



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD MARCH 21-22, 2013

The regular meeting of the Ohio Board of Nursing (Board) was held on March 21-22, 2013 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, March 21, 2013 at 8:34 a.m., President Judith Church called the Board meeting to order. On Friday, March 22, 2013 at 8:32 a.m., President Church called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day and President Church recognized nursing students, welcomed the gallery, and requested that Board Members introduce themselves.

#### **BOARD MEMBERS**

Judith Church, RN, President

J. Jane McFee, LPN, Vice-President

Janet Arwood, LPN (Absent on Friday)

Rhonda Barkheimer, RN, Board Supervising Member for Disciplinary Matters

Nancy Fellows, RN

Lisa Klenke, RN

Maryam Lyon, RN

Susan Morano, RN

Tracy Ruegg, RN

Roberta Stokes, RN

Sheryl Warner, Consumer Member

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

#### **ADMINISTRATIVE MATTERS**

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

On Thursday, the Board Reception was held at 8:00 a.m.; Executive Session was at 10:00 a.m.; Darcy Anne Hempker and James McGovern, Esq., addressed the Board at 1:00 p.m.; Cody Thomas Allen and Robert Noble, Esq., addressed the Board at 1:10 p.m.; Renee McGriff and James McGovern, Esq., addressed the Board at 1:25 p.m.; Assistant Attorney General Courtney Hagele, Esq., addressed the Board at 1:40 p.m.; and Colleen Gresham and James McGovern, Esq., addressed the Board at 2:20 p.m. Open Forum was held at 10:00 a.m. on Friday.

### **Approval of Minutes of the January 2013 Meeting**

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that the Board approve the minutes from the January 2013 Board meeting as submitted. Motion adopted by majority vote of the Board members with Sheryl Warner abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomed Karla Edgerton as an intermittent Clerk 2 working in the Fiscal Unit.
- The Board presented budget testimony on February 20, 2013 in the Health and Human Services Subcommittee.
- The PCMH Education Advisory Group met on January 30, 2013. The Centers for Medicare and Medicaid announced that Ohio is one of sixteen states that will receive funding for the State Innovation Models Initiative.
- The Ohio Action Coalition Steering Committee met via conference call on March 8, 2013 to discuss reports from the Work Groups and other business. B. Houchen announced that Susan Hassmiller from the Robert Wood Johnson Foundation would be in Columbus on June 11, 2013 for a keynote address.
- Board staff are updating all licensure and certification applications. Fiscal, in conjunction with the Licensure, Certification, and Continuing Education Unit, developed and is now piloting a streamlined procedure to process all licensure and certificate applications and fees. Applications are being entered into the eLicense system within one to two business days of receipt, and fees are paid to the Treasurer's Office within three business days of receipt.
- B. Houchen distributed a chart identifying the workforce data questions that will be included in the 2013 renewal. The Board's questions are based on the Minimum Data Set workforce questions developed by the Colleagues in Caring Project, and core questions identified by the National Center for Health Workforce Analysis and the National Council of State Boards of Nursing.
- Board members congratulated President Judith Church on receiving the 2013 Faculty of the Year Award for the University of Phoenix-Cincinnati Campus. President Church teaches in the Healthcare Administration program.

### **Legislative Report**

Tom Dilling provided the legislative report. He reported that HB 44 would require the Director of Health to develop protocols regarding the authority to administer, deliver, distribute, or dispense drugs during certain public health emergencies in consultation with the appropriate professional regulatory boards. T. Dilling stated that certain technical changes are needed and he will follow-up regarding those changes. The Board members discussed the bill and agreed by consensus to support HB 44.

T. Dilling reported that SB 57 would establish a pilot project in Lorain County

from August 1, 2013 to July 31, 2014, pursuant to which qualified emergency responders in that County may obtain and administer naloxone to revive a person suffering from an apparent opioid-related overdose. The Board members discussed the bill and agreed by consensus to support SB 57.

## **NEW BUSINESS**

There was no new business at this meeting.

## **EXECUTIVE SESSION**

On March 21, 2013:

**Action:** It was moved by J. Jane McFee that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. Motion adopted by roll call vote. The Board entered Executive Session at 10:00 a.m. and reported out of Executive Session at 10:38 a.m.

## **APPROVALS**

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

#### Akron School of Practical Nursing

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Akron School of Practical Nursing for a period of five years effective March 21, 2013. It was further moved that the Program submit progress reports to the Board on or before September 18, 2013, March 1, 2014, and September 10, 2014. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

#### ATS Institute of Technology Associate of Applied Sciences in Nursing Program

The Board reviewed a survey visit report and the Program's response for ATS Institute of Technology Associate of Applied Sciences in Nursing Program.

#### Cincinnati State Great Oaks School of Practical Nursing

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Cincinnati State Great Oaks School of Practical Nursing for a period of five years effective March 21, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

#### Edison State Community College, Associate Degree Nursing Program

**Action:** It was moved by Janet Arwood, seconded by Susan Morano, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Edison State Community College, Associate Degree Nursing Program in Piqua for a period of five years effective March 21, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

#### Great Oaks School of (Secondary) Practical Nursing

**Action:** It was moved by Sheryl Warner, seconded by Rhonda Barkheimer, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Great Oaks School of (Secondary) Practical Nursing in Cincinnati for a period of five

years effective March 21, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

The Hannah E. Mullins School of Practical Nursing

**Action:** It was moved by Susan Morano, seconded by Nancy Fellows, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to The Hannah E. Mullins School of Practical Nursing in Salem for a period of five years effective March 21, 2013. It was further moved that the Program submit progress reports to the Board on or before September 18, 2013 and March 12, 2014. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Akron

The Board reviewed a survey visit report and the Program's response for Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Akron.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Dayton

The Board reviewed a survey visit report and the Program's response for Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Dayton.

Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Norwood

The Board reviewed a survey visit report and the Program's response for Breckinridge School of Nursing and Health Sciences @ ITT Technical Institute, Norwood.

Southern State Community College Associate Degree Nursing

**Action:** It was moved by Nancy Fellows, seconded by Janet Arwood, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Southern State Community College Associate Degree Nursing in Hillsboro for a period of two years effective March 21, 2013. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

**Nursing Education Program Requests**

Associate Degree in Nursing – Fortis College, Westerville

**Action:** It was moved by Tracy Ruegg, seconded by Roberta Stokes, that the Board approve the curriculum revision request submitted by Associate Degree in Nursing – Fortis College, Westerville, in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

Practical Nursing – Fortis College, Westerville

**Action:** It was moved by Rhonda Barkheimer, seconded by Maryam Lyon, that the Board approve the curriculum revision request submitted by Practical Nursing

– Fortis College, Westerville, in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Lisa Klenke abstaining.

### **Medication Aide Training Program**

#### OHNR Medication Aide Training Program

**Action:** It was moved by Maryam Lyon, seconded by Tracy Ruegg, that, in accordance with Rule 4723-27-07, OAC, the Board approve the OHNR Medication Aide Training Program in Cincinnati for a period of two years effective March 21, 2013. Motion adopted by majority vote of the Board members.

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

**Action:** It was moved by Lisa Klenke, seconded by Janet Arwood, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary permits, initially issued by the Board January 1, 2013 through February 28, 2013 to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by majority vote of the Board.

### **ADJUDICATION AND COMPLIANCE**

On Thursday, March 21, 2013, Darcy Anne Hempker and her attorney, James McGovern, Esq., addressed the Board regarding the Report and Recommendation involving Ms. Hempker; Charissa Payer, AAG, responded. Cody Thomas Allen and his attorney, Robert Noble, Esq., addressed the Board regarding the Report and Recommendation involving Mr. Allen; Henry Appel, AAG, responded. Courtney Hagele, AAG addressed the Board regarding the Report and Recommendation involving Lisa Ann Johnson. Renee J. McGriff and her attorney, James McGovern, Esq., addressed the Board regarding the Report and Recommendation involving Ms. McGriff; Courtney Hagele, AAG, responded. Colleen Gresham and her attorney, James McGovern, Esq., addressed the Board regarding the Report and Recommendation involving Ms. Gresham; Courtney Hagele, AAG, responded.

On Friday, March 22, 2013, Judith Church requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter. Nancy Fellows abstained from voting on disciplinary matters as she was newly appointed and had not yet had time to review the materials.

## **Board Actions**

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

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Chapek, Vivian L., R.N. 277135 (CASE #12-3901); Mathews, Brent D., R.N. 284234 (CASE #12-6248); McConnell, Kay, R.N. 360385, NA 11522 (CASE #13-0261); Coaster, Tinita M., R.N. NCLEX (CASE #12-3787); Ward, Susan E., P.N. 097469 (CASE #11-1391); Mackesy, Lucas N., R.N. 356504, P.N. 130735 (CASE #12-5873); Barrow, Neeka D., R.N. 372092 (CASE #13-0181); Holder, Jessica R., P.N. 139815 (CASE #13-0077); Carter, Samantha L., P.N. 125164 (CASE #12-5028); Welling, Jill M., R.N. 371258 (CASE #12-5833); Leasure, Lisa R., P.N. 117372 (CASE #11-3404); Daull, Rosemary D., P.N. 144328 (CASE #12-4426); Trout, Desrae L., R.N. 338175 (CASE #12-1375); Tilley, Matthew E., R.N. 376559, P.N. 097047 (CASE #10-4137); Ostrander, Cheri K., R.N. 289851, P.N. 104197 (CASE #12-6834); Sonney, Traci J., R.N. 327482 (CASE #13-0182); Ruggles, Deborah L., P.N. 120111 (CASE #12-1553); Tey, Jennifer R., P.N. NCLEX (CASE #12-6296); Butkovic, Thomas L., P.N. 131880 (CASE #12-0684); Zimmerman, Beverly H., R.N. 205235 (CASE #11-2511); Swain, Ciera T., P.N. 145362 (CASE #11-3722); Osei-Bonsu, Florence, R.N. 387532, P.N. 139220 (CASE #13-0373); Smith, Leigh A., P.N. 109451 (CASE #12-0574); Burd, Jessica A., P.N. 132952 (CASE #12-1726); Eloshway, Amy C., P.N. 113135 (CASE #12-7320); Whiting, Angela J., P.N. 109992 (CASE #12-2068); Graham, Maragene M., P.N. 102383 (CASE #12-4738); Payne, Tiffany B., P.N. 097682 (CASE #13-0235); Gates, Kimberly R., P.N. 132053 (CASE #13-0628); Haymaker, Monica S., P.N. 141782 (CASE #12-5838); Fischer, Dawn M., P.N. 130641 (CASE #12-1340); Kantner, Renee J., P.N. 096110 (CASE #12-0792); Peake, Carol I., R.N. 177151, NP 09813, RX 09813 (CASE #12-0637); Kaminski, Alexandria A., P.N. 129802 (CASE #11-5027); Harper, Carol L., P.N. 098946 (CASE #12-5243); Carlin, Timothy J., R.N. 277925 (CASE #10-5350); Keeper, Michelle L., R.N. 309618 (CASE #12-7487); Watters, Lora L., R.N. 300233 (CASE #10-4660); Cunningham, Kenyana N., P.N. 134264 (CASE #12-5889); Neuman, Megan M., R.N. 368072 (CASE #12-2388); Riha, Laura A., P.N. 113188 (CASE #11-3464); Petrilla, Heidi N., R.N. 296312 (CASE #13-0842); Waers, Donna M., P.N. 142785 (CASE #13-1054); Fryer, Kimberly A., R.N. 228090 (CASE #13-0093); Grate, Jacquelyn A., P.N. 111599 (CASE #11-0670); and Kimbrough, Marquette L., P.N. 096535 (CASE #11-0126).

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

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2013 Board Meeting.

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

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

Wise, DeWanda G., P.N. 119337 (CASE #12-3081); Rohe, Heather M., P.N. 122561 (CASE #12-4312); and Middleton, David P., R.N. 353638 (CASE #12-5018).

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

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2013 Board Meeting.

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

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

Hughley, Kevin E., P.N. 100498 (CASE #12-2664); Soehnen, Jessica L., P.N. 130187 (CASE #12-7258); Wiget, Lisa A., P.N. 141766 (CASE #13-0243); Kerston, Jami S., R.N. 179196 (CASE #12-6492); Young, Lee A., TC 1 03956 (CASE #13-0268); Disalvio, Cindy J., R.N. 230188 (CASE #12-5631); Noel, Christy, P.N. 143542 (CASE #13-0124); Gumbert, Michelle C., R.N. 288385 (CASE #13-0050); Mullen, Beverly J., P.N. 111420 (CASE #12-5576); Rogers, Jeanette M., R.N. 383480 (CASE #13-0830); Cook, Carolyn M., R.N. 154555 (CASE #13-0395); Aubrey, Tiffany L., P.N. 112171 (CASE #13-0290); Romans, Dara L., R.N. 192133 (CASE #13-1315); Cawthorn, Shannon L., R.N. 370043 (CASE #13-0357); and Brierly, Adriann M., R.N. 303648, P.N. 098482 (CASE #13-1157).

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

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2013 Board Meeting.

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

**Action:** It was moved by Susan Morano, seconded by Nancy Fellows, that the Board immediately suspend the license(s) and issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Frazier, Stephanie L., P.N. 125282 (CASE #12-3271); Averbeck, Lawrence J., R.N. 218236, P.N. 074551 (CASE #12-1822); and Hammons, Courtney R., P.N. 135610 (CASE #13-0372).

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

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

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2013 Board Meeting.

## **SURRENDERS**

### **Permanent Voluntary Surrender**

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

Staggers, Donald C., R.N. 340171 (CASE #11-4967); Yanke, Gordon C., P.N. 116001 (CASE #12-3899); Wallace, Rachel H., P.N. 130949 (CASE #12-4549); Warner, Kimberly J., R.N. 257149 (CASE #11-3142); and Shambarger, Jeffrey J., P.N. 106781 (CASE #13-0811).

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

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the March 2013 Board Meeting.

### **Voluntary Permanent Withdrawal of Endorsement Application**

**Action:** It was moved by Roberta Stokes, seconded by Susan Morano, that the Board accept the Voluntary Permanent Withdrawal of Application for Licensure by Endorsement for the following case(s):

Scharff, Elana U., R.N. Endorse (CASE #12-6573).

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

Complete copies of the Voluntary Permanent Withdrawal of Application for Licensure by Endorsement shall be maintained in the exhibit book for the March 2013 Board Meeting.

## **CONSENT AGREEMENTS**

**Action:** It was moved by J. Jane McFee, seconded by Lisa Klenke, that the Board approve the Consent Agreements for violations of Chapter 4723. ORC entered into by and between the Board in the following case(s):

Malley, Kelly C., R.N. 353688 (CASE #12-2527); Leyde, Cynthia E., R.N. 287835 (CASE #11-3355); Munford, Monati D., P.N. 141770 (CASE #11-4429); Lax, Natalie K., P.N. 116267 (CASE #11-0594); Christenson, Glenda W., R.N. 215400 (CASE #12-5910); Murphy, Tammy S., R.N. 233820, NP 12550, RX 12550 (CASE #12-0010); Burkhart, Cara J., R.N. 286407 (CASE #11-3441); Heid, Kayla B., R.N. 369573 (CASE #11-3223); McNamee, Mathew A., TC 1 applicant (CASE #12-6648); Robinson, Paula R., P.N. Endorse (CASE #12-6563); Greene, Angela M, P.N. 110879 (CASE #12-6409); Nesselroad, Michelle G., R.N. 267488 (CASE #12-7308); Burgess, Jennifer, P.N. 124265 (CASE #12-3083); Louis, Toni L., P.N. NCLEX (CASE #12-3092); Smith, Natisha D., P.N. 147387 (CASE #13-0400); Kuneff, Kendra N., P.N. 132614 (CASE #12-5366); Johnson (Thomas), Simone, R.N. 322175, P.N. 106593 (CASE #12-6407); Hayes, Jessica A., R.N. 337456, P.N. 337456 (CASE #09-3169); Valentine, Yvette M., R.N. 263444, P.N. 087356 (CASE #11-1909); Baldwin, Kandie M., P.N. 148624 (CASE #12-5646); Harding, Christina L., P.N. 118588 (CASE #13-0333); Helle, Eric L., R.N. 260410 (CASE #11-4695); Haitz, Cindy L., R.N. 241374 (CASE #12-0114); Truett, Kara N., P.N. 111891 (CASE #12-3550); Copley, Rebeka A., R.N. NCLEX (CASE #12-7144); Locke, Michael W., P.N. NCLEX (CASE #12-4930); Hurst, Amy J., P.N. 101498 (CASE #12-7077); Parks, Ayana D., P.N. 133568 (CASE #11-4204); Dais, Brandon D., P.N. 142522 (CASE #12-3534); Delaney, Travis M., P.N. NCLEX (CASE #12-4197); Morales, Michael R., P.N. NCLEX (CASE #12-5761); Adams, Sonya D., R.N. 314853, P.N. 094195 (CASE #12-0307); Deel, Tracy M., R.N. 312633, P.N. 099852 (CASE #12-0978); Davis, Christophor G., R.N. NCLEX (CASE #12-4465); Jones, Kristy L., P.N. 110635 (CASE #12-2884); Moyer, Tina N., P.N. 126932 (CASE #12-0897); McCune, Elizabeth A., R.N. 227563, P.N. 080970 (CASE #13-0670); Cunningham, Delphine W., R.N. 166790 (CASE #12-7229); Brown, Kimberly L., P.N. 103186 (CASE #11-4101); Beuter, Billie J., R.N. 257914 (CASE #13-0179); Clifton (Swanner), Patricia L., R.N. 281419 (CASE #12-7132); Stacklin, Jocelyn S., R.N. 362869 (CASE #11-3227); Jacklin, Jessica L., R.N. 322313 (CASE #11-4997); Pietragallo, Lisamarie A., R.N. 229789 (CASE #12-1543); Hudson, Amy H., R.N. 327128 (CASE #12-5636); Pace, Alisa G., R.N. 284511 (CASE #12-5786); Zook, Rhonda S., R.N. 357163 (CASE #12-2957); Allen, Shelby A., P.N. NCLEX (CASE #12-5262); Dugas, Lee, P.N. 129238 (CASE #11-2796); Mivumbi, Jean B., P.N. NCLEX (CASE #12-4036); Ruark, Julie A., R.N. 311369, P.N. 105281 (CASE #11-2791); Willoughby, Brittney N., P.N. 135142, R.N. NCLEX (CASE #12-7070); Colby, Kiley M., R.N. NCLEX (CASE #12-6177); Carter, Nicole D., R.N. 295656, NP 12666, RX 12666 (CASE #11-2250); Kinnamon, Brandon M., R.N. NCLEX (CASE #12-7324); Mayo, Terry L., R.N. 190309 (CASE #11-4749); McDuffie, Amanda S., P.N. 106542 (CASE #12-4833); Martinez, Patricia A.,

R.N. 310787 (CASE #12-4249); Payne, Scott T., R.N. 357381 (CASE #11-4032); Becker-Simon, Tonya L., P.N. 123917 (CASE #13-0883); Schauer, Angelena E., P.N. 118874 (CASE #12-3409); Smith, Kathryn E., P.N. 124140 (CASE #12-3108); House, Kathy L., R.N. 179534 (CASE #12-7063); Ramey, Joshua O., R.N. 385817 (CASE #13-0463); Galloway-Spencer, Carmen L., R.N. 327947 (CASE #13-0684); Lucas, Jodi R., R.N. 268877 (CASE #11-4983); Pawlowicz, Erin J.A., R.N. 296978 (CASE #12-0004); Barr, Jennifer, P.N. 133599 (CASE #12-1540); Profitt, Joei R., P.N. 121115 (CASE #12-0092); Hoskins, Jasmine D., P.N. 145688 (CASE #12-3651); Bednarski, Helen K., P.N. 047914 (CASE #12-7232); Davis, Bethany A., R.N. 326963 (CASE #11-4722); Race, Ralph D., R.N. 311332 (CASE #12-3359); Perry, Chad A., R.N. 315589 (CASE #12-0042); Thompson Jr., Robert C., P.N. 112978 (CASE #12-3107); Griggs, Holly A., P.N. 145855 (CASE #13-0314); Dalton, Rebecca L., P.N. NCLEX (CASE #12-1455); Zeller, Raquel L., P.N. 093375 (CASE #12-5733); Stamper, Brittani B., P.N. NCLEX (CASE #12-7288); Nieman, Barbara E., R.N. 158748 (CASE #11-1659); Cornelia, Christina F., R.N. 322796 (CASE #12-0890); Gromley, Genia E., R.N. 095972 (CASE #13-0241); Pessel, Connie S., P.N. 125178 (CASE #12-0616); Seymour, Erica J., R.N. 286447 (CASE #11-1934); King, Amber D., R.N. 294858 (CASE #12-6211); Hernandez, Dionne A., P.N. 092256 (CASE #12-1861); Imbrogno, Stefanie R., R.N. 337659 (CASE #12-6400); Unger, Amy L., R.N. 253177 (CASE #12-6644); Leeson, Cara M., R.N. NCLEX (CASE #12-4926); Stout, Erin O., R.N. 173314 (CASE #12-3579); Luther, Ryan M., R.N. NCLEX (CASE #13-0039); Jenkins, James A., TC1 applicant (CASE #13-0963); and Driggs, Cheryl L., R.N. 324205 (CASE #12-7490).

Rhonda Barkheimer and Judith Church abstained from voting on all cases. Susan Morano abstained from voting on Louis, Toni L., P.N. NCLEX (CASE #12-3092) only. Tracy Ruegg abstained from voting on King, Amber D., R.N. 294858 (CASE #12-6211) only.

Nancy Fellows voted no on Kinnamon, Brandon M., R.N. NCLEX (CASE #12-7324) only. J. Jane McFee voted no on House, Kathy L., R.N. 179534 (CASE #12-7063) and Unger, Amy L., R.N. 253177 (CASE #12-6644) only. Susan Morano voted no on Zeller, Raquel L., P.N. 093375 (CASE #12-5733) only. Tracy Ruegg voted no on the following cases only: Hayes, Jessica A., R.N. 337456, P.N. 120988 (CASE #09-3169); Helle, Eric L., R.N. 260410 (CASE #11-4695); McCune, Elizabeth A., R.N. 227563, P.N. 080970 (CASE #13-0670); Hoskins, Jasmine D., P.N. 145688 (CASE #12-3651); Davis, Bethany A., R.N. 326963 (CASE #11-4722); Thompson Jr., Robert C., P.N. 112978 (CASE #12-3107); Stamper, Brittani B., P.N. NCLEX (CASE #12-7288); Luther, Ryan M., R.N. NCLEX (CASE #13-0039); and Jenkins, James A., TC1 applicant (CASE #13-0963).

Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the March 2013 Board Meeting.

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

Norton, Margaret A., R.N. 234658 (CASE #07-1681 and #12-2347)

**Action:** It was moved by Susan Morano, seconded by Tracy Ruegg, that the Board consolidate the matters of Margaret Norton, R.N. 234658, Case Numbers 2012-002347 and 2007-1681, for the purposes of adjudication. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **MARGARET A. NORTON's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **MARGARET A. NORTON** to surrender her frameable wall certificate for her registered nurse license, R.N. #234658, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Trubilowicz, Kathy A., R.N. 269895 (CASE #11-4774)

**Action:** It was moved by Sheryl Warner, seconded by Lisa Klenke, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **KATHY ANN TRUBILOWICZ's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **KATHY ANN TRUBILOWICZ** to surrender her frameable wall certificate for her registered nurse license, R.N. #269895, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Allen, Cody T., R.N. 323845 (CASE #11-2902)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that the Board grant Respondent's oral Motion to Admit Additional Evidence, in the form of three Certificates of Completion of Continuing Nursing Education, presented on March 21, 2013, during Respondent's Appearance before the Board. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law of the Hearing Examiner, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **CODY THOMAS ALLEN's** license to practice nursing as a registered nurse in the

State of Ohio not be sanctioned.

The rationale for this modification is the following:

Although the Board agrees that Mr. Allen violated the law regulating nursing practice as identified by the Hearing Examiner, Mr. Allen voluntarily removed himself from practice in August 2011 by placing his license on inactive status, and has submitted evidence of completion of Continuing Nursing Education in Violence in the Healthcare Workplace and Ethical Decision Making.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Lloyd, Sheila M., R.N. 295208 (CASE #07-3589)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **SHEILA M. LLOYD'S** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **SHEILA M. LLOYD** to surrender her frameable wall certificate for her registered nurse license, R.N. #295208, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Gresham, Colleen A., R.N. 288479 (CASE #11-4557)

**Action:** It was moved by Maryam Lyon, seconded by Tracy Ruegg, that the Board grant the State's motion to redact the social security number that appears on page one of State's Exhibit 7, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact and Conclusions of Law in the Hearing Examiner's Report and Recommendation, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **COLLEEN A. GRESHAM'S** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. GRESHAM'S** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with the **Temporary Practice and Temporary Narcotic Restrictions** set forth below.

The rationale for the modification is the following:

**MS. GRESHAM** has a history of disciplinary actions before the Board beginning in 2009, and multiple violations of the nursing law since 2008. A longer period of suspension and probationary monitoring with demonstrated compliance with the requirements of the Board is required to ensure that **MS. GRESHAM** is able to practice nursing safely in the State of Ohio. In addition, **MS. GRESHAM** should be temporarily restricted from access to narcotics until she demonstrates compliance with Board requirements. The Board has determined that a chemical dependency evaluation is not required prior to reinstatement because **MS. GRESHAM** has had multiple evaluations, and **MS. GRESHAM's** primary issue at this time appears to be her continued failure to comply with the terms and conditions of Board monitoring rather than a current chemical dependency.

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

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

#### **Monitoring**

4. **MS. GRESHAM** 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. GRESHAM's** history. **MS. GRESHAM** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. GRESHAM** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. GRESHAM** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such

- times as the Board may request. Upon and after **MS. GRESHAM's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GRESHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRESHAM's** history.
7. Within thirty (30) days prior to **MS. GRESHAM** initiating drug screening, **MS. GRESHAM** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. GRESHAM**.
  8. After initiating drug screening, **MS. GRESHAM** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. GRESHAM** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. GRESHAM** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GRESHAM** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. GRESHAM**

10. **MS. GRESHAM** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
11. **MS. GRESHAM** 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.
12. **MS. GRESHAM** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

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

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. GRESHAM** 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. GRESHAM's** history. **MS. GRESHAM** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GRESHAM** shall abstain completely from the use of alcohol or any products containing alcohol.

5. During the probationary period, **MS. GRESHAM** 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. GRESHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRESHAM's** history.
6. **MS. GRESHAM** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GRESHAM** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. GRESHAM** shall **notify the Board, in writing.**
11. **MS. GRESHAM** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS. GRESHAM** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job

performance on a quarterly basis **beginning within thirty (30) days of accepting nursing employment.** **MS. GRESHAM** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MS. GRESHAM**

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

### **Temporary Narcotic Restriction**

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

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

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Hempker, Darcy Anne, R.N. 233710 (CASE #12-1642)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board accept all of the Findings of Fact and Conclusions of Law in the Hearing Examiner's Report and Recommendation, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **DARCY ANNE HEMPKER's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. HEMPKER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with the **Permanent Practice** and **Permanent Narcotic Restrictions** set forth below.

The rationale for the modification is the following:

**MS. HEMPKER** has a long history of addiction to alcohol and drugs; a history of disciplinary actions before the Board beginning in 2006; and multiple violations of the nursing law since 2005. A longer period of suspension and probationary monitoring with demonstrated sobriety and compliance with the requirements of the Board is required to ensure that **MS. HEMPKER** is able to practice nursing safely in the State of Ohio. In addition, **MS. HEMPKER** should be permanently restricted from access to narcotics due to her continued issues with addiction.

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

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

and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: 5.4 hours of Professional Accountability and Legal Liability, two (2) hours of Scope of Practice, and two (2) hours of Ohio Law and Rules.

### **Monitoring**

5. **MS. HEMPKER** 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. HEMPKER's** history. **MS. HEMPKER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. HEMPKER** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. HEMPKER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HEMPKER** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. HEMPKER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HEMPKER's** license, and a statement as to whether **MS. HEMPKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. HEMPKER** 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. HEMPKER's** license.
9. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MS. HEMPKER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HEMPKER's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening

- shall require a daily call-in process. The specimens submitted by **MS. HEMPKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HEMPKER's** history.
10. Within thirty (30) days prior to **MS. HEMPKER** initiating drug screening, **MS. HEMPKER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. HEMPKER**.
  11. After initiating drug screening, **MS. HEMPKER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. HEMPKER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MS. HEMPKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HEMPKER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. HEMPKER**

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

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

### **DURATION**

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

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

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

### **Monitoring**

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

6. **MS. HEMPKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HEMPKER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. HEMPKER**

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

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Johnson, Lisa A., R.N. 346250 (CASE #11-3440)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact and Conclusions of Law in the Hearing

Examiner's Report and Recommendation, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **LISA ANN JOHNSON's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. JOHNSON's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with the **Temporary Practice** and **Temporary Narcotic Restrictions** set forth below for a minimum period of five (5) years.

The rationale for the modification is the following:

**MS. JOHNSON's** violations of the nursing law were serious in that **MS. JOHNSON** used MS Contin and Methadone that were not legally prescribed for her. The Board has determined in its expertise that a longer period of suspension and probationary monitoring is required to ensure that **MS. JOHNSON** is able to practice nursing safely in the State of Ohio. In addition, due to **MS. JOHNSON's** illegal use of these drugs and serious opioid dependency, she should be temporarily restricted from high-risk practice settings and from access to narcotics for a minimum period of five (5) years, without exception.

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

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

#### **Monitoring**

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

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

10. After initiating drug screening, **MS. JOHNSON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. JOHNSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. JOHNSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JOHNSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Prior to requesting reinstatement by the Board, MS. JOHNSON** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. JOHNSON's** fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of **MS. JOHNSON's** comprehensive physical examination and with a comprehensive assessment regarding **MS. JOHNSON's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. JOHNSON** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. JOHNSON** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. JOHNSON's** license to practice, and stating whether **MS. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. JOHNSON's** license.

#### **Reporting Requirements of MS. JOHNSON**

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

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

#### **DURATION**

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

**Following reinstatement, MS. JOHNSON shall be subject to the following probationary terms, conditions, and limitations for a minimum period of three (3) years, and the temporary narcotic and practice restrictions set forth below for a minimum period of five (5) years.**

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

### **Monitoring**

3. **MS. JOHNSON** 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. JOHNSON's** history. **MS. JOHNSON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. JOHNSON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. JOHNSON** 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. JOHNSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JOHNSON's** history.
6. **MS. JOHNSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JOHNSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. JOHNSON**

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

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

#### **Temporary Narcotic Restriction**

**For a minimum period of five (5) years, MS. JOHNSON** shall not administer, have access to, or possess (except as prescribed for **MS. JOHNSON's** use by another so authorized by law who has full knowledge of **MS. JOHNSON's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. JOHNSON** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. JOHNSON** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

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

**For a minimum period of five (5) years, MS. JOHNSON** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Bayless, Jennifer L., P.N. 109655 (CASE #12-2001)

**Action:** It was moved by Nancy Fellows, seconded by Susan Morano, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **JENNIFER LYNN BAYLESS's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **JENNIFER LYNN BAYLESS** to surrender her frameable wall certificate for her practical nurse license, P.N. #109655, immediately.

The rationale for the modification is the following:

**MS. BAYLESS's** initial Board action was based on a violation of nurse-patient boundaries, in addition to significant deficiencies in her nursing practice. **MS. BAYLESS** was given an opportunity to continue to practice nursing with probationary monitoring. **MS. BAYLESS** violated the Consent Agreement by failing to report her termination and engaging in serious additional practice violations. The Board in its expertise believes that the acts that led to **MS. BAYLESS's** termination are serious in that she performed a rectal stimulation on a patient without an order and when there was no indication of an impaction or obstruction. The Board has determined that **MS. BAYLESS** cannot be remediated and that her continued practice would be a danger to public safety.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Hawkins, Shinitta D., P.N. 145336 (CASE #12-0177)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **MS. HAWKINS's** license to practice nursing as a licensed

practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **SHINITTA D. HAWKINS** to surrender her frameable wall certificate for her practical nurse license, P.N. #145336, immediately.

The rationale for the modification is the following:

**MS. HAWKINS** had a history of criminal actions, including multiple felonies, prior to being authorized to take the licensure exam, and was given an opportunity to practice nursing with probationary monitoring pursuant to a July 2011 Consent Agreement. **MS. HAWKINS** was non-compliant with the requirements of the Consent Agreement by failing to complete the required continuing education as of March 5, 2012, and within a few months after obtaining her license, **MS. HAWKINS** pled guilty to and was convicted of misdemeanor assault, a crime that involves violence. The Board has determined in its expertise that **MS. HAWKINS's** practice in the State of Ohio would be a danger to public safety.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

McGriff, Renee J., P.N. 053311 (CASE #11-4068)

**Action:** It was moved by Susan Morano, seconded by Sheryl Warner, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and ordered that **RENEE JACQUELINE MCGRIFF's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **RENEE JACQUELINE MCGRIFF** to surrender her frameable wall certificate for her practical nurse license, P.N. #053311, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Shoemaker, Tara I., P.N. 127955 (CASE #10-5481)

**Action:** It was moved by Sheryl Warner, seconded by Roberta Stokes, that the Board accept all of the Findings of Fact and Conclusions of Law in the Hearing Examiner's Report and Recommendation, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and ordered that **TARA ILENE SHOEMAKER's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not

less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. SHOEMAKER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

The rationale for the modification is the following:

**MS. SHOEMAKER** has a prior Board action in 2007. **MS. SHOEMAKER's** current violations involve fraud and deception with paperwork. **MS. SHOEMAKER's** prior Board action, history of drug use, the violations in this case, and the Hearing Examiner's analysis of aggravating factors on page sixteen, and the analysis on page seventeen of the Report and Recommendation support that **MS. SHOEMAKER** must be suspended and monitored for a longer period of time and permanently restricted from high risk practice settings in order to protect the public.

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

1. **MS. SHOEMAKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SHOEMAKER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. SHOEMAKER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SHOEMAKER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SHOEMAKER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. SHOEMAKER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Documentation, and ten (10) hours of Ethics and Professionalism.

#### **Monitoring**

5. **MS. SHOEMAKER** 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.**

- SHOEMAKER's** history. **MS. SHOEMAKER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. SHOEMAKER** shall abstain completely from the use of alcohol or any products containing alcohol.
  7. **Prior to requesting reinstatement by the Board, MS. SHOEMAKER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SHOEMAKER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. SHOEMAKER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SHOEMAKER's** license, and a statement as to whether **MS. SHOEMAKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  8. **MS. SHOEMAKER** 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. SHOEMAKER's** license.
  9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SHOEMAKER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SHOEMAKER's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SHOEMAKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SHOEMAKER's** history.
  10. Within thirty (30) days prior to **MS. SHOEMAKER** initiating drug screening, **MS. SHOEMAKER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all

- treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SHOEMAKER**.
11. After initiating drug screening, **MS. SHOEMAKER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. SHOEMAKER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SHOEMAKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SHOEMAKER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MS. SHOEMAKER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. SHOEMAKER** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SHOEMAKER's** license, and a statement as to whether **MS. SHOEMAKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  14. **MS. SHOEMAKER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. SHOEMAKER's** license.

#### **Reporting Requirements of MS. SHOEMAKER**

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

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

#### **DURATION**

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

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

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

#### **Monitoring**

22. **MS. SHOEMAKER** 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. SHOEMAKER's** history. **MS. SHOEMAKER** shall self-administer prescribed drugs only in the manner prescribed.
23. **MS. SHOEMAKER** shall abstain completely from the use of alcohol or any products containing alcohol.
24. During the probationary period, **MS. SHOEMAKER** 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. SHOEMAKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SHOEMAKER's** history.
25. **MS. SHOEMAKER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SHOEMAKER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. SHOEMAKER**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

without Board monitoring, based upon an interview with **MS. SHOEMAKER** and review of the reports as required herein. Any period during which **MS. SHOEMAKER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

### **BOARD HEARING COMMITTEE**

Stiles, Kimberly, P.N. 144849 (CASE #11-4423)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and ordered that **KIMBERLY ANN STILES's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. STILES's** license to practice nursing as a licensed practical nurse shall be subject to the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year, with the **Temporary Practice** and **Temporary Narcotic Restrictions** set forth below.

The rationale for the modification is the following:

**MS. STILES** failed to comply with the required chemical dependency evaluation and drug screening requirements in the May 2011 Consent Agreement. The Board has not had the opportunity to review the results of an evaluation and drug screens to determine if **MS. STILES** has continued addiction issues that could impact her ability to practice nursing safely. A temporary restriction from access to narcotics is necessary until **MS. STILES** demonstrates through monitoring that she is not suffering from an active substance abuse disorder.

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

1. **MS. STILES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STILES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. STILES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. STILES**, including a

- check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. STILES's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. STILES** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Substance Abuse, and two (2) hours of Ohio Law and Rules.
  5. **Prior to requesting reinstatement by the Board, MS. STILES** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### **Monitoring**

6. **MS. STILES** 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. STILES's** history. **MS. STILES** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. STILES** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **At least sixty (60) days prior to requesting reinstatement by the Board, MS. STILES** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. STILES** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. STILES** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. STILES's** license, and a statement as to whether **MS. STILES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

9. **MS. STILES** 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. STILES's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. STILES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. STILES's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. STILES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STILES's** history.
11. Within thirty (30) days prior to **MS. STILES** initiating drug screening, **MS. STILES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. STILES**.
12. After initiating drug screening, **MS. STILES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. STILES** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. STILES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. STILES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. STILES**

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

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. STILES** 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. STILES's** history. **MS. STILES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. STILES** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. STILES** 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. STILES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. STILES's** history.
6. **MS. STILES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. STILES** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. STILES**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and Tracy Ruegg abstaining.

Kane, Cisse, R.N. 355585, P.N. 123389 (CASE #10-5211)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and ordered that **CISSE KANE'S** licenses to practice nursing as a registered nurse and licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The Board further Orders **CISSE KANE** to surrender his frameable wall certificates for his registered nurse license, R.N. #355585, and for his practical nurse license, P.N. #123389, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

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

Andy (Leach), Channon L., P.N. 096929 (CASE #12-2985)

**Action:** It was moved by Tracy Ruegg, seconded by Nancy Fellows that upon consideration of the charges stated against **CHANNON LEA ANDY** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ANDY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. ANDY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CHANNON LEA ANDY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #096929, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Kirschbaum, Traci A, R.N. 259419 (CASE #12-2637)

**Action:** It was moved by Lisa Klenke, seconded by Susan Morano, that upon consideration of the charges stated against **TRACI A. KIRSCHBAUM** in September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KIRSCHBAUM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. KIRSCHBAUM'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TRACI A. KIRSCHBAUM** to surrender her frameable wall certificate for her registered nurse license, R.N. #259419, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Armstrong, Kelly A., R.N. 255774 (CASE #11-4760)

**Action:** It was moved by Nancy Fellow, seconded by Lisa Klenke, that upon consideration of the charges stated against **KELLY ANN ARMSTRONG** in the July 27, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ARMSTRONG** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. ARMSTRONG'S** request for reinstatement of her nursing license is **DENIED** and her license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KELLY ANN ARMSTRONG** to surrender her frameable wall certificate for her registered nurse license, R.N. #255774, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Barre, Melissa J., R.N. 337791 (CASE #12-3151)

**Action:** It was moved by Susan Morano, seconded by Tracy Ruegg, that upon consideration of the charges stated against **MELISSA J. BARRE** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BARRE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS.**

**BARRE's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BARRE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. BARRE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BARRE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. BARRE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BARRE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BARRE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. BARRE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Decisions and Ethics, and ten (10) hours of Nurses and Addictions.

#### **Monitoring**

5. **MS. BARRE** 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. BARRE's** history. **MS. BARRE** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. BARRE** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **At least three (3) months prior to requesting reinstatement by the Board, MS. BARRE** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency

- professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BARRE** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. BARRE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BARRE's** license, and a statement as to whether **MS. BARRE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. BARRE** 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. BARRE's** license.
  9. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. BARRE** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BARRE's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BARRE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BARRE's** history.
  10. Within thirty (30) days prior to **MS. BARRE** initiating drug screening, **MS. BARRE** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BARRE**.
  11. After initiating drug screening, **MS. BARRE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. BARRE** shall notify the Board of any

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

12. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. BARRE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BARRE** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. BARRE**

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

#### **DURATION**

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

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

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

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

**Monitoring**

3. **MS. BARRE** 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. BARRE's** history. **MS. BARRE** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BARRE** shall abstain completely from the use of alcohol or any products containing alcohol.
5. **For a minimum period of two (2) years during the probationary period, MS. BARRE** 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. BARRE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BARRE's** history. At any time after the two (2) year period previously described, **MS. BARRE** may submit a written request to the Board to have this restriction re-evaluated.
6. **For a minimum period of two (2) years during the probationary period, MS. BARRE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BARRE** shall provide satisfactory documentation of such attendance to the Board every six (6) months. At any time after the two (2) year period previously described, **MS. BARRE** may submit a written request to the Board to have this restriction re-evaluated.

**Treating Practitioners and Reporting**

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

#### **Employment Conditions**

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

#### **Reporting Requirements of MS. BARRE**

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

Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

**The stay of MS. BARRE's suspension shall be lifted and MS. BARRE's**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Beauchamp, Amy L., R.N. 333010 (CASE #12-2937)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **AMY L. BEAUCHAMP** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BEAUCHAMP** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. BEAUCHAMP's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BEAUCHAMP's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

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

### **Monitoring**

4. **MS. BEAUCHAMP** 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. BEAUCHAMP's** history. **MS. BEAUCHAMP** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. BEAUCHAMP** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BEAUCHAMP** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BEAUCHAMP's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BEAUCHAMP** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BEAUCHAMP's** history.
7. Within thirty (30) days prior to **MS. BEAUCHAMP** initiating drug screening, **MS. BEAUCHAMP** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. BEAUCHAMP**.
8. After initiating drug screening, **MS. BEAUCHAMP** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating

- practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. BEAUCHAMP** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BEAUCHAMP** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BEAUCHAMP** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BEAUCHAMP** shall participate in individual counseling at intervals deemed appropriate by a chemical dependency professional approved in advance by the Board or its designee. **MS. BEAUCHAMP** shall have the chemical dependency professional submit written reports regarding **MS. BEAUCHAMP's** progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. BEAUCHAMP** shall provide the chemical dependency professional with a copy of this Order. **MS. BEAUCHAMP** shall inform the Board, in writing, within five (5) business days of discontinuing participation in individual counseling, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another chemical dependency professional(s) and intervals of treatment for approval by the Board or its designee.
  11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. BEAUCHAMP** shall participate in treatment at intervals deemed appropriate by a psychiatrist approved in advance by the Board or its designee. **MS. BEAUCHAMP** shall have the psychiatrist submit written reports regarding **MS. BEAUCHAMP's** progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. BEAUCHAMP** shall provide the psychiatrist with a copy of this Order. **MS. BEAUCHAMP** shall inform the Board, in writing, within five (5) business days of discontinuing participation in treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.
  12. **Upon request by the Board or its designee and within ninety (90) days of such a request, MS. BEAUCHAMP** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist who is certified by the American Board of Medical Specialties (ABMS) in Addiction Psychiatry and who is approved in advance by the Board. Prior to the evaluation, **MS. BEAUCHAMP** shall provide the evaluating psychiatrist with a copy of this Order, and with summaries from her treating physicians for the past five (5) years, including the types and frequency of drugs she has been

- prescribed in that period. Further, **MS. BEAUCHAMP** shall execute releases to permit the evaluating psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BEAUCHAMP's** license, and a statement as to whether **MS. BEAUCHAMP** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. **MS. BEAUCHAMP** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above. 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. BEAUCHAMP's** license and that the terms, conditions, and limitations may be incorporated in an addendum to this Order.

#### **Reporting Requirements of MS. BEAUCHAMP**

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

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS.**

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

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

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

#### **Monitoring**

3. **MS. BEAUCHAMP** 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. BEAUCHAMP's** history. **MS. BEAUCHAMP** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. BEAUCHAMP** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. BEAUCHAMP** 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. BEAUCHAMP** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BEAUCHAMP's** history.
6. **MS. BEAUCHAMP** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. BEAUCHAMP** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **MS. BEAUCHAMP** shall participate in continuing individual counseling at intervals deemed appropriate by another chemical dependency

- professional approved in advance by the Board or its designee until released. **MS. BEAUCHAMP** shall continue to have the chemical dependency professional submit written reports regarding **MS. BEAUCHAMP's** progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. BEAUCHAMP** shall provide the chemical dependency professional with a copy of this Order. **MS. BEAUCHAMP** shall inform the Board, in writing, within five (5) business days of discontinuing participation in individual counseling, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another chemical dependency professional(s) and intervals of treatment for approval by the Board or its designee.
8. **MS. BEAUCHAMP** shall participate in continuing treatment at intervals deemed appropriate by a psychiatrist approved in advance by the Board or its designee until released. **MS. BEAUCHAMP** shall have the psychiatrist submit written reports regarding **MS. BEAUCHAMP's** progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. BEAUCHAMP** shall provide the psychiatrist with a copy of this Order. **MS. BEAUCHAMP** shall inform the Board, in writing, within five (5) business days of discontinuing participation in treatment, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another psychiatrist(s) and intervals of treatment for approval by the Board or its designee.
  9. **Upon request by the Board or its designee and within ninety (90) days of such a request, MS. BEAUCHAMP** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist who is certified by the American Board of Medical Specialties (ABMS) in Addiction Psychiatry and who is approved in advance by the Board. Prior to the evaluation, **MS. BEAUCHAMP** shall provide the evaluating psychiatrist with a copy of this Order, and with summaries from her treating physicians for the past five (5) years, including the types and frequency of drugs she has been prescribed in that period. Further, **MS. BEAUCHAMP** shall execute releases to permit the evaluating psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BEAUCHAMP's** license, and a statement as to whether **MS. BEAUCHAMP** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  10. **MS. BEAUCHAMP** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. BEAUCHAMP's** license and that the terms, conditions, and limitations may be incorporated in an addendum to this Order.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. BEAUCHAMP**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

**MS. BEAUCHAMP** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing

responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Hughes, Christina M., R.N. 339427 (CASE #12-4031)

**Action:** It was moved by Sheryl Warner, seconded by Nancy Fellows, that upon consideration of the charges stated against **CHRISTINA MARIE HUGHES** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HUGHES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. HUGHES's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HUGHES's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Practice Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. HUGHES** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HUGHES** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. HUGHES** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HUGHES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HUGHES's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. HUGHES** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Anger Management, and ten (10) hours of Chemical Dependency.

### **Monitoring**

5. **MS. HUGHES** 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. HUGHES's** history. **MS. HUGHES** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. HUGHES** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. HUGHES** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HUGHES** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. HUGHES** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional

- restrictions that should be placed on **MS. HUGHES's** license, and a statement as to whether **MS. HUGHES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. HUGHES** 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. HUGHES's** license.
  9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. HUGHES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HUGHES's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. HUGHES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HUGHES's** history.
  10. Within thirty (30) days prior to **MS. HUGHES** initiating drug screening, **MS. HUGHES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. HUGHES**.
  11. After initiating drug screening, **MS. HUGHES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. HUGHES** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. HUGHES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HUGHES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. HUGHES**

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

### **DURATION**

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

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

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

designee.

### **Monitoring**

3. **MS. HUGHES** 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. HUGHES's** history. **MS. HUGHES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HUGHES** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. HUGHES** 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. HUGHES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HUGHES's** history.
6. **MS. HUGHES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HUGHES** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. HUGHES**

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

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

Motion adopted by majority vote of the Board members with Rhonda

Barkheimer and Judith Church abstaining.

Lorenz, Robert M., R.N. 172172 (CASE #10-4950)

**Action:** It was moved by Roberta Stokes, seconded by Lisa Klenke, that upon consideration of the charges stated against **ROBERT M. LORENZ** in the January 21, 2011 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. LORENZ** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MR. LORENZ'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ROBERT M. LORENZ** to surrender his frameable wall certificate for his registered nurse license R.N. #172172, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Quinnie, Carolyn J., R.N. 175681 (CASE #12-3026)

**Action:** It was moved by Maryam Lyon, seconded by Sheryl Warner, that upon consideration of the charges stated against **CAROLYN J. QUINNIE** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. QUINNIE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing ORDERS that **MS. QUINNIE'S** license to practice nursing as a registered nurse is hereby suspended and that the suspension is stayed subject to the probationary terms, conditions, and limitations until she submits documentation of her successful compliance with and completion of her community control sanctions imposed in Franklin County Court of Common Pleas Case Number 11CR-899, and the **Permanent Practice Restrictions** set forth below.

**MS. QUINNIE'S license to practice nursing as a registered nurse shall be subject to the following probationary terms, conditions, and limitations:**

1. **MS. QUINNIE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. QUINNIE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. QUINNIE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. QUINNIE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS.**

**QUINNIE's** criminal records check reports to the Board. **MS. QUINNIE's** completed criminal records check, including the FBI check, **must be received by the Board within six (6) months of effective date of this Order.**

4. **Within six (6) months of the effective date of this Order, MS. QUINNIE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Ethics.

#### **Employment Conditions**

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

#### **Reporting Requirements of MS. QUINNIE**

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

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

the reports as required herein. Any period during which **MS. QUINNIE** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Ragle, Tracy R., R.N. 309832 (CASE #12-2597)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the charges stated against **TRACY REGINA RAGLE** in September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RAGLE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. RAGLE'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TRACY REGINA RAGLE** to surrender her frameable wall certificate for her registered nurse license, R.N. #309832, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Sandy, Pamela J., R.N. 235193 (CASE #12-3497)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that upon consideration of the charges stated against **PAMELA JEAN SANDY** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SANDY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. SANDY'S** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SANDY'S** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

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

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

- rules governing the practice of nursing in Ohio.
2. **MS. SANDY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
  3. **Prior to requesting reinstatement by the Board, MS. SANDY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SANDY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SANDY's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
  4. **Prior to requesting reinstatement by the Board, MS. SANDY** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Documentation including five (5) hours of Computerized Information Systems, ten (10) hours of Chemical Dependency, and one (1) hour of Ohio Nursing Law and Rules.

### **Monitoring**

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

8. **MS. SANDY** 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. SANDY's** license.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SANDY** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SANDY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SANDY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SANDY's** history.
10. Within thirty (30) days prior to **MS. SANDY** initiating drug screening, **MS. SANDY** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SANDY**.
11. After initiating drug screening, **MS. SANDY** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. SANDY** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SANDY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SANDY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to requesting reinstatement by the Board, MS. SANDY** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. SANDY's**

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

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

#### **Reporting Requirements of MS. SANDY**

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

writing, of any change in address and/or telephone number.

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. SANDY** 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. SANDY's** history. **MS. SANDY** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SANDY** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. SANDY** 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. SANDY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SANDY's** history.
6. **MS. SANDY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SANDY** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. SANDY**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Sloan, Gregory A., P.N. 119537 (CASE #06-0698)

**Action:** It was moved by J. Jane McFee, seconded by Lisa Klenke, that upon consideration of the charges stated against **GREGORY A. SLOAN** in the July 20, 2007 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. SLOAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. SLOAN's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. SLOAN's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

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

rules governing the practice of nursing in Ohio.

2. **MR. SLOAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. SLOAN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. SLOAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. SLOAN's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. SLOAN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules, six (6) hours of Ethics, and ten (10) hours of Addiction.

### **Monitoring**

5. **MR. SLOAN** 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. SLOAN's** history. **MR. SLOAN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. SLOAN** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MR. SLOAN** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. SLOAN** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. SLOAN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. SLOAN's** license, and a statement as to whether **MR. SLOAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. SLOAN** 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. SLOAN's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. SLOAN** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. SLOAN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. SLOAN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SLOAN's** history.
  10. Within thirty (30) days prior to **MR. SLOAN** initiating drug screening, **MR. SLOAN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. SLOAN**.
  11. After initiating drug screening, **MR. SLOAN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. SLOAN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
  12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. SLOAN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. SLOAN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. SLOAN**

13. **MR. SLOAN** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation

or information directly to the Board.

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

### **DURATION**

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

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

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

### **Monitoring**

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

manner prescribed.

4. **MR. SLOAN** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. SLOAN** 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. SLOAN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. SLOAN's** history.
6. **MR. SLOAN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. SLOAN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

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

11. **MR. SLOAN** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment**. **MR. SLOAN** 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 **beginning within thirty (30) days of accepting nursing employment**. **MR. SLOAN** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MR. SLOAN**

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

#### **Temporary Narcotic Restriction**

**MR. SLOAN** shall not administer, have access to, or possess (except as prescribed for **MR. SLOAN's** use by another so authorized by law who has full knowledge of **MR. SLOAN's** history) any narcotics, other controlled

substances, or mood altering drugs. In addition, **MR. SLOAN** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. SLOAN** shall not call in or order prescriptions or prescription refills.

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Sowers, Tania M., P.N. 113562 (CASE #12-4090)

**Action:** It was moved by Nancy Fellows, seconded by Susan Morano, that upon consideration of the charges stated against **TANIA MARIE SOWDERS** in the September 21, 2012 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SOWDERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing **ORDERS** that **MS. SOWDERS's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SOWDERS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years, with **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

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

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

#### **Monitoring**

4. **MS. SOWDERS** 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. SOWDERS's** history. **MS. SOWDERS** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. SOWDERS** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Prior to requesting reinstatement by the Board, MS. SOWDERS** shall,

- at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SOWDERS** shall provide the chemical dependency professional with a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SOWDERS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SOWDERS's** license, and a statement as to whether **MS. SOWDERS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. SOWDERS** 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. SOWDERS's** license.
  8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SOWDERS** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SOWDERS's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SOWDERS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOWDERS's** history.
  9. Within thirty (30) days prior to **MS. SOWDERS** initiating drug screening, **MS. SOWDERS** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. SOWDERS**.
  10. After initiating drug screening, **MS. SOWDERS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated

by another practitioner. Further, **MS. SOWDERS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SOWDERS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SOWDERS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
12. **Prior to requesting reinstatement by the Board, MS. SOWDERS** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. SOWDERS's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. SOWDERS's** comprehensive physical examination and with a comprehensive assessment regarding **MS. SOWDERS's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. SOWDERS** shall provide the Board approved physician with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SOWDERS** shall execute releases to permit the Board approved physician performing the comprehensive physical examination and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SOWDERS's** license to practice, and stating whether **MS. SOWDERS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
13. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. SOWDERS's** license.

#### **Reporting Requirements of MS. SOWDERS**

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

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

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

#### **DURATION**

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

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

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

#### **Monitoring**

3. **MS. SOWDERS** 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. SOWDERS's** history. **MS. SOWDERS** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SOWDERS** shall abstain completely from the use of alcohol or any

products containing alcohol.

5. During the probationary period, **MS. SOWDERS** 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. SOWDERS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SOWDERS's** history.
6. **MS. SOWDERS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. SOWDERS** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. SOWDERS** shall **notify the Board, in writing.**
11. **MS. SOWDERS** is under a continuing duty to provide a copy of this Order and Notice of Automatic Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MS.**

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

### **Reporting Requirements of MS. SOWDERS**

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

### **Temporary Narcotic Restriction**

**MS. SOWDERS** shall not administer, have access to, or possess (except as prescribed for **MS. SOWDERS's** use by another so authorized by law who has

full knowledge of **MS. SOWDERS's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. SOWDERS** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. SOWDERS** shall not call in or order prescriptions or prescription refills.

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Alley, Michael S., R.N. 355060 (CASE #11-2616)

**Action:** It was moved by Susan Morano, seconded by Roberta Stokes, that upon consideration of the charges stated against **MICHAEL SHANNON ALLEY** in the September 23, 2011 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ALLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing **ORDERS** that **MR. ALLEY'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MICHAEL SHANNON ALLEY** to surrender his frameable wall certificate for his registered nurse license R.N. #355060, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Ferguson, Temika R., P.N. 127587 (CASE #10-0312)

**Action:** It was moved by Sheryl Warner, seconded by Tracy Ruegg, that upon consideration of the charges stated against **TEMIKA FERGUSON** in the August 6, 2010 Notice of Immediate Suspension and Opportunity for Hearing, the August 30, 2010 Notice of Immediate Suspension and Opportunity for Hearing, and the September 24, 2010 Notice of Opportunity for Hearing ("the Notices"), and evidence supporting the charges, the Board finds that **MS. FERGUSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing **ORDERS** that **MS. FERGUSON'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TEMIKA FERGUSON** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #127587, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Mara, Angela N., P.N. 133178 (CASE #10-0959)

**Action:** It was moved by Maryam Lyon, seconded by Nancy Fellows, that upon consideration of the charges stated against **ANGELA NICOLE MARA** in the

August 15, 2012 Notice of Immediate Suspension and Opportunity for Hearing, and the September 21, 2012 Notice of Opportunity for Hearing (“the Notices”), and evidence supporting the charges, the Board finds that **MS. MARA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MS. MARA’S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA NICOLE MARA** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #133178, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Polichena, Joseph J., P.N. 144153 (CASE #12-1722)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **JOSEPH J. POLICHENA** in the August 17, 2012 Notice of Immediate Suspension and Opportunity for Hearing, and the September 21, 2012 Notice of Opportunity for Hearing (“the Notices”) and evidence supporting the charges, the Board finds that **MR. POLICHENA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MR. POLICHENA’S** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. POLICHENA’S** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MR. POLICHENA** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. POLICHENA** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. POLICHENA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. POLICHENA**, including a check of Federal Bureau of Investigation

(FBI) records, and shall cause BCII to submit **MR. POLICHENA's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to requesting reinstatement by the Board, MR. POLICHENA** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to requesting reinstatement by the Board, MR. POLICHENA** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, and fifteen (15) hours of Substance Abuse.

### **Monitoring**

6. **MR. POLICHENA** 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. POLICHENA's** history. **MR. POLICHENA** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MR. POLICHENA** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MR. POLICHENA** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. POLICHENA** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MR. POLICHENA** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. POLICHENA's** license, and a statement as to whether **MR. POLICHENA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. POLICHENA** 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. POLICHENA's** license.

10. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MR. POLICHENA** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. POLICHENA's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. POLICHENA** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. POLICHENA's** history.
11. Within thirty (30) days prior to **MR. POLICHENA** initiating drug screening, **MR. POLICHENA** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. POLICHENA**.
12. After initiating drug screening, **MR. POLICHENA** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. POLICHENA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MR. POLICHENA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. POLICHENA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. POLICHENA**

14. **MR. POLICHENA** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
15. **MR. POLICHENA** shall submit any and all information that the Board may

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

#### **DURATION**

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

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

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

#### **Monitoring**

3. **MR. POLICHENA** 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.**

- POLICHENA's** history. **MR. POLICHENA** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. POLICHENA** shall abstain completely from the use of alcohol or any products containing alcohol.
  5. During the probationary period, **MR. POLICHENA** 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. POLICHENA** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. POLICHENA's** history.
  6. **MR. POLICHENA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. POLICHENA** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

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

11. **MR. POLICHENA** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting nursing employment**. **MR. POLICHENA** 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 **beginning within thirty (30) days of accepting nursing employment**. **MR. POLICHENA** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notices, including the date they were received.

#### **Reporting Requirements of MR. POLICHENA**

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

#### **Temporary Narcotic Restriction**

**MR. POLICHENA** shall not administer, have access to, or possess (except as

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Rieger, Tracey L., R.N. 203062 (CASE #11-3211)

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that upon consideration of the charges stated against **TRACEY LYNN RIEGER** in the September 21, 2012 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. RIEGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing **ORDERS** that **MS. RIEGER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. RIEGER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

1. **MS. RIEGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. RIEGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to requesting reinstatement by the Board, MS. RIEGER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RIEGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. RIEGER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. RIEGER** shall submit documentation of her full compliance with the terms and conditions, and completion of her Sentence of Community Control, imposed by the Hamilton County Court of Common Pleas Case Number B 1105331.
5. **Prior to requesting reinstatement by the Board, MS. RIEGER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules.

### **Reporting Requirements of MS. RIEGER**

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

### **DURATION**

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

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

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

### **Monitoring**

3. **MS. RIEGER** 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. RIEGER's** history. **MS. RIEGER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. RIEGER** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. RIEGER** 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. RIEGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. RIEGER's** history.
6. **MS. RIEGER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. RIEGER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. RIEGER**

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

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

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Fortunato, Michelle L., R.N. 250501 (CASE #12-3620)

**Action:** It was moved by Tracy Ruegg, seconded by Roberta Stokes, that upon consideration of the charges stated against **MICHELLE LYNN FORTUNATO** in September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FORTUNATO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. FORTUNATO'S** request for application to reactivate or reinstate her nursing license is **DENIED** and her license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MICHELLE LYNN FORTUNATO** to surrender her frameable wall certificate for her registered nurse license, R.N. #250501, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Lancaster, Sharon L., R.N. 338211 (CASE #12-3660)

**Action:** It was moved by Lisa Klenke, seconded by Susan Morano, that upon consideration of the charges stated against **SHARON LYNN LANCASTER** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. LANCASTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. LANCASTER's** request for reinstatement of her license to practice nursing as a registered nurse is hereby **DENIED** for an indefinite period of time with the conditions for reinstatement set forth below.

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

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

3. **Prior to requesting reinstatement by the Board, MS. LANCASTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LANCASTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. LANCASTER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. LANCASTER** shall submit documentation of her compliance with and successful completion of all terms and conditions imposed by the Kentucky Board of Nursing, and documentation of an unencumbered license in Kentucky.
5. **Prior to requesting reinstatement by the Board, MS. LANCASTER** shall submit documentation of an unencumbered license in Indiana.

#### **Reporting Requirements of MS. LANCASTER**

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Robertson, Garrett L., R.N. 349725 (CASE #12-4023)

**Action:** It was moved by J. Jane McFee, seconded by Tracy Ruegg, that upon consideration of the charges stated against **GARRETT LEE ROBERTSON** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. ROBERTSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. ROBERTSON's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. ROBERTSON's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below.

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

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

Board.

4. **Prior to requesting reinstatement by the Board, MR. ROBERTSON** shall submit documentation of his successful compliance with of all terms of his Agreed Eligibility Order issued to him by the Texas Board of Nursing.
5. **Prior to requesting reinstatement by the Board, MR. ROBERTSON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; and ten (10) hours of Nurses, Alcohol, and Alcohol Abuse.

### **Monitoring**

6. **MR. ROBERTSON** 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. ROBERTSON's** history. **MR. ROBERTSON** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MR. ROBERTSON** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MR. ROBERTSON** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. ROBERTSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. ROBERTSON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. ROBERTSON's** license, and a statement as to whether **MR. ROBERTSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. ROBERTSON** 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. ROBERTSON's** license.

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. ROBERTSON** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. ROBERTSON's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. ROBERTSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ROBERTSON's** history.
11. Within thirty (30) days prior to **MR. ROBERTSON** initiating drug screening, **MR. ROBERTSON** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. ROBERTSON**.
12. After initiating drug screening, **MR. ROBERTSON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. ROBERTSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. ROBERTSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. ROBERTSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. ROBERTSON**

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

16. **MR. ROBERTSON** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. **MR. ROBERTSON** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
18. **MR. ROBERTSON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
19. **MR. ROBERTSON** shall verify that the reports and documentation required by this Order are received in the Board office.
20. **MR. ROBERTSON** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

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

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

#### **Monitoring**

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

4. **MR. ROBERTSON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. ROBERTSON** 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. ROBERTSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. ROBERTSON's** history.
6. **MR. ROBERTSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. ROBERTSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

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

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

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time and with every employer, **MR. ROBERTSON** shall **notify the Board, in writing.**
11. **MR. ROBERTSON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer **prior to**

**accepting nursing employment.** **MR. ROBERTSON** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. ROBERTSON** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. ROBERTSON**

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

### **Permanent Practice Restrictions**

**MR. ROBERTSON** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Schmidt, Jennifer A., R.N. 330135 (CASE #09-4914)

**Action:** It was moved by Susan Morano, seconded by Sheryl Warner, that upon consideration of the charges stated against **JENNIFER ANN SCHMIDT** in November 20, 2009 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SCHMIDT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the

Notice. The Ohio Board of Nursing ORDERS that **MS. SCHMIDT'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JENNIFER ANN SCHMIDT** to surrender her frameable wall certificate for her registered nurse license, R.N. #330135, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Stacy, Dawn E., MAC 00088 (CASE #10-0005)

**Action:** It was moved by Sheryl Warner, seconded by Tracy Ruegg, that upon consideration of the charges stated against **DAWN E. STACY** in the March 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. STACY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. STACY'S** certificate to administer medications as a certified medication aide is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DAWN E. STACY** to surrender her frameable wall certificate for her certificate to administer medications as a certified medication aide, MA-C #00088, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Thornsley, Jennifer J., P.N. 111122 (CASE #04-0531)

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that upon consideration of the charges stated against **JENNIFER J. THORNSLEY** in the September 19, 2008 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. THORNSLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. THORNSLEY'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JENNIFER J. THORNSLEY** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #111122, immediately.

This ORDER shall become effective immediately and is hereby entered upon

the Journal of the Board for the 22nd day of March, 2013.

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

Baker, Linda E., R.N. 128963 (CASE #10-3070)

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **LINDA E. BAKER** in September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. BAKER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. BAKER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LINDA E. BAKER** to surrender her frameable wall certificate for her registered nurse license, R.N. #128963, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

Motion adopted by majority vote of the Board members with Rhonda Barkheimer, Judith Church and Lisa Klenke abstaining.

Boserman, Scott E., P.N. 114990 (CASE #11-5326)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **SCOTT E. BOSERMAN** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BOSERMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. BOSERMAN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **SCOTT E. BOSERMAN** to surrender his frameable wall certificate for his licensed practical nurse license P.N. #114990, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Dalton, Emmett K., P.N. 140602 (CASE #11-0721)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the charges stated against **EMMETT K. DALTON** in the May 18, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. DALTON** has committed acts in violation of

the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. DALTON's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time, but not less than three (3) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. DALTON's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MR. DALTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. DALTON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. DALTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. DALTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. DALTON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. DALTON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Nurses, Narcotics and Drug Abuse; two (2) hours of Ohio Nursing Law and Rules; and two (2) hours of Scope of Practice.

#### **Monitoring**

5. **MR. DALTON** 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. DALTON's** history. **MR. DALTON** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. DALTON** shall abstain completely from the use of alcohol or any products containing alcohol.

7. **Prior to requesting reinstatement by the Board, MR. DALTON** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. DALTON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. DALTON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. DALTON's** license, and a statement as to whether **MR. DALTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. DALTON** 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. DALTON's** license.
9. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MR. DALTON** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. DALTON's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. DALTON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. DALTON's** history.
10. Within thirty (30) days prior to **MR. DALTON** initiating drug screening, **MR. DALTON** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. DALTON**.
11. After initiating drug screening, **MR. DALTON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating

practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. DALTON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

12. **For a minimum, continuous period of three (3) years immediately prior to requesting reinstatement, MR. DALTON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. DALTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MR. DALTON**

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

### **DURATION**

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

Order.

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

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

### **Monitoring**

3. **MR. DALTON** 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. DALTON's** history. **MR. DALTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. DALTON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. DALTON** 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. DALTON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. DALTON's** history.
6. **MR. DALTON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. DALTON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

7. Within sixty (60) days of the execution of the probationary period, **MR. DALTON** 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. DALTON** shall be under a continuing duty to provide a copy of this Order, prior to initiating

- treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. DALTON** 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. DALTON** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. DALTON** shall notify the Board of any and all medication(s) or prescription(s) received.

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MR. DALTON** shall **notify the Board, in writing.**
11. **MR. DALTON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. DALTON** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. DALTON** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received.

### **Reporting Requirements of MR. DALTON**

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

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Hale, Lori A., R.N. 329555 (CASE #11-1952)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that upon consideration of the charges stated against **LORI ANN HALE** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. HALE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing and the Ohio Board of Nursing ORDERS that **MS. HALE's** license to practice nursing as a registered nurse is hereby suspended and that the suspension is stayed subject to the probationary terms, conditions, and limitations for a minimum period of one (1) year, set forth below, with the **Temporary Practice and Temporary Narcotic Restrictions** set forth below.

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

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

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

3. **Within forty-five (45) days of the effective date of this Order, MS. HALE** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a

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

4. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and limitations on **MS. HALE's** license.

### **Monitoring**

5. **Upon the request of the Board or its designee, and within three (3) months of that request, MS. HALE** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HALE** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. HALE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS.**

- HALE's** license, and a statement as to whether **MS. HALE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care
6. If a chemical dependency evaluation is requested, **MS. HALE** 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. HALE** license.
  7. **MS. HALE** 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. HALE's** history. **MS. HALE** shall self-administer prescribed drugs only in the manner prescribed.
  8. **MS. HALE** shall abstain completely from the use of alcohol or any products containing alcohol.
  9. **Within forty-five (45) days of the effective date of this Order**, during the probationary period, **MS. HALE** shall begin submitting, 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. HALE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HALE's** history.
  10. **MS. HALE** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HALE** shall provide satisfactory documentation of such attendance to the Board every six (6) months, beginning forty-five (45) days after the effective date of this Order.

### **Treating Practitioners and Reporting**

11. Prior to initiating screens, **MS. HALE** 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. HALE** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48)

hours of being treated by another practitioner.

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. HALE**

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

Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.

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

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

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

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Kindel, Lynda A., P.N. 087831 (CASE #12-0075)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon consideration of the charges stated against **LYNDA ANN KINDEL** in the August 9, 2012 Notice of Immediate Suspension and Opportunity for Hearing, and the September 21, 2012 Notice of Opportunity for Hearing (“the Notices”), and evidence supporting the charges, the Board finds that **MS. KINDEL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MS. KINDEL’s** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. KINDEL’s** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of one (1) year, with **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. KINDEL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. KINDEL** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. KINDEL** shall submit a request to the Bureau of Criminal Identification and Investigation

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

4. **Prior to requesting reinstatement by the Board, MS. KINDEL** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: five (5) hours of Nurses, Narcotics and Drug Abuse; five (5) hours of Scope of Practice; and five (5) hours of Professional Accountability and Legal Liability.

### **Monitoring**

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

9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. KINDEL** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. KINDEL's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. KINDEL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. KINDEL's** history.
10. Within thirty (30) days prior to **MS. KINDEL** initiating drug screening, **MS. KINDEL** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. KINDEL**.
11. After initiating drug screening, **MS. KINDEL** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. KINDEL** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. KINDEL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. KINDEL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. KINDEL**

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

15. **MS. KINDEL** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. **MS. KINDEL** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
17. **MS. KINDEL** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. KINDEL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. KINDEL** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

#### **DURATION**

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

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

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

#### **Monitoring**

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

6. **MS. KINDEL** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. KINDEL** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time with every employer, **MS. KINDEL** shall **notify the Board, in writing.**
11. **MS. KINDEL** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting nursing employment.** **MS. KINDEL** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting nursing employment.** **MS. KINDEL** shall have

her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notices, including the date they were received.

### **Reporting Requirements of MS. KINDEL**

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

### **Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Koppitch, Jack E., R.N. 283308 (CASE #11-4782)

**Action:** It was moved by Susan Morano, seconded by Sheryl Warner, that upon consideration of the charges stated against **JACK EDWARD KOPPITCH** in the September 21, 2012 Notice of Immediate Suspension and Opportunity

for Hearing and evidence supporting the charges, the Board finds that **MR. KOPPITCH** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. KOPPITCH's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. KOPPITCH's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MR. KOPPITCH** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. KOPPITCH** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MR. KOPPITCH** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. KOPPITCH**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. KOPPITCH's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MR. KOPPITCH** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, ten (10) hours of Nurses and Narcotics, and ten (10) hours of Ethics in the Workplace.

#### **Monitoring**

5. **MR. KOPPITCH** 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. KOPPITCH's** history. **MR. KOPPITCH** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. KOPPITCH** shall abstain completely from the use of alcohol or any

products containing alcohol.

7. **Prior to requesting reinstatement by the Board, MR. KOPPITCH** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. KOPPITCH** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. KOPPITCH** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. KOPPITCH's** license, and a statement as to whether **MR. KOPPITCH** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. KOPPITCH** 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. KOPPITCH's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. KOPPITCH** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. KOPPITCH's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. KOPPITCH** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. KOPPITCH's** history.
10. Within thirty (30) days prior to **MR. KOPPITCH** initiating drug screening, **MR. KOPPITCH** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. KOPPITCH**.
11. After initiating drug screening, **MR. KOPPITCH** shall be under a

continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. KOPPITCH** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

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

### **Reporting Requirements of MR. KOPPITCH**

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

### **DURATION**

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

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

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

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

### **Monitoring**

3. **MR. KOPPITCH** 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. KOPPITCH's** history. **MR. KOPPITCH** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. KOPPITCH** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MR. KOPPITCH** 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. KOPPITCH** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. KOPPITCH's** history.
6. **MR. KOPPITCH** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. KOPPITCH** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

### **Treating Practitioners and Reporting**

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

#### **Employment Conditions**

10. Prior to accepting employment as a nurse, each time and with every employer, **MR. KOPPITCH** shall **notify the Board, in writing.**
11. **MR. KOPPITCH** is under a continuing duty to provide a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting nursing employment.** **MR. KOPPITCH** 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 **beginning within thirty (30) days of accepting nursing employment.** **MR. KOPPITCH** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.

#### **Reporting Requirements of MR. KOPPITCH**

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

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

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Greynolds, Karen D., P.N. 125674 (CASE #12-2159)

**Action:** It was moved by Sheryl Warner, seconded by Maryam Lyon, that upon consideration of the charges stated against **KAREN DIANE GREYNOLDS** in the September 21, 2012 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GREYNOLDS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice. The Ohio Board of Nursing ORDERS that **MS. GREYNOLDS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **KAREN DIANE GREYNOLDS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #125674, immediately.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

### **WITHDRAWAL OF IMMEDIATE SUSPENSION NOTICE**

Rohe, Heather M., P.N. 122561 (CASE #12-4312)

**Action:** It was moved by Maryam Lyon, seconded by Roberta Stokes, that the Board withdraw the February 4, 2013 Notice of Immediate Suspension sent to Ms. Rohe, due to failure of delivery. The Board has voted to issue a notice of Immediate Suspension and Opportunity for Hearing to Ms. Rohe on this date, which will be mailed to a new address for Ms. Rohe, obtained by the Board on March 5, 2013.

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

### **DEFAULT ORDERS**

Mani, Roberta L., R.N. NCLEX (CASE #11-3718)

**Action:** It was moved by Susan Morano, seconded by Tracy Ruegg, that upon consideration of the allegations contained in the October 7, 2011 examination order and the findings contained in the September 2012 Default Order, the Board finds that **MS. MANI** has committed acts in violation of the Nurse Practice Act, as set forth in the September 2012 Default Order, and the Board orders that **MS. MANI's** application for licensure to practice nursing as a registered nurse in the State of Ohio be denied, as of September 21, 2012, with conditions for reapplication set forth in the September 2012 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Kerns, Tonya M., R.N. 332197 (CASE #11-4205)

**Action:** It was moved by Sheryl Warner, seconded by Roberta Stokes, that upon consideration of the allegations contained in the September 24, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. KERNS** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. KERNS's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of January 25, 2013, with conditions for reinstatement set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Loutzenhiser, Ashley L., P.N. NCLEX (CASE #12-2312)

**Action:** It was moved by Maryam Lyon, seconded by Nancy Fellows, that upon consideration of the allegations contained in the September 28, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. LOUTZENHISER** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. LOUTZENHISER's** application to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, as of January 25, 2013, with conditions for reapplication set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Bendolph, Vicki E., R.N. 205113 (CASE #09-1745)

**Action:** It was moved by Roberta Stokes, seconded by Susan Morano, that upon consideration of the allegations contained in the August 6, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. BENDOLPH** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. BENDOLPH's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of January 25, 2013, with conditions for reinstatement set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Weber, Toni S., R.N. 162506 (CASE #12-1556)

**Action:** It was moved by Maryam Lyon, seconded by Susan Morano, that upon consideration of the allegations contained in the September 17, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. WEBER** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. WEBER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of January 25, 2013, with conditions for reinstatement set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Brenneman, Cynthia L., R.N. 297718 (CASE #11-4089)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that upon consideration of the allegations contained in the August 8, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. BRENNEMAN** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. BRENNEMAN's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended, as of January 25, 2013, with conditions for reinstatement set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Graber, Lisa M., P.N. 099099 (CASE #12-3280)

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that the Board find that **MS. GRABER** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723. ORC, or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. GRABER** has admitted the truth of the allegations set forth in the October 31, 2012 Examination Order issued to **MS. GRABER** and that **MS. GRABER's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. GRABER's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

**CONDITIONS FOR REINSTATEMENT**

1. **MS. GRABER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GRABER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. GRABER** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her ability to safely function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS.**

**GRABER** shall provide the Examiner with a copy of this Order and the October 31, 2012 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. GRABER's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. GRABER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MS. GRABER** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment, or other treatment recommended, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. GRABER** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

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

In accordance with Chapter 119, ORC, **MS. GRABER** is hereby informed that **MS. GRABER** is entitled to a hearing on this matter. If **MS. GRABER** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22<sup>nd</sup> day of March, 2013.

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

Licht, Joal, P.N. 122305 (CASE #11-4890)

**Action:** It was moved by Tracy Ruegg, seconded by Lisa Klenke, that the Board find that **MS. LICHT** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723. ORC, or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. LICHT** has admitted the truth of the allegations set forth in the September 24, 2012 Examination Order issued to **MS. LICHT** and that **MS. LICHT's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. LICHT's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

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

2. **MS. LICHT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. LICHT** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. LICHT** shall provide the Examiner with a copy of this Order and the September 24, 2012 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. LICHT's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. LICHT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. LICHT** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. LICHT** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

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

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

In accordance with Chapter 119, ORC, **MS. LICHT** is hereby informed that **MS. LICHT** is entitled to a hearing on this matter. If **MS. LICHT** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Deeble, Calandra Y., P.N. 113203 (CASE #11-0980)

**Action:** It was moved by J. Jane McFee, seconded by Susan Morano, that the Board find that **MS. DEEBLE** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723. ORC, or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. DEEBLE** has admitted the truth of the allegations set forth in the May 25, 2012 Examination Order issued to **MS. DEEBLE** and that **MS. DEEBLE's** ability to safely practice nursing is impaired.

The Board ORDERS that **MS. DEEBLE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. DEEBLE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. DEEBLE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. DEEBLE** shall, at her own expense, submit to a mental health examination, specifically addressing her capacity to function in a clinical nursing capacity, by OSU Harding Hospital, Neuroscience Facility, (hereinafter "Examiner"), located at 1670 Upham Dr., Fifth Floor, Columbus, Ohio 43210 (hereinafter "Examiner"). Prior to the evaluation, **MS. DEEBLE** shall provide the Examiner with a copy of this Order and the May 25, 2012 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. DEEBLE's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. DEEBLE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. DEEBLE** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of mental health treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. DEEBLE** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

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

7. **MS. DEEBLE** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. DEEBLE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Monitoring Unit of the Board.
9. **MS. DEEBLE** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. DEEBLE** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. DEEBLE** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

In accordance with Chapter 119, ORC, **MS. DEEBLE** is hereby informed that **MS. DEEBLE** is entitled to a hearing on this matter. If **MS. DEEBLE** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Benndorf, Sherrill D., P.N. Endorse (CASE #12-1820)

**Action:** It was moved by Maryam Lyon, seconded by Sheryl Warner, that the Board find that **MS. BENNDORF** has failed to submit to an examination when

directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can deny an application or place restrictions on a license for violation of Chapter 4723. ORC, or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. BENNDORF** has admitted the truth of the allegations set forth in the November 14, 2012 Examination Order issued to **MS. BENNDORF** and that **MS. BENNDORF's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. BENNDORF's** Application is hereby denied, with conditions for reapplication for initial licensure as set forth below:

### **CONDITIONS FOR REAPPLICATION FOR INITIAL LICENSURE**

1. **MS. BENNDORF** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENNDORF** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reapplication.
3. **MS. BENNDORF** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Michael A. Gureasko, (hereinafter "Examiner"), located at the Christ Hospital Medical Office Building, 2123 Auburn Ave., Suite 306, Cincinnati, Ohio 45219. Prior to the evaluation, **MS. BENNDORF** shall provide the Examiner with a copy of this Order and the November 14, 2012 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. BENNDORF's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BENNDORF** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. BENNDORF** may submit a new application for licensure to practice nursing as a licensed practical nurse by endorsement following the Board's receipt of the Examiner's written opinion. Upon re-applying, and meeting all the requirements for licensure, **MS. BENNDORF** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the

Board and **MS. BENNDORF** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of MS. BENNDORF**

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

In accordance with Chapter 119, ORC, **MS. BENNDORF** is hereby informed that **MS. BENNDORF** is entitled to a hearing on this matter. If **MS. BENNDORF** wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Bunge, Kristen M., R.N. 311610 (CASE #11-5009)

**Action:** It was moved by Nancy Fellows, seconded by Maryam Lyon, that the Board find that **MS. BUNGE** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can suspend or place restrictions on a license for violation of Chapter 4723. ORC, or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that **MS. BUNGE** has admitted the truth of the allegations set forth in the August 8, 2012 Examination Order issued to **MS. BUNGE** and that **MS. BUNGE's** ability to safely practice nursing is impaired. The Board ORDERS that **MS. BUNGE's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. BUNGE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BUNGE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. BUNGE** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her capacity to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services, located at 200 Messimer Drive, Newark, Ohio 43055, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. BUNGE** shall provide the Examiner with a copy of this Order and the August 8, 2012 Examination Order, and shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and

any restrictions that should be placed on **MS. BUNGE's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. BUNGE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MS. BUNGE** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency treatment recommended and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. BUNGE** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

#### **Reporting Requirements of Licensee**

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

In accordance with Chapter 119, ORC, **MS. BUNGE** is hereby informed that **MS. BUNGE** is entitled to a hearing on this matter. If **MS. BUNGE** wishes to request such hearing, the request must be made in writing and must be

received in the Board office within thirty (30) days of the time of mailing of this notice.

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

Lyle, Tina L., P.N. 096821 (CASE #11-1963)

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that upon consideration of the allegations contained in the September 10, 2012 examination order and the findings contained in the January 2013 Default Order, the Board finds that **MS. LYLE** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2013 Default Order, and the Board orders that **MS. LYLE's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended, as of January 25, 2013, with conditions for reinstatement set forth in the January 2013 Default Order.

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 22nd day of March, 2013.

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

#### **VOLUNTARY RETIREMENT**

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following:

Forsythe, Patricia A., R.N. 172274 (CASE #11-3256); Birkhimer, Joyce A., R.N. 175120 (CASE #13-0016); and Hauenstein, Mary A., P.N. 068286 (CASE #11-3659).

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

## **MONITORING**

### **LIFTS OF SUSPENSION/PROBATION**

**Action:** It was moved by Maryam Lyon, seconded by Tracy Ruegg, that the following, having met the terms and conditions of their Consent Agreements or Adjudication Orders with the Board, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from their respective Consent Agreements or Adjudication Orders:

Billings, Keith R., R.N. 339256 (CASE #11-2800); Vallera, Teresa S., R.N. 274812 (CASE #09-0689); Smith, Jackie A., P.N. 147760 (CASE #10-3136); Seale, Stephanie J., R.N. 332994 (CASE #09-2251); Brewer, Cassondra S., R.N. 375150 (CASE #11-3103); Darby, Danielle V., R.N. 373219 (CASE #11-1102); Harrison, Kristine M., R.N. 290849 (CASE #11-3063); Frey, Jill G., R.N. 370040 (CASE #11-0511); Jenkins, Kala M., R.N. 375155 (CASE #11-2505); Vest, Victoria D., R.N. 352329 (CASE #11-1267a); Sanner, Julie A., R.N. 307288 (CASE #11-3503); Penwell, Charles P., P.N. 119362 (CASE #11-2041); McCall, Alice, P.N. 109525 (CASE #09-0853); Bondurant, Linda C., P.N. 107966 (CASE #10-2150); Darfus, Krystal A., P.N. 127954 (CASE #07-1613); Small, Tedriene L, R.N. 290970 (CASE #08-2938); Smith, Patricia A., P.N. 072288 (CASE #10-5118); Sims, Geworn, D.T. 02217 (CASE #11-0018); Sandoval, Elizabeth, P.N. 120384 (CASE #09-2956); Bowersock, Stacey L., P.N. 139072 (CASE #12-5612); Haugabook, Kimberly C., R.N. 309417, NP 12166, RX 12166 (CASE #11-1542); and Vasquez, Patricia, P.N. 114697 (CASE #10-3020).

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

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

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the following, having met the terms and conditions of their Consent Agreements or Adjudication Orders with the Board, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released early from their respective Consent Agreements or Adjudication Orders:

Nusbaum, Gabriella A., R.N. 335158 (CASE #10-3938); Potts, Richard W., R.N. 334223 (CASE #10-1213); Yeager, Mary K., P.N. 110744 (CASE #08-4708); Lawrence, Shanice R., R.N. 370046 (CASE #10-5164); Fitzpatrick,

Zane, P.N. 138350 (CASE #09-5081); Longo, Anna M., R.N. 306499 (CASE #10-0776); and Talstein, Dori L., R.N. 174939 (CASE #10-1072).

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

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

**Action:** It was moved by Sheryl Warner, seconded by Susan Morano, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreements or Adjudication Orders with the exception of the permanent practice restriction(s) that will remain in effect:

Alexander, Damea S., P.N. 096773 (CASE #09-0162); Costello, Joanna L., R.N. 319295 (CASE #08-2688); Warner, Cynthia K., R.N. 211328 (CASE #07-2468); and Sidile, Florence S., R.N. 130070 (CASE #09-5006).

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

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

**Action:** It was moved by Susan Morano, seconded Nancy Fellows, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from the terms and conditions of their Consent Agreements or Adjudication Orders with the exception of the temporary practice restriction(s) that will remain in effect:

Church, Stacy R., P.N. 127309 (CASE #09-5614).

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

**LIFT OF TEMPORARY PRACTICE RESTRICTION**

**Action:** It was moved by Nancy Fellows, seconded by Lisa Klenke, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from their temporary practice restriction(s) within their Consent Agreements or Adjudication Orders:

Smith, Angela M., P.N. 127957 (CASE #07-0629)

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

### **LIFT OF TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Lisa Klenke, seconded by Tracy Ruegg, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restriction(s) within their Consent Agreements or Adjudication Orders:

Sove, Jami B., R.N. 311587 (CASE #11-1618) and Koch, Mark E., R.N. 172619, NA 00580 (CASE #10-2518).

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

### **REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT**

**Action:** It was moved by Tracy Ruegg, seconded by Susan Morano, that the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, be reinstated subject to the terms of the January 18, 2012 Consent Agreement.

Solly, Peter A., P.N. 102960 (CASE #01-0016).

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

### **MOTION TO APPROVE**

**Action:** It was moved by Maryam Lyon, seconded by Nancy Fellows, that the Board accept the following approvals made by Rhonda Barkheimer, Supervising Member for Disciplinary Matters:

Mayhugh, Jeffrey A., R.N. 246418 (CASE #12-0384)- Approval to accept RN Unit Manager position with Rockmill Rehabilitation Centre.

Coffin, Terra E., R.N. 387483 (CASE #12-4193)- Approval to seek nursing employment.

Leskovac, John M., R.N. 281961, NA 07151 (CASE #11-5145)- Approval to accept CRNA position and administer, have access to, and possess narcotics, other controlled substances, and mood altering drugs with Bel-Park Anesthesia Associates in Youngstown, OH.

Mangicaro, Angela S., R.N. 281813 (CASE #12-0360)- Approval to accept Staff RN position with UC Health/Drake Center in Cincinnati, Ohio.

Vest, Victoria D., R.N. 352329 (CASE #11-1267)- Approval to accept a Clinical Educator Position with Southern Ohio Medical Center in Portsmouth, Ohio on or about February 1, 2013.

Sacks, Andrea L., R.N. 356007 (CASE #09-4017)- Approval to accept an RN Home Training position with Liberty Dialysis.

Hess, Pamela C., R.N. 221544 (CASE #11-3771)- Approval to accept a home healthcare position with Miracle Healthcare.

Michell, Leslie, R.N. 353449, P.N. 120937 (CASE #10-2230)- Approval to accept a Unit Coordinator position at Regency Manor of Columbus.

Delp, Brandy L., P.N. 151808 (CASE #12-4216)- Approval to seek nursing employment.

Ansback, Denise M., R.N. 302798 (CASE #12-5811)- Approval to accept an RN Care Coordinator position at Healthspan/Health Partners Consulting in Cincinnati, Ohio.

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

#### **LIFT OF UDS REQUIREMENT**

**Action:** It was moved by Roberta Stokes, seconded by Maryam Lyon, that the Board release the following, with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, from the UDS testing requirement within their Consent Agreements:

Dunn, Brandi L., R.N. 356001 (CASE #09-3958); and Voss, Teresa K., P.N. 084225 (CASE #08-2214).

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

#### **RELEASE FROM MEETING ATTENDANCE REQUIREMENTS**

**Action:** It was moved by Sheryl Warner, seconded by Susan Morano, that the Board release with the recommendation by Rhonda Barkheimer, Supervising Member for Disciplinary Matters, Marshall, Penny, R.N. 215374 (CASE #09-3428) from the support, peer group or Twelve Step program meeting requirements within the September 25, 2009 Consent agreement.

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

## REPORTS TO THE BOARD

### Open Forum – Friday, March 22, 2013 at 10:00 a.m.

Doris Edwards and Amber Essman addressed the Board to request support for seeking a legislative mandate that newly licensed nurses obtain a BSN degree within ten years of licensure. Neil Edwards addressed the Board to explain his projections in a report related to nurses obtaining BSN degrees. The Board asked questions and discussed the information provided.

### Advisory Group Reports

#### Advisory Group on Dialysis

Maryam Lyon stated that a representative from the Ohio Department of Health (ODH) attended the February 12, 2013 Advisory Group meeting to discuss the ODH survey process of dialysis facilities and dialysis technician training programs. M. Lyon reported there was extensive discussion about whether the Board should continue to survey dialysis technician training programs; some Advisory Group members expressed a concern that if the Board does not continue oversight of the training programs, the quality of the programs could decline.

### Other Reports

#### Strategic Plan

B. Houchen reviewed the status of the Strategic Plan and answered questions.

#### Review of Interpretive Guidelines

The Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Epidural Infusions

**Action:** It was moved by Rhonda Barkheimer, seconded by Roberta Stokes, that the Board re-approve the Interpretive Guideline, The Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Epidural Infusions, as revised. Motion adopted by unanimous vote of the Board members.

The Licensed Nurse's Role in the Care of Patients Receiving Intramuscular, Subdermal, or Subcutaneously Injected Medications for Cosmetic/Aesthetic Treatment

**Action:** It was moved by Lisa Klenke, seconded by Rhonda Barkheimer, that the Board re-approve the Interpretive Guideline, The Licensed Nurse's Role in the Care of Patients Receiving Intramuscular, Subdermal, or Subcutaneously Injected Medications for Cosmetic/Aesthetic Treatment, as submitted. Motion adopted by unanimous vote of the Board members.

Registered Nurse Performance of a Patient Health History and Physical Examination for Purposes of Providing Nursing Care

**Action:** It was moved by Tracy Ruegg, seconded by Susan Morano, that the Board re-approve the Interpretive Guideline, Registered Nurse

Performance of a Patient Health History and Physical Examination for Purposes of Providing Nursing Care, as submitted. Motion adopted by unanimous vote of the Board members.

Role of the Registered Nurse in Administering, Managing, and Monitoring Patients Receiving Epidural Infusions: Excluding Obstetrical Patients

**Action:** It was moved by Lisa Klenke, seconded by Rhonda Barkheimer move that the Board re-approve the Interpretive Guideline, Role of the Registered Nurse in Administering, Managing, and Monitoring Patients Receiving Epidural Infusions: Excluding Obstetrical Patients, as submitted. Motion adopted by unanimous vote of the Board members.

Registered Nurse Performance of Conservative Sharp Wound Debridement

**Action:** It was moved by Susan Morano, seconded by Nancy Fellows, that the Board re-approve the Interpretive Guideline, Registered Nurse Performance of Conservative Sharp Wound Debridement, as submitted. Motion adopted by unanimous vote of the Board members.

**Nurse Education Grant Program (NEGP)**

**Quarterly Report**

Lisa Emrich provided the quarterly report for NEGP and responded to questions.

**Process for 2013-2014 NEGP Grant Cycle**

L. Emrich discussed the process for the 2013-2014 grant cycle and stated there will be additional information provided at the Board Retreat.

**NCLEX Pass Rate Report**

L. Emrich reviewed the NCLEX pass rate report for pre-licensure nursing education programs.

**Ohio Organization of Nurse Executives (OONE) Position Statement**

OONE asked the Board to support their Position Statement regarding Quality and Safety Education for Nursing (QSEN). The Position Statement recommends that the QSEN framework of six core competencies be adopted as a guideline for developing and/or revising models and programs to ensure quality and safety are the basic foundation for nursing education, practice, and regulation. The National Council of State Boards of Nursing (NCSBN) Transition to Practice study, in which Ohio is participating, has incorporated the QSEN competencies into their model. Chapter 4723-5, OAC, nursing education program rules, addresses the QSEN quality and safety competencies for pre-licensure nursing education programs through the curriculum requirements. Sue Morano, Maryam Lyon, and Lisa Klenke expressed support for the model based on their review. Board members agreed by general consensus to provide a letter of support for the OONE Position Statement regarding QSEN.

**GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

**BOARD GOVERNANCE**

**Report on 2013 NCSBN Mid-Year Meeting**

J. Church, J. McFee, L. Emrich, and B. Houchen reported on the NCSBN Midyear Meeting.

**Board Retreat**

Joseph Kirk discussed the Board Retreat, accommodations, and directions and answered questions.

**Board Governance Survey**

Board members completed the Board Governance Survey and will review the results at the Board Retreat.

**Board Meeting Schedule for 2015**

J. Kirk reviewed the proposed Board meeting dates for 2015. The Board members agreed by general consensus to the meeting dates as presented.

**Ethics Affiliation Forms**

Board members were reminded to complete a new Ethics Affiliation Form if there have been any changes since they last completed the forms.

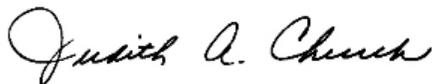
**Financial Disclosure Statements**

J. Kirk reminded Board members that Financial Disclosure Statements for calendar year 2012 are due to the Ohio Ethics Commission no later than May 15, 2013.

**EVALUATION OF MEETING AND ADJOURNMENT**

The meeting was adjourned for the day on Thursday, March 21, 2013 at 2:23 p.m. On Friday, March 22, 2013, the meeting adjourned at 10:47 a.m.

Judith Church, DHA, MSN, RN  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

