AT ANY TIME AFTER THE ONE (1) YEAR PERIOD PREVIOUSLY DESCRIBED, MR. GLOYD MAY SUBMIT A WRITTEN REQUEST TO THE BOARD TO HAVE THIS RESTRICTION RE-EVALUATED. IN ADDITION, MR. GLOYD SHALL NOT POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MR. GLOYD SHALL NOT COUNT NARCOTICS.

FAILURE TO COMPLY

MR. GLOYD'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MR. GLOYD HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THE ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MR. GLOYD VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HIS/HER LICENSE. UPON RECEIPT OF THIS NOTICE, MR. GLOYD MAY REQUEST A HEARING REGARDING THE CHARGES.

Gloyd, Jason R.N.
#274889 (Case #01-
0725) (cont'd.)

DURATION

THE BOARD MAY ONLY ALTER THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER IF: (1) THE BOARD DETERMINES THAT MR. GLOYD HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MR. GLOYD IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MR. GLOYD AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MR. GLOYD 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 JASON GLOYD TO SURRENDER HIS REGISTERED NURSE LICENSE R.N. #274889 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Mays, Kristal P.N.
#088546 (Case #03-
1881))

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY PATRICIA SCHLECHT, THAT IN THE MATTER OF KRISTAL MAYS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. MAYS IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. MAYS HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND THAT KRISTAL MAYS' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS KRISTAL MAYS TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #088546 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

KRISTAL MAYS' LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Cook, Anthony R.N.
#288302 (Case #03-
0382)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT IN THE MATTER OF ANTHONY COOK, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. COOK IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. COOK HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR

HEARING AND THAT ANTHONY COOKS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

Cook, Anthony R.N.
#288302 (Case #03-0382) (cont'd.)

THE BOARD FURTHER ORDERS ANTHONY COOK TO SURRENDER HIS REGISTERED NURSING LICENSE R.N. #288302 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

ANTHONY COOK'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Crist (Legg), Barbara
R.N. #298124 (Case #03-0769)

IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT IN THE MATTER OF BARBARA CRIST (LEGG), THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. CRIST IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. CRIST HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT BARBARA CRIST'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

BARBARA CRIST'S (LEGG) LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Fite, Sophia P.N.
#086552 (Case #02-0945)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY LISA KLENKE, THAT IN THE MATTER OF SOPHIA FITE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. FITE IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. FITE HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT SOPHIA FITE'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS SOPHIA FITE TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #086552 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

Fite, Sophia P.N.
#086552 (Case #02-
0945) (cont'd.)

SOPHIA FITE'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

King, Donald R.N.
#256093 (Case #04-
0355(a)(b))

In the matter of King, Donald R.N. #256093 (Case #04-0355(a)(b)); upon hearing affirmative responses from each voting Board member that they reviewed all of the following: Hearing transcript, State's Exhibits, and Report and Recommendation of Hearing Examiner Christopher McNeil.

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT IN THE MATTER OF DONALD KING, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. KING IN THE NOTICE OF AUTOMATIC SUSPENSION AND THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. KING HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF AUTOMATIC SUSPENSION AND THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT DONALD KING'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS DONALD KING TO SURRENDER HIS REGISTERED NURSING LICENSE R.N. #256093 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

DONALD KING'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Wyley, Marquita P.N.
#084254 (Case #03-
0911)

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA SCHLECHT, THAT IN THE MATTER OF MARQUITA WYLEY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. WYLEY IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. WYLEY HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT MARQUITA WYLEY'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS MARQUITA WYLEY TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #084254 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

Wyley, Marquita P.N.
#084254 (Case #03-
0911) (cont'd.)

MARQUITA WYLEY'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Young, Kathleen P.N.
#030104 (Case #03-
1560)

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY TERESA WILLIAMS, THAT IN THE MATTER OF KATHLEEN YOUNG, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. YOUNG IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. YOUNG HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT KATHLEEN YOUNG 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 ONE (1) YEAR. MS. YOUNG SHALL COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF 49 HOURS OF THE FOLLOWING CONTINUING NURSING EDUCATION HOURS IN ORDER TO BE ELIGIBLE FOR REINSTATEMENT: TWELVE (12) HOURS IN ETHICS; ONE (1) HOUR IN LAW AND RULES; TWELVE (12) HOURS IN PAIN MANAGEMENT; TWELVE (12) HOURS IN DOCUMENTATION; AND TWELVE (12) HOURS IN PHARMACOLOGY/MEDICATION ADMINISTRATION. FOLLOWING REINSTATEMENT, MS. YOUNG SHALL BE SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF ONE (1) YEAR FOLLOWING REINSTATEMENT.

KATHLEEN YOUNG'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 ONE (1) YEAR. THE BOARD WILL CONSIDER REINSTATEMENT ONLY IF THE FOLLOWING REINSTATEMENT CONDITIONS ARE MET:

MS. YOUNG SHALL COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF 49 HOURS OF THE FOLLOWING CONTINUING NURSING EDUCATION HOURS IN ORDER TO BE ELIGIBLE FOR REINSTATEMENT: TWELVE (12) HOURS IN ETHICS; ONE (1) HOUR IN LAW AND RULES; TWELVE (12) HOURS IN PAIN MANAGEMENT; TWELVE (12) HOURS IN DOCUMENTATION; AND TWELVE (12) HOURS IN PHARMACOLOGY/MEDICATION ADMINISTRATION.

FOLLOWING REINSTATEMENT, MS. YOUNG SHALL BE SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF ONE (1) YEAR FOLLOWING REINSTATEMENT. KATHLEEN YOUNG SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL LAWS AND RULES GOVERNING THE PRACTICE OF NURSING IN OHIO.

KATHLEEN YOUNG SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE ON A QUARTERLY BASIS OR AS OTHERWISE REQUESTED BY THE BOARD.

Young, Kathleen P.N.
#030104 (Case #03-
1560) (cont'd.)

KATHLEEN YOUNG SHALL SUBMIT, ON A QUARTERLY BASIS, OR AS OTHERWISE REQUESTED BY THE BOARD, SATISFACTORY PERSONAL STATEMENTS TO THE BOARD REGARDING HER EMPLOYMENT, IF WORKING IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED, AND WHETHER KATHLEEN YOUNG HAS COMPLIED WITH ALL OF THE PROVISIONS OF THIS ORDER.

EMPLOYMENT CONDITIONS

KATHLEEN YOUNG 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. KATHLEEN YOUNG SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, KATHLEEN YOUNG IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

REPORTING REQUIREMENTS

KATHLEEN YOUNG SHALL SIGN RELEASE OF INFORMATION FORMS ALLOWING HEALTH PROFESSIONALS AND OTHER ORGANIZATIONS TO SUBMIT THE REQUESTED DOCUMENTATION DIRECTLY TO THE BOARD.

KATHLEEN YOUNG SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HIS/HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE.

KATHLEEN YOUNG 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.

KATHLEEN YOUNG SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER ON FORMS SPECIFIED BY THE BOARD. ALL REPORTING AND COMMUNICATIONS REQUIRED BY THIS ORDER SHALL BE MADE TO THE MONITORING UNIT OF THE BOARD.

FAILURE TO COMPLY

KATHLEEN YOUNG'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT KATHLEEN YOUNG HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY KATHLEEN YOUNG VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, KATHLEEN YOUNG 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 KATHLEEN YOUNG HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT KATHLEEN YOUNG IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH KATHLEEN YOUNG AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH KATHLEEN YOUNG 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.

Young, Kathleen P.N.
#030104 (Case #03-
1560) (cont'd.)

THE BOARD FURTHER ORDERS KATHLEEN YOUNG TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 030104 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Chaney, Cindy P.N.
#100837 (Case #02-
0931)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY ELIZABETH BUSCHMANN, THAT IN THE MATTER OF CINDY CHANEY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. CHANEY IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. CHANEY HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT CINDY CHANEY'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS CINDY CHANEY TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #100837 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

CINDY CHANEY'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Gill, Joyce P.N.
#077115 (Case #00-
0827)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT IN THE MATTER OF JOYCE GILL, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. GILL IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. GILL HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT JOY GILL'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS JOYCE GILL TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #077115 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

JOYCE GILL'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

Gill, Joyce P.N.
#077115 (Case #00-
0827) (cont'd.)

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Taylor, Faye P.N.
#079488 (Case #02-
0719)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY CYNTHIA KRUEGER, THAT IN THE MATTER OF FAYE TAYLOR, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. TAYLOR IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. TAYLOR HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT FAYE TAYLOR'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS FAYE TAYLOR TO SURRENDER HER LICENSED PRACTICAL NURSING LICENSE P.N. #079488 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

FAYE TAYLOR'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Frey, Kelly R.N.
#194541 (Case #99-
0696)

IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY PATRICIA SCHLECHT, THAT IN THE MATTER OF KELLY FREY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. FREY IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. FREY HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT KELLY FREY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS KELLY FREY TO SURRENDER HER REGISTERED NURSING LICENSE R.N. #194541 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

KELLY FREY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Shepherd, Joshua P.N.
#107079 (Case #02-1367)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT IN THE MATTER OF JOSHUA SHEPHERD, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. SHEPHERD IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. SHEPHERD HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT JOSHUA SHEPHERD'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS JOSHUA SHEPHERD TO SURRENDER HIS LICENSED PRACTICAL NURSING LICENSE P.N. #107079 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

JOSHUA SHEPHERD'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

Shepherd, Sally R.N.
#231323 P.N.
#079479 (Case #02-1146)

IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT IN THE MATTER OF SALLY SHEPHERD, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. SHEPHERD IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. SHEPHERD HAS COMMITTED ACTS IN VIOLATION OF THE NURSE PRACTICE ACT, OHIO REVISED CODE CHAPTER 4723, AS STATED IN THE NOTICE OF OPPORTUNITY FOR HEARING AND THAT SALLY SHEPHERD'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS SALLY SHEPHERD TO SURRENDER HER REGISTERED NURSING LICENSE R.N. #231323 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

SALLY SHEPHERD'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 21ST DAY OF MAY 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

A complete copy of the Adjudication Order shall be maintained in the exhibit book for the May 2004 Board meeting.

- Miscellaneous
Compliance Issues
Lift Narcotic
Restriction
Abner, Shannon
P.N. #108686 (Case
#02-0956)
- IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY CYNTHIA KRUEGER, THAT SHANNON ABNER, P.N. #108686, HAVING MET THE CONDITIONS CONTAINED WITHIN PARAGRAPH XVII OF HER MARCH 21, 2003, CONSENT AGREEMENT WITH THE BOARD, PERTAINING TO NARCOTIC RESTRICTIONS, BE RELEASED FROM THE RESTRICTIONS STATED IN PARAGRAPH XVII OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Rutherford, Marsha
P.N. #086465 (Case
#92-0336)
- IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT MARSHA Y. RUTHERFORD, P.N. #086465, HAVING MET THE CONDITIONS CONTAINED WITHIN PARAGRAPH XI OF HER JANUARY 18, 2002 CONSENT AGREEMENT WITH THE BOARD, PERTAINING TO NARCOTIC RESTRICTIONS, BE RELEASED FROM THE RESTRICTIONS STATED IN PARAGRAPH XI OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Miscellaneous
Compliance Issues
Lift Suspension
ONLY - Permanent
Practice Restrictions
Remain
Howell, Monique
P.N. #073059 (Case
#02-0356)
- IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT MONIQUE HOWELL, P.N. #073059, HAVING MET THE REQUIREMENTS OF HER MARCH 21, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE CONSENT AGREEMENT PROBATIONARY TERMS AND CONDITIONS; HOWEVER, MS. HOWELL REMAINS SUBJECT TO THE PERMANENT PRACTICE RESTRICTIONS CONTAINED IN PARAGRAPH XIV OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Miscellaneous
Compliance Issues
Lift of
Suspension/Probation
Release from
Consent Agreement
Mac Dermott,
Sally R.N.
#160011 (Case
#98-0745)
- IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY CYNTHIA KRUEGER, THAT SALLY MACDERMOTT, R.N. #160011, HAVING MET THE REQUIREMENTS OF HER NOVEMBER 22, 2002 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Jackson, Crystall
P.N. #107099
(Case #02-0801)
- IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT CRYSTAL JACKSON, P.N. #107099, HAVING MET THE REQUIREMENTS CONTAINED IN HER NOVEMBER 22, 2002 CONSENT AGREEMENT WITH THE BOARD, AND HAVING BEEN RELEASED FROM PROBATION BY THE WEST VIRGINIA STATE BOARD OF EXAMINERS FOR LICENSED PRACTICAL NURSES, BE GIVEN EARLY RELEASE FROM THE TERMS AND CONDITIONS OF HER CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Campbell, Julie
R.N. #305116
(Case #02-0840)
- IT WAS MOVED BY T. DIANN CAUDILL, SECONDED BY KATHLEEN DRISCOLL, THAT JULIE CAMPBELL, R.N. #305116, HAVING MET THE REQUIREMENTS OF HER JANUARY 17, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

- Erwin, Tammy
R.N. #260735
(Case #01-1104) IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA SCHLECHT, THAT TAMMY ERWIN, R.N. #260735, HAVING MET THE REQUIREMENTS OF HER NOVEMBER 22, 2002 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Woodgeard,
Wendy D.T.
#01739 (Case #02-
1442) IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY CYNTHIA KRUEGER, THAT WENDY WOODGEARD, DT #01739, HAVING MET THE REQUIREMENTS OF HER MAY 16, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Timpe, Loretta
R.N. #241392
(Case #00-0710) IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT LORETTA TIMPE, R.N. #241392, HAVING MET THE REQUIREMENTS OF HER MAY 17, 2002 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Shaw, Harold R.N.
#305176 (Case
#03-0055) IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT HAROLD SHAW, R.N. #305176, HAVING MET THE REQUIREMENTS OF HIS MARCH 21, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Minerd, Ellen R.N.
#288078 (Case
#00-0464) IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY CYNTHIA KRUEGER, THAT ELLEN MINERD, R.N. #288078, HAVING MET THE REQUIREMENTS OF HER MARCH 21, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Papurt, Sita R.N.
#208264 (Case
#01-0942) IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT SITA PAPURT, R.N. #208264, HAVING MET THE REQUIREMENTS OF HER NOVEMBER 22, 2002 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Shemroske, Emily
R.N. #308708 P.N.
#109987 (Case
#03-0255) IT WAS MOVED BY CYNTHIA KRUEGER, SECONDED BY KATHLEEN DRISCOLL, THAT EMILY SHEMROSKE, P.N. #109987, R.N. #308708, HAVING MET THE REQUIREMENTS OF HER JANUARY 17, 2003 CONSENT AGREEMENTS WITH THE BOARD, AND THE SEPTEMBER 19, 2003 ADDENDUM TO THE CONSENT AGREEMENT, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT AND ADDENDUM. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.
- Shaffer, Brian R.N.
#294437 (Case
#00-0701) IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY PATRICIA SCHLECHT, THAT BRIAN SHAFFER, R.N. #294437, HAVING MET THE REQUIREMENTS OF HIS MARCH 16, 2001 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE

BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Sanderson, Sandra
R.N. #303629
(Case #02-0661)

IT WAS MOVED BY T. DIANN CAUDILL, SECONDED BY KATHLEEN DRISCOLL, THAT SANDRA SANDERSON, FORMERLY KNOWN AS SANDRA LYNN ROGERS, R.N. #303629, HAVING MET THE REQUIREMENTS OF HER SEPTEMBER 20, 2002 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Besaw, Donald
R.N. #176084
(Case #02-0235)

IT WAS MOVED BY LISA KLENKE, SECONDED BY TERESA WILLIAMS, THAT DONALD WAYNE BESAW, R.N. #176084, HAVING MET THE REQUIREMENT OF HIS JANUARY 17, 2003 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

McCloskey,
Kathryn P.N.
#069995 (Case
#93-287)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY ELIZABETH BUSCHMANN, THAT KATHRYN MCCLOSKEY, P.N. #069995, HAVING MET THE REQUIREMENTS OF HER MARCH 16, 1995 CONSENT AGREEMENT WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF HER CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Miscellaneous

Compliance Issues
Motion to Withdraw
Notice of
Opportunity for
Hearing
Adams, Roxanne
P.N. #088971
(Case #02-1200)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY ELIZABETH BUSCHMANN, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON JANUARY 16, 2004 FOR ROXANNE ADAMS, P.N. #088971 AND DISMISS THE CHARGES BASED UPON THE BOARD HAVING RECEIVED INFORMATION THAT THE RESPONDENT IS DECEASED. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Huggins, Wanda
P.N. #065330
(Case #02-0268)

IT WAS MOVED BY ANNE BARNETT, SECONDED BY DEBRA BROADNAX, THAT THE BOARD WITHDRAW THE NOTICE OF OPPORTUNITY FOR HEARING THAT WAS ISSUED BY THE BOARD ON SEPTEMBER 19, 2003 FOR WANDA HUGGINS, P.N. #065330 AND REISSUE THE NOTICE OF OPPORTUNITY FOR HEARING AS OF MAY 21, 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Miscellaneous

Compliance Issues
Modify Consent
Agreement
Farson, Serena
P.N. #114544
(Case #03-0250)

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY ANNE BARNETT, THAT PARAGRAPH FOUR OF SERENA FARSON'S NOVEMBER 21, 2003 CONSENT AGREEMENT WITH THE BOARD OF NURSING BE MODIFIED TO EXTEND THE DATE BY WHICH MS. FARSON'S CONTINUING EDUCATION DOCUMENTATION IS TO BE SUBMITTED TO THE BOARD AND TO CORRECT LANGUAGE IN THE PARAGRAPH THAT REFERS TO MEDICAL DOCUMENTATION AND MEDICAL ADMINISTRATION CONTINUING EDUCATION. THE MODIFICATION IS BEING MADE BASED ON THE BOARD'S RECEIPT AND CONSIDERATION OF SUBSTANTIAL AND VERIFIABLE INFORMATION INDICATING THE DATE EXTENSION SHOULD BE ALLOWED. THEREFORE, THE LANGUAGE IN PARAGRAPH FOUR IS CHANGED TO THE FOLLOWING:

4. MS. FARSON SHALL, IN ADDITION TO THE REQUIREMENT OF LICENSURE RENEWAL, SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF SUCCESSFUL COMPLETION

OF THE FOLLOWING CONTINUING EDUCATION BY OCTOBER 2004: FOUR (4) HOURS OF OHIO NURSING LAW AND RULES; FIVE (5) HOURS OF CRITICAL THINKING; TEN (10) HOURS OF ETHICS; TEN (10) HOURS OF MEDICATION DOCUMENTATION; AND TWENTY-FOUR (24) HOURS OF MEDICATION ADMINISTRATION.

MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Miscellaneous

Compliance Issues

Consent Agreement
Reinstatement

Allen, Tina P.N.
#092179 (Case
#02-0520)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY LISA KLENKE, THAT TINA ALLEN, P.N. #092179, HAVING MET THE CONDITIONS FOR REINSTATEMENT OF HER LICENSE TO PRACTICE AS A LICENSED PRACTICAL NURSE CONTAINED WITHIN HER NOVEMBER 21, 2003 CONSENT AGREEMENT WITH THE BOARD, BE REINSTATED AND THAT HER LICENSE IS NOW SUBJECT TO THE PROBATIONARY TERMS AND CONDITIONS CONTAINED WITHIN THE CONSENT AGREEMENT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Miscellaneous

Compliance Issues

Summary
Suspension and
Notice of
Opportunity for
Hearing

Pelphrey, Angela
R.N. #251799
(Case #04-0554)

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY KATHLEEN DRISCOLL, THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY ANGELA PELPHREY, R.N. #251799, PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO PUBLIC. THEREFORE, IT WAS MOVED TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC, RETROACTIVE TO THE DATE IT WAS ISSUED WHICH WAS APRIL 9, 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

Piatak, Michelle
P.N. #104019
(Case #03-1191)

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY LISA KLENKE, THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY MICHELLE PIATAK, P.N. #104019, PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO THE PUBLIC. THEREFORE, IT WAS MOVED TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC, RETROACTIVE TO THE DATE IT WAS ISSUED WHICH WAS APRIL 12, 2004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. YVONNE SMITH AND BERTHA LOVELACE ABSTAINED. MARY JEAN FLOSSIE WAS ABSENT.

**Old Business/Prior
Meeting Follow-up**

Error Reduction
efforts

Update on ODH
Initiative

Patient Safety

Discussion Forum

The Board received a copy of the Ohio Surgical/Procedural Verification Protocol and related brochures distributed by Lisa Emrich. Ms. Emrich highlighted the information and answered questions of the Board for clarification regarding endorsement of the protocol. Following discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY JUDITH BRACHMAN, THAT THE BOARD OF NURSING ENDORSE THE OHIO SURGICAL/PROCEDURAL VERIFICATION PROTOCOL AS SUBMITTED BY THE OHIO PATIENT SAFETY INSTITUTE. AND THAT WRITTEN NOTIFICATION OF THE ENDORSEMENT BE SENT TO THE PATIENT SAFETY INSTITUTE. MOTION APPROVED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Patient Safety
Discussion Forum
IOM Reports

Director Brion informed the Board that copies of the IOM Reports had been ordered for the Board members but have not yet been received.

Practice Breakdown Focus Group	President Smith informed the Board that the next meeting of this group is scheduled for June 1-2, 2004.
March 2004 Board meeting follow-up April 15-16, 2004 Board Retreat Follow-up Board Retreat Evaluation Summaries	<p>President Smith reported that although the retreat was successful, additional items still need discussion. There was a discussion regarding the possibility of meeting for a few hours during the September Board meeting. After further discussion it was agreed by general consent that the Board would meet on Thursday evening of the July Board meeting. The Board directed Executive Director Brion and staff to locate an appropriate restaurant in Columbus with a separate meeting space of adequate size. Director Brion was also directed to inform the public of the meeting which will be held on Thursday, July 15, 2004 from 7:00 – 9:00 p.m. and inform the unit managers that are requested to attend.</p> <p>Board member Judith Brachman requested to receive a list of discussion items prior to the meeting. President Smith responded that discussion topics would be provided prior to the meeting.</p>
NEALP Update	<p>Staff member Rosemary Booker presented information regarding NEALP fund disbursements as requested by the Board and informed the Board that NEALP has had a change of staff. There was discussion regarding the Ohio Nurse Association (ONA) proposal to remove the financial needs criteria and open the NEALP funds to graduate students. The Board agreed by general consent that they would like to receive more information before making a decision regarding this proposal.</p> <p>Ms. Booker will receive a report from NEALP at the beginning of each Board meeting month and will also have results of this year's applications at the next Board meeting. The Board members requested that this report also include a list of participating schools.</p>
OBN Survey Update	Executive Director Brion updated the Board on the Board's survey. He requested approval to contract with someone to complete the analysis and write a report. The Board agreed by general consent to approve the request by Director Brion to move forward with obtaining a contract with someone to complete the analysis and write the report.
Update on Plans for the "On The Road" September 2004 Board Meeting	Executive Director Brion referred to the information which was included in his ED Report (agenda item 1.3) and informed the Board that each individual would need to make his/her own hotel reservations for this meeting.
Update on Fall 2004 Emerging Issues Conference	Staff member Norma Selders informed the Board that the date and location of September 21, 2004 at the Vern Riffe Center has been confirmed.
Revisit issue of changing deliberation time	There was a brief discussion regarding changing the time of Board deliberations. It was agreed by general consent to leave the deliberation time at 3:00 p.m. on Thursday of each Board meeting.
Board Task Force on Education Issues	Executive Director Brion informed the Board that there are multiple agency task forces that are looking at the nursing shortage issue. Each program is operating separately and it seems unaware of the others. There was discussion regarding looking at a five year plan and inviting all the different organizations to meet and discuss the needs as a whole. Staff member Norma Selders informed the Board that she had recently attended a summit where this issue was discussed. Ms. Selders also informed the Board that she would forward the information she received at this summit to Director Brion. It was agreed by general consent of the Board to add this issue to the Board retreat agenda for further discussion.

Surveying of students There was a discussion regarding the surveying of students to gather data on people coming into the practice of nursing. This information could then be used to assist with reducing the nursing shortage. There was discussion regarding the best time to conduct the student survey as well as the possibility of integrating this information with the material to be gathered by the person contracted to complete the OBN survey analysis and report. The Board agreed by general consent to move forward with the surveying of students.

Registration of students This agenda item was deferred to the July Board meeting. Staff member Lisa Ferguson Ramos will include information regarding the compliance process on the new applications in the next Board mailing.

New Business

Nursing Facility Reimbursement Study Council (NFRSC) (labeled 1.3) The Board received a copy of NFRSC committee recommendations as well as a copy of the Hannah Report (dated May 20, 2004) regarding the issue of medication technicians. Staff member Cynthia Snyder answered questions of the Board for clarification and informed the Board that this committee would like to make a presentation to the Board.

There was a brief discussion regarding the difference between State Tested Nurse Aides (STNA's) and Patient Care Technicians (PCT's). Following the discussion, the Board agreed by general consent to instruct the staff to gather information regarding these healthcare workers for discussion at the July Board meeting.

Following further discussion;

IT WAS MOVED BY PATRICIA SCHLECHT, SECONDED BY T. DIANN CAUDILL, THAT THE BOARD REMAIN NEUTRAL ON THE MED TECH ISSUE. IT WAS FURTHER MOVED THAT THE BOARD WOULD BECOME INVOLVED IN THE PROCESS IF THERE IS AN OPPORTUNITY FOR MORE INPUT ON THE TOPIC AND THAT FURTHER DISCUSSION OCCUR IN THE FUTURE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Review of Meeting/Evaluation of Processes

Board member Lisa Klenke commended the staff. Board member Patricia Schlecht commended President Smith. President Smith commended the Board and staff.

Adjourn

The meeting was adjourned at 5:30 p.m. on May 21, 2004.

Yvonne Smith, MSN, RN, CNS
President

Attest:

John M. Brion, RN, MS
Secretary