



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD MARCH 12-13, 2015

The regular meeting of the Ohio Board of Nursing (Board) was held on March 12-13, 2015 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 12, 2015 at 8:35 a.m., President Maryam Lyon called the Board meeting to order, recognized nursing students, welcomed the gallery, and requested that Board members introduce themselves. On Friday, March 13, 2015 at 8:38 a.m., President Maryam Lyon called the Board meeting to order. Vice-President Janet Arwood read the Board mission each day.

#### **BOARD MEMBERS**

Maryam Lyon, RN, President

Janet Arwood, LPN, Vice-President

Judith Church, RN (Absent Thursday and Friday)

Brenda Boggs, LPN

Nancy Fellows, RN

Lisa Klenke, RN

Lauralee Krabill, RN

J. Jane McFee, LPN

Sandra Ranck, RN

Patricia Sharpnack, RN

Sheryl Warner, Consumer Member (Absent Thursday and Friday)

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

#### **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. Attorney James McGovern on behalf of Christopher Richmond, and Henry Appel, AAG, addressed the Board at 1:00 p.m.; Jacqueline Goas and Attorney Todd Collis, and James Wakley, AAG, addressed the Board at 1:10 p.m.; Catherina Antonelli and Attorney James McGovern, and Steven Kochheiser, AAG, addressed the Board at 1:20 p.m. On Friday, Open Forum was held at 10:00 a.m.

On Thursday, the Board welcomed Greg Moody, Director of the Governor's Office of Health Transformation who discussed health transformation initiatives with the Board. Board members stated they are pleased to work collaboratively with Director Moody and his team as they implement health transformation initiatives in Ohio.

### **Approval of Minutes of the January 2015 Meeting**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board approve the minutes from the January 2015 Board meeting as submitted. Motion adopted by majority vote of the Board members with Nancy Fellows, Lauralee Krabill and Sandra Ranck abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board welcomed Angela Aikens and Carol Polanski to the Licensure Unit and Ashley Minney to the Fiscal and Licensure Units. We congratulate Karen Unroe as a new Administrative Professional 3 for initial licensure.
- The Governor's Courage Award, created by Governor Kasich to recognize Ohioans whose selflessness and courage can inspire citizens to overcome challenges, was awarded to the Nurses of Ohio for 2015.
- B. Houchen presented testimony regarding HB 64, the budget bill, to the House Finance Subcommittee on Health and Human Services and focused on the escalating number of complaints and discipline cases. B. Houchen noted that the Board appreciates the Governor's support for the expanded budget request for additional staffing and related costs.
- The Ohio Perinatal Quality Collaborative (OPQC) was established to reduce preterm births and improve birth outcomes in Ohio. Board staff attended the OPQC Learning Session in January for the purpose of developing educational materials aimed at providers who prescribe pain medications for pregnant women.
- An exhibit that celebrates nurses is coming to the Columbus Museum of Art from March 20<sup>th</sup> to June 21<sup>st</sup>, "Shine On: Nurses in Art."
- Board staff are preparing for RN, COA and CTP renewal this year. During the 2015 renewal cycle the Board will again collect RN workforce data.
- Board staff requested information from the Board of Pharmacy to identify APRNs who may not be registered in OARRS but had prescribed opioid analgesics or benzodiazepines in the past year. The Board sent the prescribers an email reminder about OARRS registration requirements specified in HB 341. Additional emails were sent in March to remind prescribers that beginning April 1, 2015, unless an exception applies, the prescriber, before initially prescribing or personally furnishing an opioid

analgesic or a benzodiazepine, must request patient information from OARRS that covers at least the previous 12 months, and make periodic requests for patient information from OARRS if the course of treatment continues for more than 90 days.

### **Legislative Report**

Tom Dilling presented the Legislative Report. The Board agreed by general consensus to support HB 4, Naloxone-Opioid Overdose, and agreed that APRNs should be included in the bill if possible.

The Board also agreed by general consensus to support SB 55, Physician Assistant Law. Included in SB 55 is a provision that would permit certain CTP-E applicants to take advanced pharmacology through online instruction as part of the coursework required to obtain a CTP-E.

T. Dilling discussed SB 110, Prescribe-Delegate Authority. SB 110 authorizes administration of certain drugs pursuant to delegation by an APRN who holds a certificate to prescribe. Board staff anticipates that a bill regarding independent APRN practice will be introduced this year.

T. Dilling presented proposed amendments to the Nurse Practice Act that were included in HB 519 during the last General Assembly. Many of the amendments were either follow-up or technical revisions. Since HB 519 did not pass, the Board has requested that Rep. Schuring reintroduce these amendments.

### **EXECUTIVE SESSION**

On Thursday, March 12, 2015:

**Action:** It was moved by Janet Arwood that the Board go into Executive Session to discuss pending or imminent court action with legal counsel. A roll call vote was taken. The Board entered Executive Session at 10:00 a.m. and reported out of Executive Session at 10:17 a.m.

### **APPROVALS**

#### **Nursing Education Programs – Approval of New Programs**

Herzing University-Akron Campus, Bachelor of Science in Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Herzing University-Akron Campus, Bachelor of Science in Nursing Program. It was further moved that the Program submit progress reports to the Board on or before January 15, 2016, May 16, 2016, September 15, 2016, and January 16, 2017. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

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

Ashtabula County Technical and Career Campus Registered Nurse Program

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Ashtabula County Technical and Career Campus Registered Nurse Program for a period of

five years effective March 12, 2015. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

Felbry School of Practical Nursing Program

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board place Felbry School of Practical Nursing Program on Provisional approval in accordance with Section 4723.06(A)(7), ORC, and due to low NCLEX scores, in accordance with Rule 4723-5-23(B)(4), OAC, effective March 12, 2015 until March 17, 2017. After fully considering the survey visit report and the Program response to the report, in addition to low NCLEX scores, the Program has failed to meet and maintain the requirements established in Rules 4723-5-12(A)(3) and (A)(4); 4723-5-19(A)(2) and (A)(3), and 4723-5-21(D)(2) and (D)(3), OAC. It was further moved that the Program submit progress reports to the Board on or before April 17, 2015, July 17, 2015, October 16, 2015, January 15, 2016, April 15, 2016, and July 15, 2016. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

Southern State Community College Associate Degree Nursing Program

**Action:** It was moved by Nancy Fellows, seconded by J. Jane McFee, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Southern State Community College Associate Degree Nursing Program for a period of five years effective March 12, 2015. It was further moved that the Program submit progress reports to the Board on or before June 25, 2015 and December 4, 2015. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

**Nursing Education Program Requests**

Ohio Valley College of Technology School of Nursing Associate Degree in Nursing Program

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board approve the curriculum revision request submitted by Ohio Valley College of Technology School of Nursing Associate Degree in Nursing Program in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

Sinclair Community College, Associate Degree Nursing Program

**Action:** It was moved by Brenda Boggs, seconded by Nancy Fellows, that the Board approve the curriculum revision request submitted by Sinclair Community College, Associate Degree Nursing Program in accordance with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

The University of Toledo College of Nursing Bowling Green State BSN Program

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the Board approve the curriculum revision request submitted by The University of Toledo College of Nursing Bowling Green State University BSN Program in accordance

with Rule 4723-5-16, OAC. Motion adopted by majority vote of the Board members with Lauralee Krabill, Sandra Ranck and Patricia Sharpnack abstaining.

### **Training Program Approvals**

The Northeast Ohio Medical University Community Health Worker Program

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that the Board approve, in accordance with Rule 4723-26-14, OAC, The Northeast Ohio Medical University Community Health Worker Program for a period of two years effective March 12, 2015. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

OHNR Medication Aide Training Program

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board reapprove in accordance with Rule 4723-27-07, OAC, OHNR Medication Aide Training Program for a period of two years effective March 12, 2015. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

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

**Action:** It was moved J. Jane McFee, seconded by Brenda Boggs, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board January 1, 2015 through February 28, 2015 to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; dialysis technician interns; community health workers; and medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **ADJUDICATION AND COMPLIANCE**

On Friday, March 13, 2015, Maryam Lyon requested that each Board member verify they reviewed all materials in depth 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. All Board Members responded by saying "yes," except for Lauralee Krabill and Sandra Ranck who abstained from voting on disciplinary matters as they were newly appointed and had not yet had time to review the materials.

### **Board Actions**

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

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

Kolanko, Lindsay, R.N. 333176 (CASE #14-4211); Farr, Patricia, R.N. 216680

(CASE #14-3373); Bradford, Denver, P.N. 136714 (CASE #14-2193); Thomas, Heather, R.N. 270283, NA 09876 (CASE #14-5801); Lainhart, Nicole, P.N. 129208 (CASE #15-0034); Neubacher, Amy, P.N. 135589 (CASE #14-1369); McFadden, Holly, R.N. 320102 (CASE #13-6137); Schanilec, Samantha, R.N. 374534 (CASE #15-0197); Tooker, Erica, R.N. 343868, P.N. 124177 (CASE #14-0404); Bodnar, Elizabeth, R.N. 379526 (CASE #14-6516); Reynolds, Kristen, R.N. 377924 (CASE #15-0438); Harris, Julie, R.N. 276093 (CASE #15-0044); Adams, Ashley, P.N. 125009 (CASE #15-0500); Leitschuh, Andrea, R.N. 369681, P.N. 138346 (CASE #15-0325); Emch, Jodie, R.N. 322118 (CASE #14-4726); Ours, Julie, R.N. 243652 (CASE #14-6675); Reedy-Anderson, Rena, P.N. 130326 (CASE #14-5986); Kane, Angela, R.N. 229294 (CASE #14-4791); Pirkle, Trisha, R.N. 272728 (CASE #14-1975); Zuchowski, Jane, R.N. 368629 (CASE #13-7366); Hanson, Matthew, R.N. 268089, NA 07559 (CASE #14-6677); Fayne, Clifford, P.N. 151633 (CASE #14-1511); Smith, Jeremy, R.N. 382473, P.N. 145226 (CASE #13-5637); Krempasky, Beth, P.N. 118916 (CASE #14-0838); Cirillo-Harper, Carmen, R.N. 365588 (CASE #14-2112); Duncan, Amy, R.N. 338222 (CASE #13-2783); Peirson, Staci, R.N. 319684 (CASE #13-6640); Little, Jennifer, P.N. 138462 (CASE #13-6802); Lane, Alice, P.N. 097031 (CASE #14-2497); Jones, April, P.N. 125505 (CASE #14-2462); Medina, Nannette, R.N. 303621 (CASE #15-0053); Rolen, Jr., Michael, P.N. 149694 (CASE #14-0786); Daniels, Tamara, R.N. 354916 (CASE #15-0607); Worthington, Angela, P.N. 102778 (CASE #14-1653); Thuo, Caroline, P.N. 130694 (CASE #14-5178); and Moran, Jennifer, R.N. 318706, NP 13494, RX 13494 (CASE #14-6492).

Motion adopted by majority vote of the Board members with Lauralee Krabill, Maryam Lyon and Sandra Ranck abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2015 Board Meeting.

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

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

Knieriem, Douglas, R.N. 279552, NA 09060 (CASE #14-0784); Dutton, Michelle, P.N. 119847 (CASE #14-3370); Simmerman, Patricia, R.N. 264727 (CASE #14-4387); McCormick, Brendan, R.N. 258409 (CASE #14-4900); Berkley, Stacie, P.N. 111615 (CASE #13-0923); Moffitt, Krystal, R.N. 374639, P.N. 114446 (CASE #13-7198); Koranda, Linda, P.N. 061128 (CASE #14-2004); Hopper, Sherry, R.N. 347789 (CASE #15-0045); Stevenson, Nicole, R.N. 243554 (CASE #15-0626); Vitucci, Amber, R.N. 385490, P.N. 122546 (CASE #14-0358); Spears, Sarah, P.N. 141406 (CASE #15-0937); Mertz, Lisa, R.N. 307982 (CASE #14-4645); Chapman, Kyle, R.N. 395884, P.N. 130369 (CASE #14-5790); Tegarty, Kimberly, P.N. 107812 (CASE #14-5889); Adamic,

Amy, R.N. 358605 (CASE #14-6408); and Bell, Jason, R.N. 273956 (CASE #15-1055).

Motion adopted by majority vote of the Board members with Lauralee Krabill, Maryam Lyon and Sandra Ranck abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2015 Board Meeting.

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

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

Daugherty, Kayce, R.N. 327499 (CASE #15-0036); Fayson-Robbins, Latonya, P.N. 137590 (CASE #14-6752); Miller, Kevin, P.N. 155958 (CASE #14-6904); Wright, Melissa, P.N. 133241 (CASE #14-2503); Figuly, Rachael, R.N. 321115 (CASE #15-0351); Sword, Anna, P.N. 093739 (CASE #15-0023); Jones, Danielle, P.N. 152693 (CASE #15-0365); Vasquez, Patricia, P.N. 114697 (CASE #14-6523); Fauchaux, Mary, R.N. 295822 (CASE #14-6247); Buga, Ammi, R.N. 351092 (CASE #14-6830); Stamper, Robert, P.N. 139595 (CASE #14-4814); and Lint, Sarah, P.N. 119216 (CASE #15-0008).

Motion adopted by majority vote of the Board members with Lauralee Krabill, Maryam Lyon and Sandra Ranck abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the March 2015 Board Meeting.

### **SURRENDERS/WITHDRAWALS**

#### **Permanent Voluntary Surrender**

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

Burgemeir, Dora, R.N. 295393 (CASE #15-0657); Soloman, Mary, P.N. 114630 (CASE #13-7883); Tibbe, Suzanne, R.N. 319660 (CASE #15-0629); and Watson, Rosemary, R.N. 303283, P.N. 066379 (CASE #14-1934).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Complete copies of the Permanent Voluntary Surrenders Of License shall be

maintained in the exhibit book for the March 2015 Board Meeting.

### **CONSENT AGREEMENTS**

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, 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):

Melvin, Valerie, R.N. 260168 (CASE #13-8300); Bedocs, Jessie, R.N. 312121 (CASE #13-1673); Ervin, Domonique, P.N. NCLEX (CASE #14-6146); Smith, Russell, P.N. NCLEX (CASE #14-6148); Hochreiter, Jonathan, R.N. 266666, NP 15104, RX 15104 (CASE #14-6670); Curtis, Jessica, R.N. Endorse (CASE #15-0101); Csomos, Kimberly, R.N. 366740 (CASE #13-5793); Cloud, Renatta, P.N. 133822 (CASE #14-4617); Bussa, Farryn, R.N. 366420, NP 14763, RX 14763 (CASE #14-6669); Dearth, Tracy, P.N. 128086 (CASE #14-5317); Higgins, Diane, P.N. 145750 (CASE #14-2067); Brubaker, Kelly, R.N. 296359 (CASE #14-0992); LaRocco, Nicole, R.N. 302340 (CASE #14-5107); Darus, Lisa, R.N. 223582 (CASE #13-1159); Taylor, Sanita, R.N. 350112, P.N. 120800 (CASE #14-6659); Kolodziejski, Shannon, R.N. 336436 (CASE #13-3284); Deans, Damon, P.N. 139294 (CASE #14-4937); White, Donna, P.N. 089797 (CASE #13-6755); Springer, Casey, P.N. 129980 (CASE #13-8036); Sims, Bryan, P.N. 119536 (CASE #12-3563); Sicka, Carla, R.N. 312763 (CASE #13-1211); Langhorn, Dawn, P.N. 155165 (CASE #14-2180); Curry, Alieta, R.N. 381687, P.N. 131186 (CASE #14-5845); Cremeans, Kurt, P.N. 111841 (CASE #13-6886); Bolton, Carolyn, R.N. 268392, P.N. 091818, NP 09231, RX 09231 (CASE #14-5326); Isabell, Margaret, R.N. 305489 (CASE #12-3811); Davis, Bryttany, P.N. NCLEX (CASE #14-5421); Kaehne, Lisa, P.N. 132449 (CASE #14-5278); Price, Natalie, P.N. 145532 (CASE #13-7606); Allen, Jr., William, P.N. 107462 (CASE #13-7220); Pistone, Dina, R.N. 378044 (CASE #14-2019); Rill, Candice-Anne, R.N. 369809 (CASE #13-7967); Hughes, Tamara, P.N. 092026 (CASE #14-0026); Suiter, Julie, P.N. 082761 (CASE #15-0127); Erickson, Karrie, R.N. 378695, P.N. 138430 (CASE #13-8078); Eichenberger, Lindsay, R.N. 398633 (CASE #14-1999); Branham, Shari, P.N. 115413 (CASE #14-0528); McKinney, Yuvonka, R.N. 267464 (CASE #14-2183); Ostrander, Alicia, P.N. 107683 (CASE #14-5480); Weber, Brian, R.N. 333000 (CASE #13-4686); Allman, Shane, P.N. 115801 (CASE #13-4512); Hoffman, Jacqueline, R.N. 334186 (CASE #15-0040); Gronostaj, Jenny, R.N. 363299 (CASE #14-0957); Bambrick, Jacqueline, R.N. 378776 (CASE #14-0727); Quaresimo, Amanda, R.N. NCLEX (CASE #14-6683); Koviak, Christopher, R.N. 347635 (CASE #14-2463); Fowler, Diane, P.N. 085468 (CASE #14-2704); Shinaberry, Adrienne, R.N. 314598 (CASE #14-6433); Wilson, Susan, R.N. 198890 (CASE #13-2734); Porter, Veronica, R.N. 360487 (CASE #13-1949); Howlett, Kristina, R.N. 365704, P.N. 122399 (CASE #13-5691); Martignetti, Melissa, P.N. 103154 (CASE #14-4302); Michalski, Kristy, R.N. 342707 (CASE #14-6955); Smith, Anna, R.N. 249762, NP 15030, RX 15030 (CASE #15-0442); Robertson, Rachel, R.N. 288030 (CASE #13-3726); Middleton, Catherine, R.N. 110379 (CASE #13-2876); Bell, Bethany, CHW 00115 (CASE #14-5015); Kessel, James, P.N. 135241 (CASE #13-6493); Baxter, Aaron, R.N. 407645 (CASE

#14-6668); Slaiman, Roberta, R.N. 275495 (CASE #13-2782); Beck, Nancy, R.N. 245302 (CASE #14-0805); Rodgers, Ann, R.N. 280168 (CASE #15-0375); Cammett, Barbara, P.N. 138825 (CASE #14-6694); Mokas, Kaylan, R.N. 390205 (CASE #14-1194); Reeves, Shaunta, R.N. 345456 (CASE #15-0498); Pace, Alisa, R.N. 284511 (CASE #15-0437); Dray, Cheryl, R.N. 319304 (CASE #15-0425); Jones, India, P.N. NCLEX (CASE #14-5983); Humberston, Carolann, P.N. 128172 (CASE #14-3410); Kellett, Erika, R.N. 308455 (CASE #14-5055); Painter, Tara, R.N. 312190 (CASE #15-0017); Bjorling, Benjamin, R.N. NCLEX (CASE #14-4000); Mbomnda, Rabiatsu, P.N. NCLEX (CASE #14-5817); Silva, Cynthia, R.N. 223725 (CASE #14-5177); Whitt, Deborah, P.N. 092950 (CASE #15-0790); Belenkaya, Regina, R.N. 398628, NA 15466 (CASE #14-1350); Martin, Mona, R.N. 202243 (CASE #14-5748); and Seymour, Erica, R.N. 286447 (CASE #14-5985).

Lauralee Krabill abstained from voting on all cases. Sandra Ranck abstained from voting on all cases.

Janet Arwood voted no on Ostrander, Alicia, P.N. 107683 (CASE #14-5480), only. Maryam Lyon voted no on Melvin, Valerie, R.N. 260168 (CASE #13-8300) and Darus, Lisa, R.N. 223582 (CASE #13-1159) only. J. Jane McFee voted no on the following cases only: Melvin, Valerie, R.N. 260168 (CASE #13-8300); Allman, Shane, P.N. 115801 (CASE #13-4512); and Martin, Mona, R.N. 202243 (CASE #14-5748).

Motion for all other cases adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the March 2015 Board Meeting.

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

Bachor, Charles, P.N. 125423 (CASE #14-0413)

**Action:** It was moved by Maryam Lyon, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **CHARLES F. BACHOR's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**. In reaching this determination, the Board specifically considered Respondent's Objections filed late on January 20, 2015.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Bowman, Angela, P.N. 115439 (CASE #14-0930)

**Action:** It was moved by Janet Arwood, 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 that **ANGELA BOWMAN's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Robinson, Tricia, R.N. 294059 (CASE #10-5079)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **TRICIA JEAN ROBINSON's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. ROBINSON's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years.

The rationale for the modification is as follows: While the Hearing Examiner's recommendation (that the Board stay **MS. ROBINSON's** license suspension and defer random drug screening in Ohio until **MS. ROBINSON** chooses to return to Ohio employment) may be cost-effective for **MS. ROBINSON**, it does not adequately address the possibility that **MS. ROBINSON** could resume Ohio employment without the Board's knowledge and thus does not effectively protect the public. A suspension with conditions for reinstatement, that includes a three (3) month minimum period of random drug screens conducted by the Board's drug screen administrator, before **MS. ROBINSON's** license is reinstated is both cost-effective for **MS. ROBINSON** and protects the public. Secondly, the drug screen process should continue throughout the three-year probation, with the possibility of early release.

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

1. **MS. ROBINSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROBINSON** 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. ROBINSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROBINSON**, including a

check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ROBINSON'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. Within sixty (60) days of the effective date of this Order, **MS. ROBINSON** shall provide documentation to the Ohio Board of Nursing that she has provided a copy of this Order to the Tennessee Board of Nursing.

### **Monitoring**

5. **MS. ROBINSON** 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. ROBINSON's** history. **MS. ROBINSON** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. ROBINSON** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. ROBINSON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. ROBINSON'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. ROBINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROBINSON's** history.
8. Within thirty (30) days prior to **MS. ROBINSON** initiating drug screening, **MS. ROBINSON** 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. ROBINSON**.
9. After initiating drug screening, **MS. ROBINSON** 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. ROBINSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.

10. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. ROBINSON** 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. ROBINSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. **MS. ROBINSON** shall continue to participate in psychiatric treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. ROBINSON** shall have her mental health provider submit written reports to the Board regarding **MS. ROBINSON's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days of the execution of the probationary period. **MS. ROBINSON** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing within sixty (60) days of the execution of the probationary period. **MS. ROBINSON** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. ROBINSON's** license.

#### **Reporting Requirements of MS. ROBINSON**

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

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

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

### **DURATION**

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

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

1. **MS. ROBINSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ROBINSON** 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. ROBINSON** 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. ROBINSON's** history. **MS. ROBINSON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. ROBINSON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. ROBINSON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B),

- ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. ROBINSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ROBINSON's** history.
6. **MS. ROBINSON** shall attend a minimum of one (1) meeting or two (2) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. ROBINSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
  7. **MS. ROBINSON** shall continue to participate in psychiatric treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. ROBINSON** shall have her mental health provider submit written reports to the Board regarding **MS. ROBINSON's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days following the effective date of this Order. **MS. ROBINSON** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing within sixty (60) days following the effective date of this Order. **MS. ROBINSON** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. ROBINSON's** license.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. ROBINSON**

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

by this Order are received in the Board office.

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

McAvinew, Jodi, R.N. 350188, P.N. 107157 (CASE #13-8270)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JODI MARIE MCAVINEW's** licenses to practice nursing as a registered nurse and licensed practical 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. MCAVINEW's** licenses to practice nursing as a registered nurse and licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Permanent Narcotic Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

1. **MS. MCAVINEW** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCAVINEW** 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. MCAVINEW** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCAVINEW**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCAVINEW'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. MCAVINEW** 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, MS. MCAVINEW** shall submit documentation of her full compliance with the terms and conditions imposed by the Stark County Court of Common Pleas in Case Number 13CR1440.
6. **Prior to requesting reinstatement by the Board, MS. MCAVINEW** shall, in addition to the requirements for renewal of her licenses, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: three (3) hours of Alcohol, Alcohol Abuse & Alcohol Dependence.

## **Monitoring**

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

9. **Within six (6) months prior to requesting reinstatement by the Board, MS. MCAVINEW** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MCAVINEW** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. MCAVINEW** 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. MCAVINEW's** licenses, and a statement as to whether **MS. MCAVINEW** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MS. MCAVINEW** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MCAVINEW's** licenses.
11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. MCAVINEW** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MCAVINEW'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. MCAVINEW** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MCAVINEW's** history.
12. Within thirty (30) days prior to **MS. MCAVINEW** initiating drug screening, **MS. MCAVINEW** 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. MCAVINEW**.
13. After initiating drug screening, **MS. MCAVINEW** 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. MCAVINEW** 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.

14. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MS. MCAVINEW** shall attend a minimum of two (2) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. MCAVINEW** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. MCAVINEW**

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

### **DURATION**

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

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

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

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

#### **Reporting Requirements of MS. MCAVINEW**

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**MS. MCAVINEW** shall not practice nursing as a registered nurse and/or 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. MCAVINEW** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Bujakowski, Raven, R.N. 302818 (CASE #13-1905)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that social security numbers that appear in Respondent's Exhibit B be redacted in accordance with the Federal Privacy Act of 1974. 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 that **RAVEN BUJAKOWSKI's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Goas, Jacqueline, R.N. 376877 (CASE #14-0320)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that

the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JACQUELINE GOAS'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. GOAS's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Practice** and **Temporary Narcotic Restrictions** set forth below.

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

1. **MS. GOAS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GOAS** 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. GOAS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GOAS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. GOAS'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. GOAS** shall submit documentation of her full compliance with the terms and conditions imposed by the Cuyahoga County Court of Common Pleas in Case Number CR-13-579724-D.

#### **Monitoring**

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

- Prior to the evaluation, **MS. GOAS** shall provide the chemical dependency professional with a copy of this Order and the March 28, 2014 Notice of Immediate Suspension and Opportunity for Hearing, and the May 16, 2014 Notice of Opportunity for Hearing (the "Notices"). Further, **MS. GOAS** 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. GOAS's** license, and a statement as to whether **MS. GOAS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. GOAS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. GOAS's** license.
  9. **For a minimum, continuous period of eighteen (18) months immediately prior to requesting reinstatement, MS. GOAS** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. GOAS'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. GOAS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GOAS's** history.
  10. Within thirty (30) days prior to **MS. GOAS** initiating drug screening, **MS. GOAS** 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. GOAS**.
  11. After initiating drug screening, **MS. GOAS** 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. GOAS** 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 eighteen (18) months immediately prior to requesting reinstatement, MS. GOAS** 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. GOAS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. GOAS**

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

### **DURATION**

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

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

**license shall be subject to the following probationary terms and restrictions for a minimum period of three (3) years.**

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

### **Reporting Requirements of MS. GOAS**

13. **MS. GOAS** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. GOAS** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. GOAS** 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. GOAS** 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. GOAS** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. GOAS** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. GOAS** 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. GOAS** shall not administer, have access to, or possess (except as prescribed for **MS. GOAS's** use by another so authorized by law who has full knowledge of **MS. GOAS's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. GOAS** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. GOAS** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Fricke, Jr., Joseph, P.N. 137386 (CASE #14-0897)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **JOSEPH DOUGLAS FRICKE, JR.'s** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**, and any application for licensure by examination to practice as a registered nurse by **MR. FRICKE** be **PERMANENTLY DENIED**.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Khetia, Deepa, R.N. 331738 (CASE #13-4012)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that Item 1. of the November 22, 2013 Notice of Opportunity for Hearing be dismissed. It was further moved that the records in this matter remain sealed and not be released to the public, in accordance with Section 2953.52, ORC. It was finally moved that **MS. KHETIA's** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions** set forth below.

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

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

### **Monitoring**

5. **Upon the request of the Board of its designee, MS. KHETIA** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. KHETIA** shall provide the psychiatrist with a copy of this Order and the Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. KHETIA's** license, and a statement as to whether **MS. KHETIA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **If a psychiatric examination is requested, MS. KHETIA** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. KHETIA's** license

### **Employment Conditions**

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

### **Reporting Requirements of MS. KHETIA**

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

this Order are received in the Board office.

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

### **Permanent Practice Restrictions**

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

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

**MS. KHETIA** shall not be involved in financial activities or supervise financial activities in any position that requires a license as a registered nurse.

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Allen, Ashley, P.N. 130598 (CASE #12-5361)

**Action:** It was moved by Janet Arwood, 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 that **ASHLEY NICOLE ALLEN's** license to practice nursing as a licensed practical nurse in the State of Ohio be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Richmond, Christopher, R.N. 395036 (CASE #14-0554)

**Action:** It was moved by J. Jane McFee, seconded by Nancy Fellows, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **CHRISTOPHER J. RICHMOND'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 two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. RICHMOND's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restriction**, unless otherwise approved by the Board, set forth below.

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

1. **MR. RICHMOND** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. RICHMOND** 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. RICHMOND** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. RICHMOND**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. RICHMOND'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. RICHMOND** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: thirty (30) hours of Alcohol and Alcohol Abuse, and two (2) hours Ohio Nursing Law and Rules.

### **Monitoring**

5. **MR. RICHMOND** 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. RICHMOND's** history. **MR. RICHMOND** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. RICHMOND** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Within six (6) months prior to requesting reinstatement by the Board, MR. RICHMOND** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. RICHMOND** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. RICHMOND** 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. RICHMOND's** license, and a statement as to whether **MR. RICHMOND** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MR. RICHMOND** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. RICHMOND's** license.
9. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, MR. RICHMOND** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens

- for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. RICHMOND'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. RICHMOND** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. RICHMOND's** history.
10. Within thirty (30) days prior to **MR. RICHMOND** initiating drug screening, **MR. RICHMOND** 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. RICHMOND**.
  11. After initiating drug screening, **MR. RICHMOND** 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. RICHMOND** 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 two (2) years immediately prior to requesting reinstatement, MR. RICHMOND** 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. RICHMOND** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  13. **Prior to requesting reinstatement by the Board, MR. RICHMOND** shall, at his expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. RICHMOND** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. RICHMOND's** license, and a statement as to whether **MR. RICHMOND** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

14. **MR. RICHMOND** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. RICHMOND's** license.

#### **Reporting Requirements of MR. RICHMOND**

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

#### **DURATION**

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

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

**RICHMOND's license shall be subject to the following probationary terms and restrictions for a minimum period of two (2) years.**

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

### **Reporting Requirements of MR. RICHMOND**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Sattler, Cindy, R.N. 309279 (CASE #12-0955)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **MS. SATTLER's** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of eighteen (18) months, including the **Temporary Practice Restrictions** set forth below.

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

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

successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Medication Administration, five (5) hours of Documentation, and two (2) hours of Ohio Nursing Law and Rules.

### **Monitoring**

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

history.

9. **If recommended in the chemical dependency evaluation, MS. SATTLER** 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. SATTLER** 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**

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

### **Employment Conditions**

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

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

### **Reporting Requirements of MS. SATTLER**

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

### **Temporary Practice Restrictions**

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

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Becker, Karli, R.N. 376139 (CASE #13-0299)

**Action:** It was moved by Lisa Klenke, seconded by Patricia Sharpnack, that the Board dismiss Item 1.a., related to Patient #1, and Item 1.c., related to Patient #3, of the July 25, 2014 Notice of Opportunity for Hearing due to insufficient evidence presented by the State. It was further moved that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **KARLI ANN BECKER'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. BECKER's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year, including the **Permanent Practice Restrictions**, unless otherwise

approved by the Board, set forth below.

The rationale for the modification is the following: **MS. BECKER's** failure to recognize the impact of covering up the administration of chemotherapy at ten times the prescribed rate could have caused increased harm to the patient. This cover-up activity changes the deviation from an error to more egregious behavior. The Board has determined in its expertise that the nurse should also be evaluated by a master's prepared nursing educator prior to practicing as a nurse in order to determine if additional training and remediation is required for **MS. BECKER** to practice nursing safely.

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

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

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

5. **Prior to requesting reinstatement by the Board, MS. BECKER** 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. BECKER** shall have the educator provide the Board with a written report of an assessment of **MS. BECKER**, which identifies **MS. BECKER's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. BECKER** 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. BECKER** 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. BECKER's** employer(s), former employers, and Board staff. Following the assessment, **MS. BECKER** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. BECKER** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. BECKER** 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. BECKER** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. BECKER** 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. BECKER** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. BECKER's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. BECKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. BECKER** shall be responsible for all costs associated with meeting this requirement.

6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. BECKER's** license.
7. In the event that the educator's recommendations require **MS. BECKER** to have an active nursing license, the Board, prior to reinstatement of her license, may issue **MS. BECKER** a license to practice nursing as a registered nurse that is restricted to the limited use and sole purpose of completing the educator's recommendations. For all other uses and purposes, **MS. BECKER's** license shall remain suspended. Upon successful completion of the educator's recommendations and upon written notification to the Board or its designee, the limitations on **MS. BECKER's** license shall be terminated. **MS. BECKER** shall not gain or attempt to gain employment as a registered nurse in the State of Ohio until she has completed the requirements and conditions for reinstatement, set forth in this Order, and the Board has reinstated her license.

### **Monitoring**

8. **Prior to requesting reinstatement by the Board, MS. BECKER** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. BECKER** shall provide the psychiatrist with a copy of this Order and the Notice of Opportunity for

- Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BECKER's** license, and a statement as to whether **MS. BECKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. BECKER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BECKER's** license.
  10. **MS. BECKER** shall continue to participate in psychological treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. BECKER** shall have her mental health provider submit written reports to the Board regarding **MS. BECKER's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days following the effective date of this Order. **MS. BECKER** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing within sixty (60) days following the effective date of this Order. **MS. BECKER** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. BECKER's** license.

#### **Reporting Requirements of MS. BECKER**

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

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

### **DURATION**

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

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

1. **MS. BECKER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BECKER** 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. BECKER** shall continue to participate in psychological treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. BECKER** shall have her mental health provider submit written reports to the Board regarding **MS. BECKER's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days of the execution of the probationary period. **MS. BECKER** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Opportunity for Hearing within sixty (60) days of the execution of the probationary period. **MS. BECKER** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. BECKER's** license.

### **Employment Conditions**

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

### **Reporting Requirements of MS. BECKER**

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

13. **MS. BECKER** 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**

**The following permanent practice restrictions are in effect unless otherwise approved in advance, in writing, by the Board or its designee:**

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

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Antonelli, Catherina, R.N. 247946 (CASE #14-2420)

**Action:** It was moved by Nancy Fellows, seconded by Brenda Boggs, that the Board the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **CATHERINA MARIE ANTONELLI's** license to practice nursing as a registered nurse in the State of Ohio be suspended until at least July 25, 2015, with the conditions for reinstatement set forth below, and following reinstatement, **MS. ANTONELLI's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Permanent Narcotic Restrictions** set forth below. The Board noted for the record that the Hearing Examiner's Report and Recommendation mislabels the July 25, 2015 Notice of Automatic Suspension and Opportunity for Hearing as a "summary" rather than an "automatic" suspension.

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

1. **MS. ANTONELLI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ANTONELLI** 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. ANTONELLI** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ANTONELLI**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ANTONELLI'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. ANTONELLI** 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. ANTONELLI's** history. **MS. ANTONELLI** shall self-administer the prescribed drugs only in the manner prescribed.

5. **MS. ANTONELLI** shall abstain completely from the use of alcohol or any products containing alcohol.
6. **Upon the request of the Board of its designee, MS. ANTONELLI** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. ANTONELLI** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ANTONELLI** 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. ANTONELLI's** license, and a statement as to whether **MS. ANTONELLI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **If a chemical dependency evaluation is requested, MS. ANTONELLI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ANTONELLI's** license.
8. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement, MS. ANTONELLI** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. ANTONELLI'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. ANTONELLI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ANTONELLI's** history.
9. Within thirty (30) days prior to **MS. ANTONELLI** initiating drug screening, **MS. ANTONELLI** 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. ANTONELLI**.
10. After initiating drug screening, **MS. ANTONELLI** 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. ANTONELLI** 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 three (3) months immediately prior to requesting reinstatement, MS. ANTONELLI** 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. ANTONELLI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  12. **Upon the request of the Board or its designee, MS. ANTONELLI** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ANTONELLI** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ANTONELLI's** license, and a statement as to whether **MS. ANTONELLI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  13. **If a psychiatric evaluation is requested, MS. ANTONELLI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ANTONELLI's** license.
  14. **MS. ANTONELLI** shall continue to participate in psychiatric treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. ANTONELLI** shall have her mental health provider submit written reports to the Board regarding **MS. ANTONELLI's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days following the effective date of this Order. **MS. ANTONELLI** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Automatic Suspension and

Opportunity for Hearing within sixty (60) days following the effective date of this Order. **MS. ANTONELLI** shall have her mental health treating professional(s) send documentation to the Board of receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. ANTONELLI's** license.

### **Reporting Requirements of MS. ANTONELLI**

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

### **DURATION**

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

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

1. **MS. ANTONELLI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. ANTONELLI** 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. ANTONELLI** 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. ANTONELLI's** history. **MS. ANTONELLI** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. ANTONELLI** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. ANTONELLI** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. ANTONELLI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ANTONELLI's** history.
6. **MS. ANTONELLI** 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. ANTONELLI** shall provide satisfactory documentation of such attendance to the Board every six (6) months.
7. **Upon the request of the Board or its designee, MS. ANTONELLI** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. ANTONELLI** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. ANTONELLI** 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. ANTONELLI's** license, and a statement as to whether **MS. ANTONELLI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **If a chemical dependency evaluation is requested, MS. ANTONELLI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions **MS. ANTONELLI's** license.
  9. **Upon the request of the Board or its designee, MS. ANTONELLI** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ANTONELLI** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ANTONELLI's** license, and a statement as to whether **MS. ANTONELLI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  10. **If a psychiatric evaluation is requested, MS. ANTONELLI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ANTONELLI's** license.
  11. **MS. ANTONELLI** shall continue to participate in psychiatric treatment and in individual treatment/counseling at intervals deemed appropriate by a mental health provider approved in advance by the Board until released. **MS. ANTONELLI** shall have her mental health provider submit written reports to the Board regarding **MS. ANTONELLI's** progress, status, and compliance with her treatment plan on a quarterly basis beginning within sixty (60) days of the execution of the probationary period. **MS. ANTONELLI** shall provide her approved treating mental health professional(s) with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing within sixty (60) days of the execution of the probationary period. **MS ANTONELLI** shall have her mental health treating professional(s) send documentation to the Board of

receipt of a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing along with their first treatment report. Further, the Board may use the treatment provider's recommendations and conclusions from the reports as a basis for additional terms and restrictions on **MS. ANTONELLI's** license.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

advance by the Board or its designee.

### **Reporting Requirements of MS. ANTONELLI**

18. **MS. ANTONELLI** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
19. **MS. ANTONELLI** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
20. **MS. ANTONELLI** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
21. **MS. ANTONELLI** 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.
22. **MS. ANTONELLI** 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.
23. **MS. ANTONELLI** shall verify that the reports and documentation required by this Order are received in the Board office.
24. **MS. ANTONELLI** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

### **Permanent Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

J. Jane McFee, opposed the motion. Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Taylor, Timothy, P.N. 135110, R.N. NCLEX (CASE #14-0035)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that the Board accept all of the Hearing Examiner's Findings of Fact and Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **TIMOTHY SCOTT TAYLOR'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 three (3)

years, retroactive to July 25, 2014, with the conditions for reinstatement set forth below, and following reinstatement, **MR. TAYLOR's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice** and **Temporary Narcotic Restrictions** set forth below. It was further moved that the Board permanently deny **MR. TAYLOR'S** application for licensure by examination to practice as a registered nurse in the State of Ohio.

The rationale for the modification is the following: The Hearing Examiner recommended that the suspension of Mr. Taylor's practical nursing license be retroactive to June 18, 2014, the date of his sentencing in Warren County Common Pleas Court. **MR. TAYLOR'S** nursing license was active at the time and it is not legally possible to retroactively impose a license suspension. Mr. Taylor's practical nursing license must be subject to permanent practice restrictions and his application for licensure as a registered nurse must be permanently denied due to the severity of Mr. Taylor's criminal offenses and in order to ensure the safety of the public.

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

1. **MR. TAYLOR** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. TAYLOR** 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. TAYLOR** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. TAYLOR**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. TAYLOR'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. TAYLOR** shall submit documentation of his full completion of all the terms and conditions imposed by the Warren County Court of Common Pleas in Case Numbers 14CR29793 and 14CR29881.

#### **Monitoring**

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

6. **MR. TAYLOR** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Upon request by the Board or its designee, MR. TAYLOR** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. TAYLOR** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. TAYLOR** 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. TAYLOR's** license, and a statement as to whether **MR. TAYLOR** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **In the event that the Board or its designee requests a chemical dependency evaluation, MR. TAYLOR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. TAYLOR's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. TAYLOR** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. TAYLOR'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. TAYLOR** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TAYLOR's** history.
10. Within thirty (30) days prior to **MR. TAYLOR** initiating drug screening, **MR. TAYLOR** 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. TAYLOR**.

11. After initiating drug screening, **MR. TAYLOR** 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. TAYLOR** 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. TAYLOR** 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. TAYLOR** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. TAYLOR**

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

#### **DURATION**

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

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

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

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

- TAYLOR** 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. TAYLOR** 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. TAYLOR** 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. TAYLOR** throughout the duration of this Order.
  9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. TAYLOR** 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. TAYLOR** shall **notify the Board, in writing.**
11. **MR. TAYLOR** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MR. TAYLOR** shall have his employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MR. TAYLOR** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.
12. **MR. TAYLOR** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

#### **Reporting Requirements of MR. TAYLOR**

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

and prevailing standards of safe nursing practice.

15. **MR. TAYLOR** 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. TAYLOR** 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. TAYLOR** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MR. TAYLOR** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MR. TAYLOR** 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**

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

#### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Castillo, Leo, R.N. 345844 (CASE #13-0795)

**Action:** It was moved by Maryam Lyon, seconded by Patricia Sharpnack, that the Board adopt all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that the May 16, 2014 Notice of Opportunity for Hearing issued to **LEO CASTILLO, R.N.**, be DISMISSED.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Boucek, Juela, R.N. 300307 (CASE #13-1263)

**Action:** It was moved by Janet Arwood, 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 that **JUELA THERESE BOUCEK's** license to practice nursing as a registered

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

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Lawson, Cindy, R.N. 263545 (CASE #14-3235)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that **CINDY MICHELLE LAWSON's** license to practice nursing as a registered nurse in the State of Ohio be **PERMANENTLY REVOKED**.

The rationale for the modification is the following: **MS. LAWSON** has had multiple prior Board actions beginning with a Consent Agreement in 2007, and has a long history of non-compliance and relapses. The Board has given **MS. LAWSON** opportunities to demonstrate that she can comply with Board requirements and maintain sobriety and she has failed to do so. The Board has determined in its expertise that in order to protect the public **MS. LAWSON's** license must be permanently revoked.

Motion adopted by majority vote of the Board member with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

#### **BOARD HEARING COMMITTEE**

Salazar, Michelle, DT 03439 (CASE #14-1692)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that the Board accept all of the Board Hearing Committee's Findings of Fact and Conclusions, and the Recommendation in the Board Hearing Committee's Report and Recommendation, and that **MICHELLE ANNE SALAZAR's** certificate to practice as a certified dialysis technician in the State of Ohio be suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and following reinstatement, **MS. SALAZAR's** certificate to practice as a certified dialysis technician be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Practice Restrictions** set forth below.

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

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

2. **MS. SALAZAR** 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. SALAZAR** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SALAZAR**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SALAZAR'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. SALAZAR** shall submit documentation of her full compliance with the court-ordered probation imposed by the Defiance Municipal Court in Case Number TRC 14-281A.
5. **Prior to requesting reinstatement by the Board, MS. SALAZAR** shall, in addition to the requirements for renewal of her certificate, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Anger Management, and five (5) hours of Alcohol Abuse.

### **Monitoring**

6. **MS. SALAZAR** 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. SALAZAR's** history. **MS. SALAZAR** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. SALAZAR** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. SALAZAR** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SALAZAR** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. SALAZAR** 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. SALAZAR's** certificate, and a statement as to whether **MS. SALAZAR** is capable of practicing as a dialysis technician according to acceptable and prevailing standards of safe care.
9. **MS. SALAZAR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SALAZAR's** certificate.
  10. **For a minimum, continuous period of ninety (90) days immediately prior to requesting reinstatement, MS. SALAZAR** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SALAZAR'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 certificate for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SALAZAR** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SALAZAR's** history.
  11. Within thirty (30) days prior to **MS. SALAZAR** initiating drug screening, **MS. SALAZAR** 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. SALAZAR**.
  12. After initiating drug screening, **MS. SALAZAR** 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. SALAZAR** 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. **If recommended in the chemical dependency evaluation, MS. SALAZAR** 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. SALAZAR** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

14. **Prior to requesting reinstatement by the Board, MS. SALAZAR** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. SALAZAR** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SALAZAR's** certificate, and a statement as to whether **MS. SALAZAR** is capable of practicing as a dialysis technician according to acceptable and prevailing standards of safe care.
15. **MS. SALAZAR** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SALAZAR's** certificate.

#### **Reporting Requirements of MS. SALAZAR**

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

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

### **DURATION**

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

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

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

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

### **Employment Conditions**

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

### **Reporting Requirements of MS. SALAZAR**

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

### **Temporary Practice Restrictions**

**MS. SALAZAR** shall not practice as a dialysis technician (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; or (4) as an independent provider where the dialysis technician provides dialysis care and is reimbursed for services by the State of Ohio through State agencies or agents of the State.

**MS. SALAZAR** shall not function as a supervisor or manager while working in a position for which a certificate to practice as a dialysis technician is required.

### **FAILURE TO COMPLY**

The stay of **MS. SALAZAR's** suspension shall be lifted and **MS. SALAZAR's** certificate to practice as a certified dialysis technician will be automatically

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

Motion adopted by majority vote of the Board members with Lisa Klenke, Lauralee Krabill, Maryam Lyon and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

### **NO REQUEST FOR HEARING**

Hague, Carla, R.N. 098265 (CASE #13-7941)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **CARLA R. HAGUE** in the August 19, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HAGUE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. HAGUE's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Beasley, Dorothy, P.N. 052872 (CASE #14-2384)

**Action:** It was moved by Janet Arwood, seconded by J. Jane McFee, that upon consideration of the charges stated against **DOROTHY BEASLEY** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BEASLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the

Notice, and that **MS. BEASLEY's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Mehki, Kimberly, P.N. 144564 (CASE #14-1973)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **KIMBERLY SUE MEHKI** in the August 15, 2014 Notice of Immediate Suspension and Opportunity for Hearing, and the September 19, 2014 Notice of Opportunity for Hearing, and evidence supporting the charges, the Board find that **MS. MEHKI** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. MEHKI's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MEHKI's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

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

1. **MS. MEHKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MEHKI** 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. MEHKI** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MEHKI**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MEHKI'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. MEHKI** 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, MS. MEHKI** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules, five (5) hours of Professional Accountability and Legal Liability for Nurses, and ten (10) hours of Drug Addiction.

### **Monitoring**

6. **MS. MEHKI** 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. MEHKI's** history. **MS. MEHKI** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. MEHKI** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. MEHKI** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MEHKI** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. MEHKI** 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. MEHKI's** license, and a statement as to whether **MS. MEHKI** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. MEHKI** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MEHKI's** license.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. MEHKI** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MEHKI'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. MEHKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MEHKI's** history.
11. Within thirty (30) days prior to **MS. MEHKI** initiating drug screening, **MS. MEHKI** 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. MEHKI**.
  12. After initiating drug screening, **MS. MEHKI** 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. MEHKI** 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 six (6) months immediately prior to requesting reinstatement, MS. MEHKI** 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. MEHKI** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MEHKI**

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

### **DURATION**

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

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

1. **MS. MEHKI** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MEHKI** 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. MEHKI** 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. MEHKI's** history. **MS. MEHKI** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MEHKI** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. MEHKI** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a

restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MEHKI** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MEHKI's** history.

6. **MS. MEHKI** 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. MEHKI** 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. MEHKI** 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. MEHKI** 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. MEHKI** 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. MEHKI** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MEHKI** 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. MEHKI** shall **notify the Board, in writing.**
11. **MS. MEHKI** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting employment as a nurse.** **MS. MEHKI** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. MEHKI** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notices, including the date they were received.
12. **Upon the request of the Board or its designee, MS. MEHKI** shall, **prior**

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

### **Reporting Requirements of MS. MEHKI**

13. **MS. MEHKI** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. MEHKI** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. MEHKI** 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. MEHKI** 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. MEHKI** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. MEHKI** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. MEHKI** 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. MEHKI** shall not administer, have access to, or possess (except as prescribed for **MS. MEHKI's** use by another so authorized by law who has full knowledge of **MS. MEHKI's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. MEHKI** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. MEHKI** shall not call in or order prescriptions or prescription refills.

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Mastin, Julie, R.N. 379120 (CASE #13-7749)

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **JULIE MARIE MASTIN** in the July 25, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MASTIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. MASTIN's** license to practice nursing as

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

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

1. **MS. MASTIN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MASTIN** 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. MASTIN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MASTIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MASTIN'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. MASTIN** 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, MS. MASTIN** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, five (5) hours of Professional Accountability and Legal Liability for Nurses, and ten (10) hours of Chemical Dependency.

#### **Monitoring**

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

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

12. After initiating drug screening, **MS. MASTIN** 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. MASTIN** 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. MASTIN** 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. MASTIN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MASTIN**

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

#### **DURATION**

The Board may only alter the indefinite suspension imposed if: (1) **MS. MASTIN** submits a written request for reinstatement; (2) the Board determines that **MS.**

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

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

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

### **Reporting Requirements of MS. MASTIN**

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Akers, Danielle, P.N. 132171 (CASE #13-1748)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that upon consideration of the charges stated against **DANIELLE NICOL AKERS** in the September 19, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. AKERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. AKERS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. AKERS's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. AKERS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. AKERS** 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. AKERS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. AKERS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. AKERS'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. AKERS** shall submit documentation of her completion of all the terms and conditions imposed by the Cuyahoga County Court of Common Pleas in Case Number CR-13-572957-A.
  5. **Prior to requesting reinstatement by the Board, MS. AKERS** 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. AKERS** 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. AKERS's** history. **MS. AKERS** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. AKERS** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Within six (6) months prior to requesting reinstatement by the Board, MS. AKERS** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. AKERS** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. AKERS** 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. AKERS's** license, and a statement as to whether **MS. AKERS** is capable of practicing nursing according to acceptable and prevailing

standards of safe nursing care.

9. **MS. AKERS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. AKERS's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. AKERS** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. AKERS'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. AKERS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. AKERS's** history.
11. Within thirty (30) days prior to **MS. AKERS** initiating drug screening, **MS. AKERS** 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. AKERS**.
12. After initiating drug screening, **MS. AKERS** 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. AKERS** 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. AKERS** 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. AKERS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. AKERS**

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

### **DURATION**

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

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

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

### **Reporting Requirements of MS. AKERS**

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

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Harper, Patricia, P.N. 087585 (CASE #14-1410)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **PATRICIA LOUISE HARPER** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HARPER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. HARPER's** license to practice nursing as a licensed practical nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year.

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

1. **MS. HARPER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HARPER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. HARPER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HARPER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HARPER's** criminal records check reports to the Board. **MS. HARPER'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. HARPER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Within six (6) months of the effective date of this Order, MS. HARPER** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of

successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, and four (4) hours of Critical Thinking.

### **Monitoring**

6. **Within three (3) months of the effective date of this Order, MS. HARPER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HARPER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. HARPER** 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. HARPER's** license, and a statement as to whether **MS. HARPER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. HARPER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. HARPER's** license.
8. **MS. HARPER** 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. HARPER's** history. **MS. HARPER** shall self-administer prescribed drugs only in the manner prescribed.
9. **Within forty-five (45) days of the effective date of this Order**, and continuing throughout the probationary period, **MS. HARPER** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. HARPER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HARPER's** history.
10. **Within three (3) months of the effective date of this Order, MS.**

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

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

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

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

#### **Employment Conditions**

15. **MS. HARPER** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment as a nurse.
16. **MS. HARPER, within fifteen (15) days of the effective date of this Order**, if working in a position in which a license to practice nursing is

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

### **Reporting Requirements of MS. HARPER**

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

### **FAILURE TO COMPLY**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Benford, Gwendolyn, P.N. 125001 (CASE #14-2458)

**Action:** It was moved by Patricia Sharpnack, seconded by Maryam Lyon, that upon consideration of the charges stated against **GWENDOLYN MAYS BENFORD** in the September 19, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BENFORD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. BENFORD's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Campbell, Tracey, P.N. 142237 (CASE #13-8073)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that upon consideration of the charges stated against **TRACEY LANE CAMPBELL** in the March 21, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CAMPBELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity

for Hearing, and that **MS. CAMPBELL's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CAMPBELL's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years.

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

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

#### **Reporting Requirements of MS. CAMPBELL**

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

and prevailing standards of safe nursing practice.

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

#### **DURATION**

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

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

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

#### **Employment Conditions**

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

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

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

#### **Reporting Requirements of MS. CAMPBELL**

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Tilley, Matthew, R.N. 376559, P.N. 097047 (CASE #14-2899)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **MATTHEW EMERSON TILLEY, R.N., L.P.N.** in the September 19, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. TILLEY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MR. TILLEY's** licenses to practice nursing as a registered nurse and as a licensed practical nurse be 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. TILLEY's** licenses to practice nursing as a registered nurse and as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

## **REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

## **Monitoring**

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

nursing according to acceptable and prevailing standards of safe nursing care.

8. **MR. TILLEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. TILLEY's** licenses.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MR. TILLEY** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. TILLEY'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. TILLEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. TILLEY's** history.
10. Within thirty (30) days prior to **MR. TILLEY** initiating drug screening, **MR. TILLEY** 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. TILLEY**.
11. After initiating drug screening, **MR. TILLEY** 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. TILLEY** 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. TILLEY** 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. TILLEY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MR. TILLEY**

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

### **DURATION**

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

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

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

### **Reporting Requirements of MR. TILLEY**

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

19. **MR. TILLEY** 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**

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

#### **Permanent Practice Restrictions**

**MR. TILLEY** shall not practice nursing as a registered nurse and/or 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. TILLEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Brillhart, Melody, P.N. 149811 (CASE #14-4058)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **MELODY COLE BRILLHART** in the September 19, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BRILLHART** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. BRILLHART's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. BRILLHART's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

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

1. **MS. BRILLHART** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BRILLHART** 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. BRILLHART** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BRILLHART**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BRILLHART'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. BRILLHART** 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, MS. BRILLHART** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one-half (.5) hour of Ohio Nursing Law and Rules, and seven (7) hours of Critical Thinking.

### **Monitoring**

6. **MS. BRILLHART** 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. BRILLHART's** history. **MS. BRILLHART** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. BRILLHART** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. BRILLHART** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. BRILLHART** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. BRILLHART** 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. BRILLHART's** license, and a statement as to whether **MS. BRILLHART** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. BRILLHART** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BRILLHART's** license.
10. **Prior to requesting reinstatement by the Board, MS. BRILLHART** shall begin submitting, at her expense and on the day selected, blood, breath,

- hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BRILLHART'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. BRILLHART** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BRILLHART's** history.
11. Within thirty (30) days prior to **MS. BRILLHART** initiating drug screening, **MS. BRILLHART** 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. BRILLHART**.
  12. After initiating drug screening, **MS. BRILLHART** 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. BRILLHART** 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. **Prior to requesting reinstatement by the Board, MS. BRILLHART** shall begin attending 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. BRILLHART** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. **Prior to requesting reinstatement by the Board, MS. BRILLHART** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. BRILLHART** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BRILLHART's** license, and a statement as to whether **MS. BRILLHART** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

#### **Reporting Requirements of MS. BRILLHART**

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

#### **DURATION**

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

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

**BRILLHART's license shall be subject to the following probationary terms and restrictions for a minimum period of two (2) years.**

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

### **Reporting Requirements of MS. BRILLHART**

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

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

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

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

#### **FAILURE TO COMPLY**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Harper, Carol, P.N. 098946 (CASE #14-2294)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that upon consideration of the charges stated against **CAROL LEE HARPER** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HARPER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. HARPER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HARPER's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. HARPER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HARPER** 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. HARPER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HARPER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HARPER'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. HARPER** 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, MS. HARPER** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: six (6) hours of Critical Thinking, and six (6) hours of Boundary Issues.

### **Monitoring**

6. **MS. HARPER** 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. HARPER's** history. **MS. HARPER** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. HARPER** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. HARPER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HARPER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MS. HARPER** 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. HARPER's** license, and a statement as to whether **MS. HARPER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. HARPER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. HARPER's** license.
10. **Prior to requesting reinstatement by the Board, MS. HARPER** shall

- begin submitting, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HARPER'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. HARPER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HARPER's** history.
11. Within thirty (30) days prior to **MS. HARPER** initiating drug screening, **MS. HARPER** 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. HARPER**.
  12. After initiating drug screening, **MS. HARPER** 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. HARPER** 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. **Prior to requesting reinstatement by the Board, MS. HARPER** shall begin attending 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. HARPER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. **Prior to requesting reinstatement by the Board, MS. HARPER** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. HARPER** shall provide the psychiatrist with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HARPER's** license, and a statement as to whether **MS. HARPER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

#### **Reporting Requirements of MS. HARPER**

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

#### **DURATION**

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

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

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

### **Reporting Requirements of MS. HARPER**

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

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

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

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Bastien, Janet, DT 00322 (CASE #13-6161)

**Action** It was moved by Lisa Klenke, seconded by Nancy Fellows, that upon consideration of the charges stated against **JANET LYNN BASTIEN** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BASTIEN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BASTIEN's** certificate to practice as a certified dialysis technician be suspended and that the suspension be stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years.

**MS. BASTIEN's certificate to practice as a certified dialysis technician shall be subject to the following probationary terms and restrictions:**

1. **MS. BASTIEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of dialysis technicians in Ohio.
2. **MS. BASTIEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MS. BASTIEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BASTIEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. BASTIEN's** criminal records check reports to the Board. **MS. BASTIEN'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. BASTIEN** shall, in addition to the requirements for renewal of her certificate, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: five (5) hours of Professional Communications, five (5) hours of Critical Thinking, and five (5) hours of Documentation.

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

5. **Within six (6) months of the effective date of this Order, MS. BASTIEN** shall establish contact with an educator approved by the Board who has no less than a master's degree and who is affiliated with a dialysis educational program and **MS. BASTIEN** shall have the educator provide the Board with a written report of an assessment of **MS. BASTIEN**, which identifies **MS. BASTIEN's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. BASTIEN** shall provide the educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any dialysis skills or knowledge assessments required by the educator. **MS. BASTIEN** 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. BASTIEN's** employer(s), former employers, and Board staff. Following the assessment, **MS. BASTIEN** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. BASTIEN** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. BASTIEN** 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. BASTIEN** shall complete such learning plan. **MS. BASTIEN** 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. BASTIEN** 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. BASTIEN's** certificate to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. BASTIEN** is capable of practicing as a dialysis technician according to acceptable and prevailing standards of safe care. **MS. BASTIEN** shall be responsible for all costs associated with meeting this requirement.
6. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on

**MS. BASTIEN's** certificate.

### **Employment Conditions**

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

### **Reporting Requirements of MS. BASTIEN**

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

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

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

#### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Scheffler, Amber, R.N. 300357 (CASE #14-2116)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **AMBER DAWN SCHEFFLER** in the September 19, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. SCHEFFLER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. SCHEFFLER's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SCHEFFLER's** license to practice nursing as a registered nurse be subject to a stayed suspension under the

probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Narcotic and Temporary Practice Restrictions** set forth below.

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

1. **MS. SCHEFFLER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SCHEFFLER** 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. SCHEFFLER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SCHEFFLER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SCHEFFLER'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. SCHEFFLER** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, and ten (10) hours of Chemical Dependency.

#### **Monitoring**

5. **MS. SCHEFFLER** 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. SCHEFFLER's** history. **MS. SCHEFFLER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. SCHEFFLER** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Prior to requesting reinstatement by the Board, MS. SCHEFFLER** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SCHEFFLER** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SCHEFFLER** 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. SCHEFFLER's** license, and a statement as to whether **MS. SCHEFFLER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. SCHEFFLER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SCHEFFLER's** license.
  9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. SCHEFFLER** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SCHEFFLER'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. SCHEFFLER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SCHEFFLER's** history.
  10. Within thirty (30) days prior to **MS. SCHEFFLER** initiating drug screening, **MS. SCHEFFLER** 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. SCHEFFLER**.
  11. After initiating drug screening, **MS. SCHEFFLER** 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. SCHEFFLER** 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. SCHEFFLER** 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. SCHEFFLER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. SCHEFFLER**

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

### **DURATION**

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

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

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

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SCHEFFLER** 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. SCHEFFLER** shall **notify the Board, in writing.**
11. **MS. SCHEFFLER** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. SCHEFFLER** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. SCHEFFLER** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.
12. **MS. SCHEFFLER** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. SCHEFFLER**

13. **MS. SCHEFFLER** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. SCHEFFLER** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. SCHEFFLER** 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. SCHEFFLER** 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. SCHEFFLER** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. SCHEFFLER** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. SCHEFFLER** 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. SCHEFFLER** shall not administer, have access to, or possess (except as prescribed for **MS. SCHEFFLER's** use by another so authorized by law who has full knowledge of **MS. SCHEFFLER's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. SCHEFFLER** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. SCHEFFLER** shall not call in or order prescriptions or prescription refills.

#### **Temporary Practice Restrictions**

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

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Whitenack, Benjamin, P.N. 128909 (CASE #13-2671)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **BENJAMIN ANDREW WHITENACK** in the July 26, 2013 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. WHITENACK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MR. WHITENACK's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. WHITENACK's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Temporary Practice Restrictions** set forth below.

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

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

Investigation (BCII) to conduct a criminal records check of **MR. WHITENACK**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. WHITENACK'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. WHITENACK** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Nurses and Alcohol Abuse, and one (1) hour of the Laws and Rules Governing the Practice of Nursing in Ohio.

### Monitoring

5. **MR. WHITENACK** 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. WHITENACK's** history. **MR. WHITENACK** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. WHITENACK** shall abstain completely from the use of alcohol or any products containing alcohol.
7. **Upon the request of the Board or its designee, prior to requesting reinstatement by the Board, MR. WHITENACK** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. WHITENACK** shall provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. Further, **MR. WHITENACK** 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. WHITENACK's** license, and a statement as to whether **MR. WHITENACK** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. If a chemical dependency evaluation is requested, **MR. WHITENACK** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the

- evaluation as a basis for additional terms and restrictions on **MR. WHITENACK's** license.
9. **Prior to requesting reinstatement by the Board, MR. WHITENACK** shall begin submitting, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. WHITENACK'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. WHITENACK** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WHITENACK's** history.
  10. Within thirty (30) days prior to **MR. WHITENACK** initiating drug screening, **MR. WHITENACK** 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. WHITENACK**.
  11. After initiating drug screening, **MR. WHITENACK** 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. WHITENACK** 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. **Prior to requesting reinstatement by the Board, MR. WHITENACK** shall begin attending 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. WHITENACK** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MR. WHITENACK**

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

and prevailing standards of safe nursing practice.

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

#### **DURATION**

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

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

1. **MR. WHITENACK** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. WHITENACK** 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. WHITENACK** 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. WHITENACK's** history. **MR. WHITENACK** shall self-administer

prescribed drugs only in the manner prescribed.

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

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

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

### **Reporting Requirements of MR. WHITENACK**

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

documentation directly to the Board.

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

#### **Temporary Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Carter, Myra, P.N. 132456 (CASE #14-1143)

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that upon consideration of the charges stated against **MYRA GENNETTE CARTER** in the July 25, 2014 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CARTER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. CARTER's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MS. CARTER's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of eighteen (18) months, including the **Temporary Practice Restrictions** set forth below.

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

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

3. **Prior to requesting reinstatement by the Board, MS. CARTER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CARTER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CARTER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. CARTER** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: fifteen (15) hours of Assessment of Level of Consciousness in Geriatric Patients, twelve (12) hours of Medication Administration and Use of Controlled Substances in Geriatric Populations, five (5) hours of Disciplinary Actions, and one (1) hour of Ohio Law and Rules.

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

5. **Prior to requesting reinstatement by the Board, MS. CARTER** 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. CARTER** shall have the educator provide the Board with a written report of an assessment of **MS. CARTER**, which identifies **MS. CARTER's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. CARTER** shall provide the nursing educator with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. CARTER** 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. CARTER's** employer(s), former employers, and Board staff. Following the assessment, **MS. CARTER** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. CARTER** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. CARTER** 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. CARTER** shall complete such learning plan. **Prior to requesting reinstatement by the Board, MS. CARTER** 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. CARTER** has successfully completed the learning plan and prior to requesting reinstatement by the Board, the educator shall provide the Board with an assessment and any

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

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

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

this Order are received in the Board office.

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

### **DURATION**

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

**Following reinstatement, the suspension shall be stayed and MS. CARTER's license shall be subject to the following probationary terms and restrictions for a minimum period of eighteen (18) months.**

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

### **Employment Conditions**

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

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

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

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

### **DURATION**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

McGonagle, Margaret, R.N. 305236 (CASE #13-6474)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **MARGARET ANN MCGONAGLE** in the November 22, 2013 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MCGONAGLE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MCGONAGLE's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

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

1. **MS. MCGONAGLE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCGONAGLE** 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. MCGONAGLE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCGONAGLE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCGONAGLE'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. MCGONAGLE** shall submit documentation of her full compliance with the terms and conditions imposed in the following:
  - a. Findings of Fact, Conclusions of Law and Order No. 1104019 issued by the Arizona State Board of Nursing effective March 19, 2012;
  - b. Order issued by the Commonwealth of Virginia, Department of Health Professions effective May 22, 2012;
  - c. Findings of Fact, Conclusions of Law and Final Order of Default issued by the State of Washington, Department of Health Nursing Care Quality Assurance Commission effective September 7, 2012;
  - d. Default Decision and Order issued by the Board of Registered Nursing, Department of Consumer Affairs, State of California, effective September 26, 2013;

and that her nursing licenses in Arizona, Virginia, Washington, and California have been reinstated and are unencumbered.

#### **Reporting Requirements of MS. MCGONAGLE**

5. **MS. MCGONAGLE** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. MCGONAGLE** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MS. MCGONAGLE** 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. MCGONAGLE** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and

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

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

### **DURATION**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Mannix, Mary, R.N. 125629 (CASE #13-2664)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **MARY L. MANNIX** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MANNIX** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MANNIX's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MANNIX's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Practice Restrictions** set forth below.

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

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

2. **MS. MANNIX** 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. MANNIX** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MANNIX**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MANNIX'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. MANNIX** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: fifteen (15) hours of Women, Alcohol and Drugs; ten (10) hours of Critical Thinking; three (3) hours of Ohio Nursing Law and Rules; and five (5) hours of Ethics.

#### **Monitoring**

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

- chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MANNIX's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MANNIX** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MANNIX'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. MANNIX** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MANNIX's** history.
  10. Within thirty (30) days prior to **MS. MANNIX** initiating drug screening, **MS. MANNIX** 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. MANNIX**.
  11. After initiating drug screening, **MS. MANNIX** 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. MANNIX** 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. MANNIX** 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. MANNIX** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. MANNIX**

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

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

### **DURATION**

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

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

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

- MANNIX's** history. **MS. MANNIX** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. MANNIX** shall abstain completely from the use of alcohol or any products containing alcohol.
  5. During the probationary period, **MS. MANNIX** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. MANNIX** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MANNIX's** history.
  6. **MS. MANNIX** 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. MANNIX** 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. MANNIX** 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. MANNIX** 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. MANNIX** 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. MANNIX** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MANNIX** 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. MANNIX** shall **notify the Board, in writing.**

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

#### **Reporting Requirements of MS. MANNIX**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Garrison, James, R.N. 395969 (CASE #14-0919)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that upon consideration of the charges stated against **JAMES DEAN GARRISON** in the May 16, 2014 Notice of Opportunity for Hearing and evidence supporting

the charges, the Board find that **MR. GARRISON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. GARRISON's** license to practice nursing as a registered nurse be suspended for an indefinite period of time.

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

1. **MR. GARRISON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. GARRISON** 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. GARRISON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. GARRISON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. GARRISON'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. GARRISON** shall submit documentation of his compliance with the terms and conditions imposed by the Consent Agreement for Voluntary Surrender issued by the Maine State Board of Nursing effective on or about January 24, 2014, and that his Maine nursing license is reinstated and unencumbered.

#### **Reporting Requirements of MR. GARRISON**

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

9. **MR. GARRISON** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MR. GARRISON** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MR. GARRISON** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

### **DURATION**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Quinones, Joseph, R.N. 350951 (CASE #14-3381)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that upon consideration of the charges stated against **JOSEPH AARON QUINONES** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. QUINONES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. QUINONES's** license to practice nursing as a registered nurse be suspended for an indefinite period of time.

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

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

(BCII) to conduct a criminal records check of **MR. QUINONES**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. QUINONES'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. QUINONES** shall submit documentation of his full compliance with the terms and conditions imposed in the Decision issued by the Board of Registered Nursing, Department of Consumer Affairs, State of California, regarding Case Number 2014-875 OAH 2014020489 effective on or about July 7, 2014, and that his California nursing license is reinstated and unencumbered.

#### **Reporting Requirements of MR. QUINONES**

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

#### **DURATION**

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Westfall, Sarah, P.N. 137809 (CASE #14-0798)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **SARAH L. WESTFALL** in the September 19, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WESTFALL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. WESTFALL's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WESTFALL's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

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

1. **MS. WESTFALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WESTFALL** 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. WESTFALL** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WESTFALL**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WESTFALL'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. WESTFALL** shall submit documentation of her full compliance with the terms and conditions imposed by the Summit County Court of Common Pleas in Case Number

CR-2014-03-0814B.

5. **Prior to requesting reinstatement by the Board, MS. WESTFALL** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules, and six (6) hours of Nurses and Drug Abuse.

### **Monitoring**

6. **MS. WESTFALL** 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. WESTFALL's** history. **MS. WESTFALL** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. WESTFALL** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. WESTFALL** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WESTFALL** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. WESTFALL** 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. WESTFALL's** license, and a statement as to whether **MS. WESTFALL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. WESTFALL** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WESTFALL's** license.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, MS. WESTFALL** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS.**

- WESTFALL'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. WESTFALL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WESTFALL's** history.
11. Within thirty (30) days prior to **MS. WESTFALL** initiating drug screening, **MS. WESTFALL** 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. WESTFALL**.
  12. After initiating drug screening, **MS. WESTFALL** 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. WESTFALL** 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 six (6) months immediately prior to requesting reinstatement, MS. WESTFALL** 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. WESTFALL** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. WESTFALL**

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

### **DURATION**

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

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

1. **MS. WESTFALL** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WESTFALL** 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. WESTFALL** 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. WESTFALL's** history. **MS. WESTFALL** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. WESTFALL** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. WESTFALL** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens

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

6. **MS. WESTFALL** 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. WESTFALL** 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. WESTFALL** 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. WESTFALL** 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. WESTFALL** 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. WESTFALL** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WESTFALL** 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. WESTFALL** shall **notify the Board, in writing.**
11. **MS. WESTFALL** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. WESTFALL** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. WESTFALL** shall have her

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

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

#### **Reporting Requirements of MS. WESTFALL**

13. **MS. WESTFALL** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. WESTFALL** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. WESTFALL** 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. WESTFALL** 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. WESTFALL** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
18. **MS. WESTFALL** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. WESTFALL** 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. WESTFALL** shall not administer, have access to, or possess (except as prescribed for **MS. WESTFALL's** use by another so authorized by law who has full knowledge of **MS. WESTFALL's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. WESTFALL** shall not count narcotics or possess or carry any work keys for locked medication carts,

cabinets, drawers, or containers. **MS. WESTFALL** shall not call in or order prescriptions or prescription refills.

### **Temporary Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Simms, Melanie, P.N. 138037 (CASE #13-1238)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that upon consideration of the charges stated against **MELANIE LEE SIMMS** in the June 18, 2014 Notice of Immediate Suspension and Opportunity for Hearing, and the July 25, 2014 Notice of Opportunity for Hearing, and evidence supporting the charges, the Board find that **MS. SIMMS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. SIMMS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SIMMS's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

1. **MS. SIMMS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SIMMS** 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. SIMMS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SIMMS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SIMMS'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. SIMMS** shall submit documentation of her full compliance with the terms and conditions imposed by the Hamilton County Court of Common Pleas in Case Number B 1301489.
5. **Prior to requesting reinstatement by the Board, MS. SIMMS** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Chemical Dependency and Substance Abuse, five (5) hours of Ethics, five (5) hours of Critical Thinking, and five (5) hours of Professional Accountability and Legal Liability for Nurses.

## Monitoring

6. **MS. SIMMS** 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. SIMMS's** history. **MS. SIMMS** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. SIMMS** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. SIMMS** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SIMMS** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. SIMMS** 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. SIMMS's** license, and a statement as to whether **MS. SIMMS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. SIMMS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SIMMS's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. SIMMS** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SIMMS'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. SIMMS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SIMMS's** history.
11. Within thirty (30) days prior to **MS. SIMMS** initiating drug screening, **MS.**

- SIMMS** 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. SIMMS**.
12. After initiating drug screening, **MS. SIMMS** 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. SIMMS** 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. SIMMS** 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. SIMMS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. SIMMS**

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

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

### **DURATION**

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

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

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

### **Reporting Requirements of MS. SIMMS**

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Walby (Downing), Carrie, R.N. 297627 (CASE #13-4676)

**Action:** It was moved by Maryam Lyon, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **CARRIE SUZANNE WALBY** in the March 21, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WALBY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. WALBY's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WALBY's** license to practice nursing as a registered nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years, including the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

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

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

- rules governing the practice of nursing in Ohio.
2. **MS. WALBY** 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. WALBY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WALBY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WALBY'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. WALBY** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Law and Rules; five (5) hours of Professional Accountability and Legal Liability for Nurses; five (5) hours of Disciplinary Actions; and fifteen (15) hours of Women and Substance Abuse.

### **Monitoring**

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

8. **MS. WALBY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WALBY's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. WALBY** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WALBY'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. WALBY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WALBY's** history.
10. Within thirty (30) days prior to **MS. WALBY** initiating drug screening, **MS. WALBY** 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. WALBY**.
11. After initiating drug screening, **MS. WALBY** 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. WALBY** 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. WALBY** 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. WALBY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### **Reporting Requirements of MS. WALBY**

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

### **DURATION**

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

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

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

### **Reporting Requirements of MS. WALBY**

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

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

#### **Permanent Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

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

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

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

McMurray, Rachel, P.N. 128371 (CASE #14-1852)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **RACHEL LYNN MCMURRAY** in the June 18, 2014 Notice of Immediate Suspension and Opportunity for Hearing, and the July 25, 2014 Notice of Opportunity for Hearing, and evidence supporting the charges, the Board find that **MS. MCMURRAY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and that **MS. MCMURRAY's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MCMURRAY's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

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

1. **MS. MCMURRAY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. MCMURRAY** 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. MCMURRAY** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MCMURRAY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MCMURRAY'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. MCMURRAY** shall submit documentation of her full compliance with the terms and conditions imposed by the Summit County Court of Common Pleas in Case Number CR 2014 02 0424.

5. **Prior to requesting reinstatement by the Board, MS. MCMURRAY** 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. MCMURRAY** 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. MCMURRAY's** history. **MS. MCMURRAY** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. MCMURRAY** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. MCMURRAY** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. MCMURRAY** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. MCMURRAY** 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. MCMURRAY's** license, and a statement as to whether **MS. MCMURRAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. MCMURRAY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MCMURRAY's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. MCMURRAY** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MCMURRAY'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. MCMURRAY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. MCMURRAY's** history.
11. Within thirty (30) days prior to **MS. MCMURRAY** initiating drug screening, **MS. MCMURRAY** 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. MCMURRAY**.
  12. After initiating drug screening, **MS. MCMURRAY** 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. MCMURRAY** 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. MCMURRAY** 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. MCMURRAY** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
  14. **Prior to requesting reinstatement by the Board, MS. MCMURRAY** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. MCMURRAY** shall provide the psychiatrist with a copy of this Order and the Notices 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. MCMURRAY's** license, and a statement as to whether **MS. MCMURRAY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  15. **MS. MCMURRAY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation

as a basis for additional terms and restrictions on **MS. MCMURRAY's** license.

### **Reporting Requirements of MS. MCMURRAY**

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

### **DURATION**

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

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

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

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

**MCMURRAY** throughout the duration of this Order.

9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MCMURRAY** 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. MCMURRAY** shall **notify the Board, in writing.**
11. **MS. MCMURRAY** is under a continuing duty to provide a copy of this Order and the Notices to any new employer **prior to accepting employment as a nurse.** **MS. MCMURRAY** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. MCMURRAY** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notices, including the date they were received.
12. **Upon the request of the Board or its designee, MS. MCMURRAY** shall, **prior to working in a position where a license to practice nursing is required,** complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. MCMURRAY**

13. **MS. MCMURRAY** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. **MS. MCMURRAY** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. **MS. MCMURRAY** 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. MCMURRAY** 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. MCMURRAY** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention

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

18. **MS. MCMURRAY** shall verify that the reports and documentation required by this Order are received in the Board office.
19. **MS. MCMURRAY** 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. MCMURRAY** shall not administer, have access to, or possess (except as prescribed for **MS. MCMURRAY's** use by another so authorized by law who has full knowledge of **MS. MCMURRAY's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. MCMURRAY** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. MCMURRAY** shall not call in or order prescriptions or prescription refills.

#### **Permanent Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Robison, Marcie, P.N. 121398 (CASE #14-3136)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the charges stated against **MARCIE A. ROBISON** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ROBISON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MS. ROBISON's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Dunn, Angelina, P.N. 108712 (CASE #14-0629)

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that upon consideration of the charges stated against **ANGELINA HIGGINS DUNN** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. DUNN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. DUNN's** license to practice nursing as a licensed practical nurse be **Reprimanded** and **Fined**.

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

**Within six (6) months of the effective date of this Order, MS. DUNN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: one (1) hour of Ohio Nursing Law and Rules, five (5) hours of Scope of Practice, five (5) hours of Critical Thinking, and five (5) hours of Professional Accountability and Legal Liability for Nurses.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Suydam, Mark, R.N. 244710 (CASE #13-1806)

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that upon consideration of the charges stated against **MARK ALLEN SUYDAM** in the September 19, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. SUYDAM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice, and that **MR. SUYDAM's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Thomas, Timothy, P.N. 131049 (CASE #14-2127)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **TIMOTHY MICHAEL THOMAS** in the July 25, 2014 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. THOMAS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MR. THOMAS's** license to practice nursing as a licensed practical nurse be suspended and that the suspension is stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Narcotic and Temporary Practice Restrictions** set forth below.

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

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

2. **MR. THOMAS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **MR. THOMAS** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. THOMAS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. THOMAS's** criminal records check reports to the Board. **MR. THOMAS'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, MR. THOMAS** shall, in addition to the requirements for renewal of his license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: ten (10) hours of Drug Abuse, and one (1) hour of Ohio Nursing Law and Rules.
5. **Within three (3) months of the effective date of this Order, MR. THOMAS** shall provide documentation of his completion of the substance abuse rehabilitation program as required by the Disciplinary Action imposed by Ashtabula County Nursing and Rehabilitation Center, dated May 8, 2014.

### **Monitoring**

6. **Within three (3) months of the effective date of this Order, MR. THOMAS** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. THOMAS** shall provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. THOMAS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. THOMAS's** license, and a statement as to whether **MR. THOMAS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. THOMAS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. THOMAS's** license.

8. **MR. THOMAS** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. THOMAS's** history. **MR. THOMAS** shall self-administer prescribed drugs only in the manner prescribed.
9. **MR. THOMAS** shall abstain completely from the use of alcohol or any products containing alcohol.
10. **Within forty-five (45) days of the effective date of this Order**, and for a minimum period of six (6) months, **MR. THOMAS** shall submit, at his expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. THOMAS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. THOMAS's** history.
11. For a minimum period of six (6) months, **MR. THOMAS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. THOMAS** shall provide satisfactory documentation of such attendance to the Board every six (6) months, beginning forty-five (45) days after the effective date of this Order.

### **Treating Practitioners and Reporting**

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

### **Employment Conditions**

15. **MR. THOMAS** shall notify the Board, in writing, of the name and address of any current employer **within thirty (30) days following the effective date of this Order**, or any new employer prior to accepting employment as a nurse.
16. **MR. THOMAS, within fifteen (15) days of the effective date of this Order**, if working in a position in which a license to practice nursing is required, shall provide his employer(s) with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MR. THOMAS** is under a continuing duty to provide a copy of this Order and the Notice of Opportunity for Hearing to any new employer **prior to accepting employment as a nurse**. **MR. THOMAS** 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 the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**. **MR. THOMAS** shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Opportunity for Hearing, including the date they were received.

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

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

this Order are received in the Board office.

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

#### **Permanent Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

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

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

#### **FAILURE TO COMPLY**

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

#### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MR. THOMAS** has complied with all aspects of this

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Cade, Kathleen, R.N. 398338, NP 15435, CTP Applicant (CASE #14-3878)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **KATHLEEN E. CADE** in the September 19, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CADE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. CADE's** application for a certificate to prescribe is **PERMANENTLY DENIED**, and that **MS. CADE's** license to practice nursing as a registered nurse and her certificate to practice as a certified nurse practitioner be suspended for an indefinite period of time.

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

1. **MS. CADE** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. CADE** 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. CADE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CADE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. CADE'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. CADE** shall submit documentation of her full compliance with the terms and conditions imposed by the Allen Superior Court, Allen County, Indiana, Case No. 02D04-1405-FD-000534.

### **Reporting Requirements of MS. CADE**

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

### **DURATION**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Gregory, Michelle, R.N. 374016 (CASE #14-0536)

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that the Board dismiss the allegations contained in Item 1, Page 2 of the May 16, 2014 Notice of Immediate Suspension and Opportunity for Hearing due to dismissal of the criminal case.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

Sexton, Rachel, P.N. 146822 (CASE #14-1964)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that upon consideration of the charges stated against **RACHEL ALLYSON SEXTON** in the September 19, 2014 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. SEXTON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. SEXTON's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. SEXTON's** license to practice nursing as a licensed practical nurse be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years, including the **Permanent Practice Restrictions** set forth below.

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

1. **MS. SEXTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SEXTON** 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. SEXTON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SEXTON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. SEXTON'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. SEXTON** shall submit documentation of her completion of all the terms and conditions imposed by the Lucas County Court of Common Pleas in Case Number G-4801-CR-0201401468-000.
5. **Prior to requesting reinstatement by the Board, MS. SEXTON** 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. SEXTON** 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. SEXTON's** history. **MS. SEXTON** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. SEXTON** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **Prior to requesting reinstatement by the Board, MS. SEXTON** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. SEXTON** shall provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. SEXTON** 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. SEXTON's** license, and a statement as to whether **MS. SEXTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. SEXTON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SEXTON's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement, MS. SEXTON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SEXTON'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. SEXTON**

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

11. Within thirty (30) days prior to **MS. SEXTON** initiating drug screening, **MS. SEXTON** 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. SEXTON**.
12. After initiating drug screening, **MS. SEXTON** 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. SEXTON** 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. SEXTON** 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. SEXTON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### **Reporting Requirements of MS. SEXTON**

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

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

### **DURATION**

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

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

1. **MS. SEXTON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SEXTON** 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. SEXTON** 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. SEXTON's** history. **MS. SEXTON** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. SEXTON** shall abstain completely from the use of alcohol or any products containing alcohol.
5. During the probationary period, **MS. SEXTON** shall submit, at her expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. SEXTON** shall be negative, except for substances

prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. SEXTON's** history.

6. **MS. SEXTON** 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. SEXTON** 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. SEXTON** 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. SEXTON** 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. SEXTON** 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. SEXTON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. SEXTON** 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. SEXTON** shall **notify the Board, in writing.**
11. **MS. SEXTON** is under a continuing duty to provide a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing to any new employer **prior to accepting employment as a nurse.** **MS. SEXTON** shall have her employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse.** **MS. SEXTON** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing, including the date they were received.
12. **Upon the request of the Board or its designee, MS. SEXTON** shall, **prior to working in a position where a license to practice nursing is**

**required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

### **Reporting Requirements of MS. SEXTON**

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

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

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

### **FAILURE TO COMPLY**

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

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

### **WITHDRAWAL OF NOTICE OF OPPORUTNITY FOR HEARING**

Saikaly, Ssrelle, P.N. 139280 (CASE #14-5219)

**Action:** It was moved by Maryam Lyon, seconded by Patricia Sharpnack, that the Board withdraw the January 23, 2015 Notice of Opportunity for Hearing that was issued to Saikaly, Ssrelle, P.N. 139280 (CASE #14-5219), based on additional information received in accordance with Section 2953.52 of the Ohio Revised Code.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Abernathy II, Paul, P.N. 110527 (CASE #13-2268)

**Action:** It was moved by Maryam Lyon, seconded by Janet Arwood, that the Board withdraw the July 26, 2013 Notice of Opportunity for Hearing that was issued to Abernathy II, Paul, P.N. 110527 (CASE #13-2268), as Mr. Abernathy is deceased.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **DEFAULT ORDERS**

Hasenauer, John, R.N. 180735 (CASE #13-6827)

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that upon consideration of the allegations contained in the September 19, 2014 examination order and the findings contained in the January 2015 Default Order, the Board find that **MR. HASENAUER** has committed acts in violation of the Nurse Practice Act, as set forth in the January 2015 Default Order, and that **MR. HASENAUER's** license to practice nursing as a registered nurse in the State of Ohio be suspended, as of January 23, 2015 with conditions for reinstatement set forth in the January 2015 Default Order.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 13th day of March, 2015.

### **VOLUNTARY RETIREMENTS**

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following case(s):

Duffey, Robert, R.N. 188403 (CASE #12-2863).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING**

Yonkers, Melissa, P.N. 113804 (CASE #15-0031)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that the Board summarily suspend the license of Yonkers, Melissa, P.N. 113804 (CASE #15-0031), and issue a Notice of Opportunity for Hearing for violations of Chapter 4723., ORC, retroactive to the date it was issued on January 30, 2015 due to the fact there is clear and convincing evidence that continued practice by Ms. Yonkers presents a danger of immediate and serious harm to the public.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

## **MONITORING**

### **RELEASE FROM SUSPENSION/PROBATION**

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released from their respective Consent Agreements or Adjudication Orders:

Baker, Sarah, P.N. 155056 (CASE #13-4099); Bennett, Marie, P.N. 141756 (CASE #09-4620); Sanders, Emma, P.N. 144241 (CASE #10-2938); and Van Hook, Mark, R.N. 307927 (CASE #12-7138).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **RELEASE FROM SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released early from their respective Consent Agreement or Adjudication Order(s):

Locke, Michael, P.N. 152761 (CASE #12-4930); Mangicaro, Angela, R.N. 281813 (CASE #12-0360); Addington, Mark, R.N. 395562 (CASE #13-8137); and Byrne, Karen, R.N. 149493 (CASE #12-5861).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **RELEASE FROM TEMPORARY PRACTICE RESTRICTIONS**

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released from the temporary practice restrictions within their Consent Agreement or Adjudication Order(s):

Michell, Leslie, R.N. 353449, P.N. 120937 (CASE #10-2230).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **RELEASE FROM SUSPENSION/PROBATION ONLY – PERMANENT PRACTICE RESTRICTION(S) REMAIN**

**Action:** It was moved by Brenda Boggs, seconded by Patricia Sharpnack, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released from their Consent Agreement or

Adjudication Order(s) with the exception of the permanent practice restriction(s) that will remain in effect:

Huginin, Erika, R.N. 288901 (CASE #10-3016) and Corbin, Lisa, R.N. 311557 (CASE #07-2955).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### **RELEASE FROM TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Lisa Klenke, seconded by Nancy Fellows, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released from the temporary narcotic restriction(s) within their Consent Agreement or Adjudication Order(s):

Ermacora, Melissa, R.N. 308128 (CASE #12-0774)

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### **RELEASE FROM TEMPORARY NARCOTIC RESTRICTION – EARLY RELEASE**

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that the following, with the recommendation by Susan Morano, former Supervising Member for Disciplinary Matters, be released early from the narcotic restriction(s) within their consent agreement(s):

Carr, Tyra, R.N. 254141 (CASE #13-1527)

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### **REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER**

Saunders, Janet, R.N. 227703 (CASE #13-1410)

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, that the Board reinstate Saunders, Janet, R.N. 227703 (CASE #13-1410) subject to the probationary terms of the November 21, 2014 Adjudication Order.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **MOTION TO APPROVE**

**Action:** It was moved by Maryam Lyon, seconded by Brenda Boggs, that the Board accept the following approvals made by Susan Morano, former Supervising Member for Disciplinary Matters:

Beuter, Billie, R.N. 257914 (CASE #13-0179)- Approval to accept a Supervisory Clinic Manager Position at Sojourner Recovery Services.

Hargreaves, Carey, P.N. 122751 (CASE #10-3236)- Approval to accept employer reports from Regency Assisted Living in Portland, Oregon.

Dandrea, Kyle, R.N. 405174 (CASE #13-7900)- Approval to seek nursing employment.

Crabtree, Kevin, R.N. 410830 (CASE #12-6140)- Approval to work as a nurse.

Travis, Sarah, R.N. 358232 (CASE #13-6933)- Approval to work as a nurse.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

### **MISCELLANEOUS MONITORING MOTIONS**

Bostick, Vincent, P.N. 157406 (CASE #13-1272)

**Action:** It was moved by Janet Arwood, seconded by Maryam Lyon, that the Board release Bostick, Vincent, P.N. 157406 (CASE #13-1272), from participation in mental health counseling as required in paragraph five of the September 2013 Consent Agreement.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Mitchell, Mary, R.N. 231376 (CASE #11-4495)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board approve Mitchell, Mary, R.N. 231376 (CASE #11-4495) to administer, have access to or possess narcotics, other controlled substances or mood altering drugs in an RN position at Lutheran Social Services ONLY.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Rutkowski, Barbara, R.N. 230961 (CASE #13-4143)

**Action:** It was moved by Lisa Klenke, seconded by Brenda Boggs, that the Board approve Deborah Mattin, PhD, MBA, MSN, RN Nursing Educator, to complete the Educational Needs Assessment and Learning Plan for Rutkowski, Barbara, R.N. 230961 (CASE #13-4143).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Bearden, Sherese, P.N. 117980 (CASE #13-6749)

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that the Board approve Greta Redus, MAEd, BSN, RN Nursing Educator, to

complete the Educational Needs Assessment and Learning Plan for Bearden, Sherese, P.N. 117980 (CASE #13-6749).

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Hess, Pamela, R.N. 221544 (CASE #11-3771)

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board release Hess, Pamela, R.N. 221544 (CASE #11-3771), from the urine drug screening requirement within the September 2012 Consent Agreement.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Bowles, Lauren, P.N. 133835 (CASE #10-1432)

**Action:** It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board reinstate the license of Bowles, Lauren, P.N. 133835 (CASE #10-1432), upon receipt of a completed reinstatement application and subject to the probationary requirements within the July 2011 Adjudication Order.

Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

## **REPORTS TO THE BOARD**

### **Open Forum – Friday, March 13 at 10:00 a.m.**

There were no participants for Open Forum.

### **Other Reports**

#### **Strategic Plan Review**

B. Houchen reviewed the Strategic Plan highlighting the progress made in meeting the objectives and outcome measures. The objectives and outcome measures will be discussed at the Retreat to develop the Strategic Plan for the next year. M. Lyon thanked staff for their work in meeting the objectives and the measurement outcomes.

#### **Education Program NCLEX Pass Rates**

L. Emrich reviewed the NCLEX pass rate report for nursing education programs and responded to questions. Patricia Sharpnack commented that she believes the NCLEX-RN rates have remained lower for a longer period of time since the NCSBN raised the NCLEX-RN passing standard. Lisa Klenke asked Board staff to ask NCSBN about obtaining Ohio-specific data regarding the testing.

### **Approval Status of Education Programs based on NCELX Pass Rates**

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the following nursing education programs be placed on Provisional approval in accordance with Section 4723.06(A)(7), ORC, and Rule 4723-5-23(B)(4), OAC: The Cincinnati State Bethesda School of Nursing; University of Cincinnati Blue Ash College; American Institute of Alternative Medicine Practical Nursing Education Program; Athena Career Academy Practical Nursing Program; Ohio Medical Career College Practical Nursing Education Program; and Practical Nurse Program, Canton City School District. It was further moved that the Board consider restoring a program to Full approval status after it attains a pass rate that meets or exceeds ninety-five percent of the national average for first-time candidates for at least two consecutive years, in accordance with Rule 4723-5-23(C), OAC. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### **Quarterly Review of NEGP**

L. Emrich provided the quarterly report for the Nurse Education Grant Program.

#### **Review of Interpretative Guidelines**

L. Emrich reviewed the Interpretative Guidelines with the Board. No comments were received from the public.

#### Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Epidural Infusions

**Action:** It was moved by Lisa Klenke, seconded by Brenda Boggs, that the Board re-approve the Interpretive Guideline, Role of the Registered Nurse in Monitoring Obstetrical Patients Receiving Epidural Infusions, as submitted. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### 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 Nancy Fellows, seconded by Patricia Sharpnack, 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 majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

#### Registered Nurse Performance of a Patient Health History and Physical Examination For Purposes of Providing Nursing Care

**Action:** It was moved by Patricia Sharpnack, seconded by Nancy Fellows, 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

majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Role of the Registered Nurse in Administering, Managing, and Monitoring Patients Receiving Epidural Infusions: Excluding Obstetrical Patients

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, 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 majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

Registered Nurse Performance of Conservative Sharp Wound Debridement

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board re-approve the Interpretive Guideline, Registered Nurse Performance of Conservative Sharp Wound Debridement, as submitted. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

**Decision Making Models**

Lisa Emrich reviewed the decision making models with the Board.

RN and LPN Decision Making Model

**Action:** It was moved by Lisa Klenke, seconded by Brenda Boggs, that the Board re-approve the RN and LPN Decision Making Model as submitted. Motion adopted by majority vote of the Board members with Lauralee Krabill and Sandra Ranck abstaining.

APRN Decision Making Model

**Action:** It was moved by Nancy Fellows, seconded by Patricia Sharpnack, that the Board re-approve the APRN Decision Making Model as submitted.

**GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

**BOARD GOVERNANCE**

**Ethics Affiliation Forms**

Joseph Kirk asked that all Board members complete a new Ethics Affiliation Form for 2015.

**Financial Disclosure Statements**

J. Kirk reminded Board members about completing Financial Disclosure Statements for calendar year 2014 using the electronic process through the Ohio Ethics Commission's website by April 15, 2015.

**Board Retreat**

J. Kirk discussed the Board Retreat, accommodations, and directions and answered questions.

**Appointment of Board Supervising Member for Disciplinary Matters**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that that the Board appoint Judith Church as the Board Supervising Member for Disciplinary Matters. Motion adopted by unanimous vote of the Board members.

**Ohio Ethics Law**

Holly Fischer presented information about the Ethics Law in Ohio. She highlighted confidentiality requirements and conflicts of interest. H. Fischer stated that there would be ethics training at the Retreat. She reminded Board members that they can contact the Ohio Ethics Commission with questions and access the Commission's Advisory Opinions online.

**EVALUATION OF MEETING AND ADJOURNMENT**

On Thursday, March 12, 2015 the meeting adjourned at 1:25 p.m. On Friday, March 13, 2015, the meeting adjourned at 10:01 a.m.

Maryam Lyon, MSN, RN  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

