

## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD MARCH 15-16, 2007

The regular meeting of the Ohio Board of Nursing (Board) was held on March 15-16, 2007 at the Board office located at 17 South High Street, Suite 400, Columbus, Ohio, 43215. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Thursday, March 15, 2007, at 8:35 a.m., President Cynthia Krueger called the Board meeting to order. On Friday, March 16, 2007, at 8:35 a.m., President Cynthia Krueger called the Board meeting to order. Vice-President Teresa Williams read the Board mission statement each day.

#### **BOARD MEMBERS**

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

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

#### **ADMINISTRATIVE MATTERS**

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

- On Thursday, President Krueger reported that a Board Reception was held at 8:00 a.m. A noon meeting of the Board Committee on Practice is scheduled with a report to follow. The Executive Session was rescheduled for 3:00 p.m., instead of 3:30 p.m.
- President Krueger welcomed new Board member Eric Yoon, an advanced practice nurse from Springboro.

On Friday, the following are scheduled: Board Committee for the Retreat at 8:00 a.m., Open Forum at 10:00 a.m., and the Board Committee for the Ohio Center for Nursing at noon.

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

### **Minutes of January 18-19, 2007 Board Meeting**

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY LISA KLENKE, THAT THE MINUTES OF THE JANUARY 18-19, 2007 BOARD MEETING BE APPROVED, AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT FOR THE VOTE.

### **Staff Introductions**

L. Halliburton, Program Manager, introduced and recognized staff in the areas of licensure, certification, and continuing education: David Andrick, Tami Earles, Melody Gullion, Amanda Eisert, Rose Ferguson, Karen Scott, Laverne Irby and Toni Notturniano. L. Halliburton also recognized Jamie Newsome, Paula Mackey, Karen Wheeler and Brenda Murphy who were not present.

### **Executive Director Report**

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

### **Personnel**

Sue Milne, Advanced Practice Consultant, resigned to accept a position with a palliative care team. The Board thanks her for her many contributions over the eleven years she has been with the Board and wishes her the best with her new position.

### ***Medication Aide Pilot Program Update***

The Medication Aide Report was delivered on February 27, 2007 to the offices of the Governor, President and Minority Leader of the Senate, Speaker and Minority Leader of the House of Representatives, and the Director of Health, as specified in statute.

The Ohio Nurses Association (ONA) sent a letter in late February to members of the General Assembly to inform them of ONA's ongoing reservations about moving forward with statewide implementation of the use of medication aides due to the lack of data during the Pilot Program. The letter urges the legislators to carefully review the Board report and consider the pros and cons of moving forward with statewide implementation.

As of March 1, 2007 there are:

- 18 approved Medication Aide Training Programs
- 31 students who successfully passed the medication aide written and skills examination tests

- 25 medication aides who have been issued Pilot Certificates
- 25 facilities participating in the Pilot (13 nursing homes and 12 residential care facilities)

K. Driscoll stated she was concerned with statements from participating facilities such as, “maybe med aides will be used in the future.” J. Brachman asked if the Board would consider asking for funds in this budget for the next biennium to conduct a study over the next two years, since there was a lack of data for the Pilot Program. H. Fischer stated that the Board would need legislation to require facilities to report information to the Board. It was suggested that the Ohio Department of Health (ODH), who surveys the facilities, could provide information regarding issues with medication administration or individuals. B. Houchen stated that she had previously talked with ODH and would follow up with them on this. C. Krueger asked the Board if they were interested in the staff exploring the idea of funding a study and contacting ODH regarding sharing their survey information with the Board. The Board agreed by general consent.

#### *Pandemic Flu/Med Surg Capacity*

L. Emrich attended the February 16, 2007 Med Surg meeting coordinated by ODH. Wright State University Department of Emergency Medicine, Homeland Emergency Learning and Preparedness (HELP) Center, provided information about regional “acute care centers” (ACCs) that could be immediately set up during an emergency event.

Board staff updated the Board web site to inform interested parties that, since August 2006, the Board has been involved in a cooperative effort with multiple State agencies to address and plan for the possibility of influenza pandemic. There is a link to a document that refers readers to web sites for information on Ohio pandemic planning, Homeland Security emergency planning, and how to register as a volunteer with the Ohio Medical Reserve Corps (OMRC).

#### *Ohio Board of Regents – Career Technical and Credit Transfer Initiative*

House Bill 66, the last budget bill, directed the Ohio Board of Regents to work collaboratively with the Office of Career-Technical and Adult Education of the Ohio Department of Education, public adult and secondary career technical education, and state supported institutions of higher education to establish criteria, policies, and procedures to transfer agreed-upon technical courses from one system to another. A committee worked on a means to improve the mobility of students throughout the state, improve access to associate degree-nursing education for LPNs, and establish learning outcomes. Board staff reviewed the drafted outcomes and commented that the outcomes do not conflict with the Board’s current law and rules that set forth the requirements for pre-licensure nursing programs.

*Legislative/Regulatory*

The legislature has begun its work in the 127th General Assembly. The Ohio Government Directory (2007-2008) issued by Gongwer News Service was provided for Board members' reference.

Governor Ted Strickland presents the biennial state budget bill on March 15th. The budget bill is historically introduced as a House bill, sponsored by the Chair of the House Finance Committee, Rep. Matt Dolan (R-Novelty). The budget bill must be enacted by June 30th to fund state operations for the new fiscal year that begins July 1, 2007.

The Ohio Association of Advanced Practice Nurses informed the Board that they continue to work on their legislative initiative to amend the Revised Code to allow advanced practice nurses, who have completed additional required education, to prescribe Schedule II controlled substances in certain circumstances and with certain limitations.

*Board Motions*

During the last meeting, the Board asked staff to clarify the procedure regarding the making and seconding of motions. H. Fischer researched Robert's Rules and clarified that Board members may vote against a motion they make or second.

*Compliance*

E. Buschmann stated she is concerned about employers not reporting nurses when there are grounds for discipline because the nurses can resign and work at other settings; she believes the facilities should be held accountable. J. Brachman asked what happens when facilities do not report. AAG Bockbrader stated that the Board has authority over a nurse manager who does not report, but not over the facilities. J. Brachman agreed with E. Buschmann's concerns regarding nurses moving from facility to facility. L. Ferguson-Ramos explained compliance staff tries to educate the nurse supervisors and that some nurse managers have requested the law be more clear regarding mandatory reporting requirements. J. Brachman asked if the Board was interested in clarifying the law as part of the budget bill. C. Krueger suggested adding this item to the Retreat Agenda for further discussion. J. Brachman suggested that staff make recommendations regarding what can be done. The Board agreed by general consent.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD EXTEND DISCUSSION FOR THIRTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

### *Education*

J. Jane McFee stated she had ongoing concerns regarding high school practical nurse (PN) programs. She pointed out that medication aides must be eighteen years old and a high school graduate to enter a Medication Aide Training Program and the high school practical nurse programs do not have the same requirements. E. Buschmann stated that high school programs have existed for many years and she is not concerned with having PN high school programs. K. Driscoll stated concerns about the expansion of nursing programs due to faculty shortages and the lack of clinical sites. J. McFee asked staff to review letters of intent to see if any of the letters indicate they are high school programs.

### **Legislative Status Report**

The Board received the Legislative Status Report, which reflects bills introduced in the 127<sup>th</sup> General Assembly. C. Snyder informed the Board of HB 104, which would authorize other regulatory boards to conduct criminal background checks for licensure. She answered questions regarding HB 25, SB 4, SB 61, and SB 65. C. Krueger asked C. Snyder to monitor HB 85 that could create a statewide community college system. C. Snyder discussed that the Governor's speech included a plan to reduce grant funding for students attending certain two-year and private schools. J. Brachman asked how this would impact NEALP and C. Snyder responded that she would follow-up.

### **NEALP Report**

S. Thacker reviewed the NEALP Report covering the two application periods for 2006 (January 1 through June 1; June 2 through November 1). The report showed the number of applicants seeking loans to become nurse educators and identified the administrative costs. Upon reviewing the number of those applying for funding to become nurse educators, staff talked with representatives of the Ohio Board of Regents about eligible potential nurse educators not being funded. The law establishes that 50% of the available funds be designated for potential nurse educators, 25% for students enrolled in a pre-licensure program for registered nurses, and 25% for students enrolled in a pre-licensure program for practical nurses. Once the funds are divided in this manner, loan preferences would be made on the basis of the student's expected family contribution. S. Thacker is scheduling a meeting with the Ohio Board of Regents. Board members asked if students were required to be full time students as this could be a barrier to receiving loans. H. Fischer stated another item to be addressed was information on the Regent's NEALP website regarding how the loan forgiveness works versus eligibility requirements. Additional information will be provided at the Board Retreat, as available, and the next Board meeting.

### **Executive Budget**

The Board received a memo regarding the Executive Budget for fiscal years 2008-2009. OBM revised the "Executive Priorities" section of the budget to include Turnaround Ohio Initiatives and Agency Priorities. Board staff submitted objectives that are consistent with the budget priorities previously submitted in the Board's initial

budget proposal. J. Brachman suggested these be part of the Strategic Plan and B. Houchen agreed. A. Barnett stated she liked the objective regarding the employer remediation program.

### **Executive Session**

On Thursday, March 15, 2007:

IT WAS MOVED BY TERESA WILLIAMS, THAT THE BOARD GO INTO EXECUTIVE SESSION TO CONFER WITH LEGAL COUNSEL REGARDING PENDING AND IMMINENT COURT ACTION. FOLLOWING EXECUTIVE SESSION THE BOARD MEETING WILL BE ADJOURNED AND THE BOARD WILL DELIBERATE ON CASES PENDING BEFORE THE BOARD. MOTION ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF THE BOARD MEMBERS.

### **NEW BUSINESS**

#### **Board Legislative Initiatives**

The Board received a written memo regarding the Board Legislative Initiatives. Board staff continues to work with Representative Flowers' office and the Legislative Services Commission (LSC) to refine the proposed language for the revisions to the Nurse Practice Act as previously discussed with the Board. At this time, staff has provided LSC with additional comments for revisions to the proposed language.

Board staff recently learned that OBM has been working with the Attorney General's office to amend the notice requirements of Chapter 119., ORC, as a result of the *Porter* court decision. Concurrently, staff had been working with the Medical Board to craft language to amend our respective statutes to address *Porter*. At this time, staff asked LSC to remove *Porter*-related changes to Chapter 4723., ORC, anticipating that revisions to Chapter 119. will be included in the budget bill. H. Fischer presented an overview on the *Porter* court decision and the *Porter*-related proposed changes.

B. Houchen began a discussion about the proposed statutory changes for the dialysis technicians and questions that arose at the March 6, 2007 Dialysis Technician (DT) Advisory Group meeting. A memo was provided that included a summary of the discussion from the Advisory Group meeting and the current statutory requirements. The LSC language regarding the DT proposed changes was retained in the LSC draft pending Board direction regarding the identified questions; staff informed LSC that, based on the Board's discussion and direction, staff would notify LSC about revisions to be made in the draft bill. The questions for consideration and direction are:

1. Approval of Dialysis Technician Training Programs – The proposed change would authorize the Board to place a Training Program on Provisional Approval. The Advisory Group members present at the meeting agreed.
2. Grandfathering Provision – Board staff proposes to delete the “grandfathering” provision due to the amount of time that has passed. The Advisory Group members present at the meeting agreed.

3. Criminal Records Checks – The proposed change would continue criminal records checks for applicants; however, the process would be described in a new Section, 4723.092, ORC. Also, the proposed change would expand the list of crimes that constitute absolute bars to certification and would establish a five-year felony preclusion, consistent with the proposed changes for all licensees and certificate holders throughout the Nurse Practice Act. The Advisory Group members present at the meeting agreed.
4. Dialysis Technician Registry – The current statute requires the Board to establish a dialysis registry. Training programs submit names of individuals enrolled in dialysis training programs and dialysis providers submit the names and locations of the individuals they employ as the DT students, temporary certificate (TC) holders and certificate holders. The Board staff proposes to delete the registry requirement. Although the Board is keeping information on file, staff has not received any inquiries for the information over the last several years. Staff track individuals' progression with TCs through the state computerized system. For the public, TCs and OCDT information for each DT is now maintained via eLicensing, as it is for other licensees and certificate holders. It is accessible to the public and employers to determine the certification status of DTs. The Advisory Group members present at the Advisory Group meeting disagreed with the deletion of the registry. They stated employers want to have the ability to track employees to be certain the employee is not moving from one employer to another and starting a new training program each time prior to receiving a TC.
5. Certification By Endorsement – The current statute allows the Board to recognize certification/authorization granted by another state as competence in providing dialysis care if the certifying/authorizing state has standards for DTs that the Board considers substantially similar to Ohio. Board staff proposes to discontinue the endorsement provision and require individuals seeking Ohio certification to successfully complete an Ohio approved eight-week training program. In this way the Board assures Ohio citizens that individuals successfully completed Board approved dialysis-training programs. In addition, it appears that few other states regulate DTs and it does not appear to date that the Board endorses many DTs. The Advisory Group members present at the Advisory Group meeting disagreed with eliminating endorsement, explaining that some DT programs are consistent across the country.
6. Progression of Temporary Certificates – The current statute specifies timelines for the Board to issue/renew three TCs (TC1, TC2, TC3) and one Ohio dialysis technician certificate (OCDT) as the final certificate that is renewed every two years. Proposed changes would make the temporary certificate 1 (TC1) valid for two years (rather than eighteen months) and the effective date of the TC1 would change from the date of entry into the training program to the date of successful completion of the training program. Further, if the certification examination is not passed within the two-year period of the TC1, the individual is required to

reenter an approved DT program and apply for a temporary certificate 2 (TC2) that would be valid for one year (rather than six months) and the effective date of the TC2 would change from the date of entry into the training program to the date of successful completion of the training program. If the individual does not pass the certification examination within one-year, the individual will be ineligible for certification.

The Advisory Group members present at the Advisory Group meeting agreed with the change in the progression and time periods for the validity of the certificates, but disagreed with changing the TC issue date from the date the student entered the training program to after the individual successfully completed the training program. The Advisory Group explained that in their opinion it is important for the Board to have jurisdiction over the individuals within specific approved training programs since the individuals are employees of the dialysis facilities (see above concerning changes to registry) and such control or jurisdiction will assist them as employers to identify when the individual employees are becoming “perpetual students” by leaving one employment situation during the course of a training program and gaining employment at another facility to enroll in another training program.

The Board does not have statutory authority to regulate any other students enrolled in education or training programs. Rather, the education or training programs are required to oversee and supervise the students. Further, the current statute does not enable the Board to know that a student enrolled in a training program leaves the employer to accept employment at another facility in order to enter another training program. The plain language of Section 4723.76(A)(3)(a) states that no TC shall be issued until the individual successfully completes a training program. The proposed changes are consistent with that law.

The Board asked about the “backdating” of the TC1. It was clarified that an individual is employed by a dialysis center and enrolls in an eight-week DT training program. Upon completion of the program, the individual applies to the Board for a TC1. The TC1 is dated using the date the individual enrolled in the training program. Board members asked about the Board’s jurisdiction as a result of this process. B. Houchen responded that if there is an allegation that the individual has violated the law and rules prior to receiving a TC1, the Board would not have jurisdiction and could not investigate or consider disciplinary action, however, once the TC1 is issued, it would appear that the Board had jurisdiction during the time the individual was enrolled in the training program because the TC1 is dated with the date the individual enrolled in the training program, and the public could question why the Board did not conduct an investigation or take action.

J. McFee stated that DTs could hold temporary certificates for up to thirty months without passing an examination and was concerned about this. J. McFee also stated she was a Board member when the DT law was enacted and she did not agree with some aspects of the law.

D. Broadnax stated the individual must work for one year before they can take the examination. E. Yoon asked if there were preceptors for individuals during this time. D. Broadnax stated that the delegating RN provides supervision. E. Yoon stated he was concerned because there did not seem to be a difference in the level or amount of supervision for DTs with temporary certificates and those with full certificates (OCDTs) because in both situations the supervision is through the RN who delegates the dialysis care. AAG Bockbrader asked if there was a difference in the work of a DT before and after they passed the examination. D. Broadnax responded there was not.

K. Driscoll stated she does not understand the three levels of temporary certificates and perhaps the confusion can be cleared up and inconsistencies can be addressed. She recommended looking at the medication aide rules as a model because those rules are clearer.

Another issue recently identified during the Advisory Group meeting, unrelated to the pending legislative proposal, was about licensed practical nurses (LPNs) and DTs performing hemodialysis on pediatric clients. The issue is whether hemodialysis is considered IV therapy and relates to pediatric patients (younger than age eighteen). If hemodialysis is considered to be IV therapy, then an LPN's authorization to perform hemodialysis is predicated on the LPN being certified in IV therapy and since LPNs are prohibited from performing IV therapy on pediatric patients, LPNs would also be prohibited from performing hemodialysis on pediatric patients. In contrast, there is no explicit language prohibiting a DT from performing hemodialysis on pediatric patients. Rather, it is within the discretion of the delegating registered nurse or physician to allow this. Those present at the Advisory Group meeting indicated that LPNs and DTs might be performing hemodialysis on pediatric patients. The Advisory Group members present at the Advisory Group meeting believed, based upon historic discussions, hemodialysis is not IV therapy, and therefore there is no absolute prohibition on LPNs performing hemodialysis for pediatric patients. This practice question will require further research by Board staff and discussion by the Board.

Following a discussion by the Board on the history of DTs provided by D. Broadnax, she recommended that the legislative items the Advisory Group agreed upon could move forward. She further recommended that the items not agreed to by the Advisory Group be taken back to the Advisory Group to provide them the opportunity to work through the questions and provide their recommendations to the Board for further discussion.

A memo was distributed to the Board from the Ohio Renal Association (ORA) stating their concerns about the statutory changes being considered by the Board.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY J. JANE MCFEE, THAT THE BOARD EXTEND DISCUSSION FOR THIRTY MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

T. Williams commended D. Broadnax and the Advisory Group for their work on the issues discussed and believes that these issues need to be addressed for clarification. She stated the medication aide regulations could be used as a model.

J. Brachman requested a list of questions be compiled of the items discussed by the Board to bring back on Friday to make certain that the Board covers everything discussed. C. Krueger requested that staff provide a list of the issues for the Board to consider on Friday, so that D. Broadnax could gather feedback from the Advisory Group. C. Krueger asked if the Board wanted to continue this discussion on Friday, March 16, 2006 after the list of questions are provided. The Board agreed by general consent to continue the discussion on Friday.

C. Krueger also asked if the Board wanted to take the items forward that the Advisory Group agreed upon and pull the legislative items with which they did not agree. D. Broadnax agreed that the Advisory Group would support moving forward with the agreed upon items.

On Friday, March 16, 2007, a list of questions, as requested by the Board, was distributed entitled "List of Dialysis Technician Questions, March 16, 2007." A list compiled by C. Snyder entitled "Issues identified at meeting of Dialysis Advisory Group 3/6/07, was also distributed to the Board for review.

E. Buschmann asked about having a discussion on the LPN role related to hemodialysis and IV therapy. D. Broadnax responded that she would like to gather additional information to know how much of an issue this is, and discuss at the Retreat before taking the information back to the Advisory Group. C. Krueger responded that LPNs would be discussed during the Retreat.

After reviewing the list of questions, D. Broadnax asked for clarification about extending an individual's Training Program participation, and did not recall this. She stated it was not her understanding that the Training Program should also include individuals who are not yet ready to take the examination, because of the examination's requirement for one year of dialysis experience. Also, she asked if the Board wished to explore whether technicians would be required to complete a training program of twelve months prior to employment? C. Krueger responded that she believed that it was part of the discussion, and also, it was discussed that the technician would be a student during that timeframe and then apply for a temporary certificate afterwards. However, the Board still needs input from the dialysis community on how that would impact them. C. Krueger stated that having students listed on the registry is a reason why the dialysis community may want this change, so that the students would not be jumping from program to program. The Training Program would document the work experience in order to get an OCDT, which would preclude technicians from jumping from program to program. D. Broadnax responded that this was her understanding, however, she did not think it was clear as written on the list of questions. C. Krueger explained that technicians would be working under

supervision as a student in a training program, and would not need a temporary certificate if the training program were extended to include the one-year of dialysis experience as was suggested on Thursday. They both agreed that perhaps the temporary certificate 1, 2, and 3 may not be needed and that the individual could qualify for the OCDT after working twelve months with more oversight; this should eliminate the technicians from moving from employer to employer. D. Broadnax reminded the Board that technicians are regulated by the Board while under the various types of temporary certificates and would also need to be under the Board's authority while enrolled as a student during the twelve months.

J. Brachman commented that she believes that the Board should submit a list of issues, without providing suggestions on what the Board wanted at this point. L. Klenke stated she believes it is appropriate to share the Board's logic, frame of reference, and discussion with the Advisory Group and for the Advisory Group to look at alternatives to accomplish the goals. L. Klenke stated that the Advisory Group needed to know the Board would like to see this process streamlined. J. Brachman asked if all dialysis centers have an RN on site at all times. D. Broadnax responded that they do. J. Brachman cautioned the Board on the use of the word "inconsistencies," in the list of questions. L. Klenke agreed with J. Brachman's comments. B. Houchen stated that staff recommended there be more review for the issues relating to the temporary certificates. D. Broadnax stated that Ohio is the only state that has the different levels of temporary certificates.

C. Snyder suggested that the interested parties and the Advisory Group members be on the same page to avoid battles in the legislature. B. Houchen stated that the intention and direction has been to gather comments and feedback from all interested parties, including the Dialysis Advisory Group. She acknowledged the concerns of the dialysis community about the proposed changes. She explained that staff believe it is important to have the current certification process and requirements clearly outlined so all parties have the same understanding about the process that has proven to be confusing over the years. Board staff brought these questions to the Board because there had been no previous Board discussion on these specific questions and staff needs direction from the Board. B. Houchen believes the Board has established a positive track record in working with interested parties and referred to the process used to promulgate the medication aide rules when the Board worked with the Medication Aide Advisory Council consisting of interested parties with many different viewpoints. Also, with the five-year review rules, in the past few years, the Board has worked closely with interested parties to hear and resolve concerns and issues during the rule making process.

D. Broadnax stated that she would like to see the different levels of temporary certificates cleared up and DT training and examination outlined clearly in order to decrease confusion of employers, dialysis technicians, and the Board. She further stated that it is important to know how the process works and believes Board staff needs a clear understanding about dialysis care. Although previously Board staff was

working to schedule a time to observe in the hospital dialysis unit where D. Broadnax works, she recommended staff observe in a freestanding dialysis center.

D. Broadnax asked if AAG Bockbrader would be available for support and as a resource to answer questions regarding the Board's laws and rules at the next Advisory Group meeting. E. Buschmann asked if staff would be involved at the next meeting. B. Houchen responded that staff members L. Emrich, L. Halliburton, and C. Snyder regularly attend the Dialysis Advisory Group meetings and that H. Fischer and AAG Bockbrader were also planning to be available at the next Dialysis Advisory Group meeting.

D. Broadnax stated she wanted to bring up the topic of the LPN role in dialysis at the Advisory Group on Dialysis meeting to get a sense from the group how many LPNs are employed, as she believes that many of those that are employed in dialysis facilities are employed as DTs. D. Broadnax also stated she wanted to find out more information about pediatric dialysis to get some sense of what is happening, what is out there. She recalled that most pediatric dialysis units were staffed with all RNs, but did not have a sense of what is currently happening.

### **Strategic Plan – March Evaluation**

The Board received an evaluation of the Strategic Plan outcome measures. In November, the Board discussed some changes in format and outcome measures, and the staff will incorporate those changes for review and discussion at the Board Retreat. B. Houchen reviewed the status of the outcome measures and answered questions of the Board. C. Krueger asked that more information be provided rather than state, "outcome is met." Staff agreed. There was a discussion regarding nursing education programs providing feedback to the Board regarding the survey visits. The Board agreed to discuss further at the Retreat.

## **APPROVALS**

### **Nursing Education Programs**

#### **New Program Approvals**

##### **Hiram College School of Nursing, Bachelor of Science Degree in Nursing Program, Hiram**

The Board reviewed a summary report of a survey visit conducted by J. Zurmehly on February 22, 2007, for the proposed new nursing education program, Hiram College School of Nursing, Bachelor of Science Degree in Nursing Program, Hiram. Dr. Davina Gosnell, Program Director, was present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE HIRAM COLLEGE SCHOOL OF NURSING, BACHELOR OF SCIENCE DEGREE IN NURSING PROGRAM, HIRAM, EFFECTIVE MARCH 15, 2007. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. IT WAS FURTHER MOVED THAT TWO CONDITIONAL APPROVAL PROGRESS REPORTS BE SUBMITTED TO THE BOARD BY HIRAM COLLEGE SCHOOL OF NURSING NO LATER THAN MAY 1, 2008 AND MAY 1, 2010. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

**Ohio Academy of Holistic Health School of Practical Nursing (Program), Xenia**

The Board reviewed a summary report of a survey visit conducted by J. Smallwood on February 23, 2007, for the proposed new nursing education program, Ohio Academy of Holistic Health School of Practical Nursing (Program), Xenia. Michelle Seale, Program Director, was present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY KATHLEEN O'DELL, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE OHIO ACADEMY OF HOLISTIC HEALTH SCHOOL OF PRACTICAL NURSING, XENIA, EFFECTIVE MARCH 15, 2007. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. IT WAS FURTHER MOVED THAT A CONDITIONAL APPROVAL PROGRESS REPORT BE SUBMITTED TO THE BOARD BY THE PROGRAM BY OCTOBER 30, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

**Ohio Academy of Holistic Health School Associate Degree Program (Program), Xenia**

The Board reviewed a summary report of a survey visit conducted by J. Smallwood on February 23, 2007, for the proposed new nursing education program, Ohio Academy of Holistic Health School Associate Degree Program (Program), Xenia. The purpose of the survey visit was to verify the accuracy of the information presented in the proposal for establishing a new nursing education program. Michelle Seale, Program Director, was present to answer questions of the Board. Following review and discussion;

IT WAS MOVED BY KATHLEEN O'DELL, SECONDED BY DEBRA BROADNAX, THAT THE BOARD GRANT CONDITIONAL APPROVAL TO THE OHIO ACADEMY OF HOLISTIC HEALTH SCHOOL ASSOCIATE DEGREE PROGRAM, XENIA, EFFECTIVE MARCH 15, 2007. THE PROGRAM HAS MET THE REQUIREMENTS SET FORTH IN CHAPTER 4723-5, OAC, AND HAS PROVIDED ALL INFORMATION REQUIRED BY RULE 4723-5-08(C), OAC. IT WAS FURTHER MOVED THAT TWO CONDITIONAL APPROVAL PROGRESS REPORTS BE

SUBMITTED TO THE BOARD BY THE PROGRAM ON OR BEFORE OCTOBER 30, 2007 AND OCTOBER 30, 2008. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

#### **Determination of Program Approval Status**

##### **Kettering College of Medical Arts Associate Degree Program, Kettering**

The Board reviewed the summary report of the January 24-26, 2007 survey visit conducted by L. Emrich and J. Zurmehly to the Kettering College of Medical Arts Associate Degree Program, Kettering, to determine approval status. Following review and discussion;

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, THAT THE BOARD GRANT KETTERING COLLEGE OF MEDICAL ARTS ASSOCIATE DEGREE PROGRAM, KETTERING, FULL APPROVAL BASED ON THE JANUARY 2007 SURVEY VISIT REPORT AND THE PROGRAM'S RESPONSE TO THE REPORT. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS. ERIC YOON ABSTAINED.

#### **Medication Aide Training Program**

The Board received a Medication Aide Training Program Application submitted by Grace Management Services Certified Medication Aide Program, Lorain, for the Board's consideration and approval. A document summarizing the application was also provided. Following review;

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD APPROVE GRACE MANAGEMENT SERVICES CERTIFIED MEDICATION AIDE PROGRAM, LORAIN, AS A MEDICATION AIDE TRAINING PROGRAM, FINDING THAT THE PROGRAM HAS MET THE REQUIREMENTS OF RULE 4723-27-07, OAC. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

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

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD RETROACTIVELY RATIFY, AS SUBMITTED, THE LICENSES AND CERTIFICATES INITIALLY ISSUED BY THE BOARD OF NURSING JANUARY 1, 2007 THROUGH FEBRUARY 28, 2007 TO THE FOLLOWING: REGISTERED NURSES, LICENSED PRACTICAL NURSES, CERTIFICATES OF AUTHORITY TO CERTIFIED REGISTERED NURSE ANESTHETISTS, CERTIFIED NURSE MIDWIVES, CERTIFIED NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS, ALL CERTIFICATES TO PRESCRIBE (CTP AND CTP-EXTERNSHIP), OHIO CERTIFIED DIALYSIS TECHNICIANS AND MEDICATION AIDES PILOT PROGRAM CERTIFICATES, TAKING INTO ACCOUNT THOSE LICENSES AND CERTIFICATES SUBJECT TO DISCIPLINE, SURRENDER OR NON-RENEWAL. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Board members complimented staff from changing the listing of retroactive approvals and reducing the number of motions from seven motions to one motion. B. Houchen thanked IT staff for proposing that staff submit one list for the retroactive approvals.

### **Continuing Education Approver**

#### **Omnicare, Great Lakes Region, #OBN-009-93**

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY J. JANE MCFEE, THAT THE BOARD, PURSUANT TO RULE 4723-14-10 (C), OAC, EXTEND THE TIME PERIOD TO CONSIDER THE APPLICATION FOR REAPPROVAL OF CONTINUING EDUCATION APPROVER OMNICARE, GREAT LAKES REGION, #OBN-009-93, UNTIL MAY 18, 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

### **ADJUDICATION AND COMPLIANCE**

L. Ferguson-Ramos distributed a new motion slip for Board members to specify the consent agreements for which they are abstaining, voting "no," or providing comments. The Board agreed by general consent to use the new motion slip for the consent agreements and stated they liked the motion slip. They requested the motion slip be provided as a hard copy and on disk.

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

On Friday, March 16, 2007, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): MARRERO, CARMEN, Y., R.N. 281262 (CASE #06-0683); MALONE, KIMBERLY, A., R.N. 186520 (CASE #06-1803); FROUG, PHYLLIS, G., R.N. 216580 (CASE #07-0295); HERMAN, KATIE, J., P.N. 112649 (CASE #06-3354); LEE, MICHAEL, J., R.N. 257680 (CASE #06-3133); WALLACE, CYNTHIA, M., P.N. 107771 (CASE #07-0123); PERKSON, CYNTHIA, J., R.N. 119529 (CASE #06-2822); STIFFLER, SHANNAN, L., P.N. 084926 (CASE #06-2484); TRUMAN, ANN, M., R.N. 240733 (CASE #06-3258); WILSON, LISA, M., R.N. 246173 (CASE #06-2291); KIM, TRACY, L., R.N. 317547 (CASE #06-2614); SMITH, RACHAEL, M, P.N. 121330 (CASE #07-0772); D'URSO, HOLLY, A., R.N. 251024 (CASE #06-0841); HIVELY, HUGH, P.N. 103880 (CASE #06-2766); MASON, CINDY, A., P.N. 119167 (CASE #06-0928); MYERS, FAUSTINA, A., R.N. 282638 (CASE #07-0303); REMERS, JENNIFER, J, P.N. 104525 (CASE #05-3303); SHEARER, DENAYA, J., P.N. 114826 (CASE #04-1215); VILTRO, MEGAN, JO, R.N. 312769 (CASE #07-0811); FICKENSHER, TRACY, L., R.N. 235779 (CASE #06-3441); BUSH, TIMOTHY, C., R.N. 295810 (CASE #04-1713); WEEKLEY, SHAUN, M., P.N. NCLEX (CASE #06-1688); MILLER, BRANDON, D.,

P.N. NCLEX (CASE #07-0064); LIGHTLE, KENNETH, T., P.N. 101601 (CASE #06-3530); MAY, TAMMY, D., R.N. 310890 (CASE #07-0407); DYE, DONALD, E., P.N. 096891 (CASE #07-0127) AND EVANS, DONNA, E, P.N. 096793 (CASE #07-0656). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ELIZABETH BUSCHMANN AND KATHLEEN O'DELL WAS ABSENT. CYNTHIA KRUEGER ABSTAINED ON WILSON, LISA, M., R.N. 246173 (CASE #06-2291). DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

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

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY LISA KLENKE, THAT THE BOARD ISSUE A NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): HURLBURT, VICTORIA, L., R.N. 307967 (CASE #06-2535); BENTLEY, MELISSA, K, P.N. 114044 (CASE #07-0847); ERTLEY, MARY, E., R.N. 278719 (CASE #06-1038); ARNOLD, TAMIKA, N., P.N. 117884 (CASE #06-2341); BEAL, ELIZABETH, M., P.N. 099566 (CASE #06-0278) AND PRICE, MELISSA, E., R.N. 196509 (CASE #07-0156). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ELIZABETH BUSCHMANN AND KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

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

IT WAS MOVED BY ANNE BARNETT, SECONDED BY PATRICIA BURNS, THAT THE BOARD ISSUE A NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723. ORC FOR THE FOLLOWING CASE(S): BUSH-COTTLE, IRIS, A., P.N. 071765 (CASE #07-0427); CHERNEY, KAY, L, P.N. 041299 (CASE #04-0205); COFFEY, JENNIFER, E., P.N. 118081 (CASE #07-0428); DAVIS, ROBERT, J., P.N. 088677 (CASE #06-3284); MCCRACKIN, DEBRA, L., P.N. 081634 (CASE #07-0429); SWAIN-POLLARD, MARY, E., P.N. 121676 (CASE #07-0359); THOMAS, DAVID, E., R.N. 230010 (CASE #07-0430); MIHIYLOV, PAMELA, J, P.N. 092324 (CASE #07-0482) AND TRENT, KATHY, R., R.N. 240082 (CASE #06-3440). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ELIZABETH BUSCHMANN AND KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

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

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT CONTINUED PRACTICE BY MELISSA FIELDS, RN 287661, (CASE #07-0736); PRESENTS A DANGER OF IMMEDIATE AND SERIOUS HARM TO THE PUBLIC. THEREFORE, THE BOARD MOVED TO SUMMARILY SUSPEND THE LICENSE AND ISSUE A NOTICE OF OPPORTUNITY FOR HEARING FOR VIOLATIONS OF CHAPTER 4723 ORC, RETROACTIVE TO THE DATE IT WAS ISSUED, MARCH 9, 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. CYNTHIA KRUEGER AND DEBRA BROADNAX ABSTAINED.

### **SURRENDERS**

#### **PERMANENT VOLUNTARY SURRENDERS**

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY SURRENDER OF LICENSE FOR THE FOLLOWING CASE(S): PRUGH, JAMES, L., R.N. 133921 (CASE #07-0178); MARTINEZ, CHERYL, A., P.N. 094252 (CASE #03-0526); CARNES, CARL, R.N. 285260 (CASE #06-0377); LEI, THOMAS, W., R.N. 160899 (CASE #06-3119) AND MORGAN, JEANNE, T., P.N. 073393 (CASE #06-3466). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

Complete copies of the Voluntary Surrenders shall be maintained in the exhibit book for the March 2007 Board meeting.

### **WITHDRAWALS OF APPLICATIONS**

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

IT WAS MOVED BY ANNE BARNETT, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD ACCEPT THE VOLUNTARY NON-PERMANENT WITHDRAWAL OF APPLICATION FOR LICENSURE BY ENDORSEMENT FOR THE FOLLOWING CASE(S): GROOM, LINDA, S., P.N. ENDORSE (CASE #06-3527). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

### **CONSENT AGREEMENTS**

On Friday, March 16, 2007, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members:

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE BOARD APPROVE THE CONSENT AGREEMENTS FOR VIOLATIONS OF CHAPTER 4723. ORC ENTERED INTO BY AND BETWEEN THE BOARD AND THE

FOLLOWING LICENSEES: LOWERY, KATHLEEN, M., R.N. 293547 (CASE #07-0003); FORD, GERALD, B., R.N. 284296 (CASE #06-2016); CHUNG, INSOOK, L., R.N. 230110 (CASE #05-1106); WARD, ROGER, L., P.N. 082134 (CASE #06-2157); GIESMAN, RACHEL, Y., P.N. 112122 (CASE #05-2675); BRABSON, NANCY, L., P.N. 094914 (CASE #05-1676); KLEINMARK, RACHAEL, K., P.N. 112288 (CASE #06-1877); WINKLE, SHARON, J., P.N. 028892 (CASE #06-2206); MARSH, ROBIN, L., P.N. 093632 (CASE #05-2811); PAINTER, KELLY, W., R.N. 321586 (CASE #06-2745); YOUNG, CAROLYN, R., P.N. 085167 (CASE #06-2303); KINZER, JEANNIE, E., P.N. 111286 (CASE #06-0127); BONOAN, BELINDA, J., P.N. 065564 (CASE #03-1999); HEROD, LORAIN, C., R.N. 228463 (CASE #06-1801); WEBSTER, KAREN R.N. 103112 (CASE #07-0029); MILLER, CARRIE, L., R.N. 250301 (CASE #02-1066); BERILLA, ELAINE, N., R.N. 106764 (CASE #06-0953); GABOR, MARK, J., R.N. 172881 (CASE #05-0241B); BERTHA, NINA, P., R.N. 254228 (CASE #05-0359); HENSLEY JR., JAMES, U., P.N. 087899 (CASE #05-2946); UNKEL, JOAN, A., R.N. 128305 (CASE #06-1152); BRANCHEAU, SUZANNE, M., R.N. 122887 (CASE #06-2601); HEJNY, ELIZABETH, J., R.N. 260409 (CASE #06-2983); HOLDREN, LOTTIE ORA LOU, R.N. 291639 (CASE #06-3317); KAINS, VALERIE, L., R.N. 183748 (CASE #06-0431); MESALAM, RACHEL, N., R.N. NCLEX (CASE #06-3235); ILIANO, LAURA, A., P.N. 106950 (CASE #06-3255); COOPER, KARA, D., P.N. 103545 (CASE #07-0155); BAKER, LYNETTE, M., R.N. 305426 (CASE #04-0033); CARPENTER, LINDA, F., P.N. 106131 (CASE #03-2183); SMITH, MARY, J., P.N. NCLEX (CASE #07-0100); WILLS, DAVID, D., P.N. 084198 (CASE #06-2026); WILKES, LAKIESHA, J., R.N. NCLEX (CASE #07-0144); GRECO, STEVEN, L., R.N. 276308 (CASE #05-1095); JOHNSON, JULIA, M., P.N. 102915 (CASE #05-2021); MARCUM, DELMA, M., R.N. 216242 (CASE #06-0692); LACY, CATHERINE, A., R.N. 205220 (CASE #06-3480); REESE, JANET, F., R.N. ENDORSE (CASE #06-2384); SHAFER, ALVA, J., P.N. 080212 (CASE #07-0426); WALLACE, JENNIFER, A., P.N. 088559 (CASE #06-1206); KNOX, SANDRA, M., P.N. 101210 (CASE #06-0510); QUICK, HEATHER, J., P.N. 102342 (CASE #05-3510); BLANKENSHIP, SANDRA, J., R.N. 193183 (CASE #07-0480); STUBBLEFIELD, PEGGY, L., P.N. ENDORSE (CASE #07-0010); KOSTECKI, LOUISE, E., R.N. 155859 (CASE #06-2838); MARCELEWSKI, ANNA, M., R.N. 292827 (CASE #03-2128); GREYNOLDS, KAREN, D., P.N. NCLEX (CASE #06-3508); MAYHUGH, JEFFREY, A., R.N. 246418 (CASE #05-3352); LAWSON, BAMBI, L., R.N. 280517 (CASE #07-0481); STAHL, JENNIFER, J., R.N. 312428 (CASE #06-3211); STONE, AMANDA, D., P.N. NCLEX (CASE #06-3386); AMICO, JONATHAN, A., D.T. APPLICANT (CASE #06-3186); NELSON, TAMI, C., P.N. 099135 (CASE #05-0397); BOGAN, REBECCA, S., R.N. 288502 (CASE #07-0676); KUCHNA, DOUGLAS, K., P.N. 115210 (CASE #06-2310); SANCHEZ, ELIZABETH, E., P.N. 071002 (CASE #05-0601); CLOUSER, KIMBERLY, A., R.N. 174622 (CASE #05-3030); LISTON, LEAH, J., R.N. 307372 (CASE #06-2292); PURDON, EVA-MARIE, P.N. 095449 (CASE #06-3120); SIEBERT, MICHELLE, M., P.N. 113026 (CASE #07-0217); SHAFFER, ANNETTE, S., R.N. NCLEX (CASE #07-0021); COX, PATRICIA, L., R.N. 324533 (CASE #06-2186); PICKENS, DAVID, F., R.N. 300983 (CASE #06-2465); REED, RANDY, K., R.N. 187273 (CASE #07-0425); FRENA, TRACY, B., P.N. 084401 (CASE #05-1364);

SHANK, BRITTANI, S., P.N. NCLEX (CASE #06-3345); BAKER, KELLEY, M., R.N. 217929 (CASE #06-3511); SHELKO, FRED, P., P.N. 103410 (CASE #05-3475); EMLINGER, ROBERT, A., P.N. 038569 (CASE #06-3053); BOCKHORST, KARI, L., P.N. 108441 (CASE #06-0339); SWINDERMAN, TAMELA, M., P.N. 091562 (CASE #05-0253); WELLS, DEBRA, S., R.N. 219477 (CASE #06-1037); BETTINGER, RAMONA, C., P.N. 098140 (CASE #06-1437); SISLOW, JOHN, E., R.N. 207497 (CASE #05-3350); BLACKBURN, SHELLY, R., R.N. 252881 (CASE #05-2574); EVANS, JOSEPH, R., P.N. 115820 (CASE #05-3160); SHAFFER, JODY, N., P.N. 102245 (CASE #03-1606); DENUIT, KIMBERLY, A., R.N. 289681 (CASE #05-2671) AND PHILLIPS, KELLY, L., P.N. 114296 (CASE #06-2219). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

CYNTHIA KRUEGER ABSTAINED ON THE FOLLOWING CASES: MARSH, ROBIN, L., P.N. 093632 (CASE #05-2811) AND HEJNY, ELIZABETH, J., R.N. 260409 (CASE #06-2983).

ANNE BARNETT OPPOSED ON THE FOLLOWING CASES: BERTHA, NINA, P., R.N. 254228 (CASE #05-0359); HOLDREN, LOTTIE ORA LOU, R.N. 291639 (CASE #06-3317) AND MARCUM, DELMA, M., R.N. 216242 (CASE #06-0692).

JUDITH BRACHMAN OPPOSED ON THE FOLLOWING CASES: LOWERY, KATHLEEN, M., R.N. 293547 (CASE #07-0003); KINZER, JEANNIE, E., P.N. 111286 (CASE #06-0127); GABOR, MARK, J., R.N. 172881 (CASE #05-0241B); GREYNOLDS, KAREN, D., P.N. NCLEX (CASE #06-3508); SHANK, BRITTANI, S., P.N. NCLEX (CASE #06-3345) AND SHAFFER, ANNETTE, S., R.N. NCLEX (CASE #07-0021). KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

## **HEARING EXAMINER REPORTS**

### **Voelker, Daniel - Endorsement Applicant**

On Friday, March 16, 2007, President Krueger requested that each voting Board member verify that they reviewed in depth all materials pertaining to this matter by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of the matter.

In the matter of Voelker, Daniel, R.N Endorsement Applicant (Case #05-2112); upon hearing affirmative responses from each voting Board member that they reviewed all of the following: Hearing transcript, State's Exhibits, and the Recommendation in the Hearing Examiner's Report and Recommendation.

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, 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 DANIEL VOELKER'S APPLICATION FOR A LICENSE BY ENDORSEMENT TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY DENIED FOR A MINIMUM PERIOD OF THREE (3) YEARS. MR. VOELKER MAY SUBMIT AN APPLICATION IN MARCH 2010. UPON SUBMISSION OF AN APPLICATION, MR. VOELKER SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF THE FOLLOWING:

SUCCESSFUL COMPLETION OF A CHEMICAL DEPENDENCY TREATMENT PROGRAM. CONTINUED ATTENDANCE AT TWELVE STEP OR SUPPORT GROUP MEETINGS. COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE MARYLAND DISTRICT COURT.

UPON THIS REPORT AND RECOMMENDATION AND UPON APPROVAL AND CONFIRMATION BY VOTE OF THE BOARD ON THE ABOVE DATE, THE FOLLOWING ORDER IS HEREBY ENTERED ON THE JOURNAL OF THE OHIO BOARD OF NURSING FOR THE ABOVE DATE.

DANIEL VOELKER'S APPLICATION FOR A LICENSE BY ENDORSEMENT TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY DENIED FOR A MINIMUM PERIOD OF THREE (3) YEARS.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

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

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

##### **ASBURY, ALLYSON, A., R.N. 257236 (CASE #06-0978)**

IT WAS MOVED BY ANNE BARNETT, SECONDED BY PATRICIA BURNS, IN THE MATTER OF ALLYSON ASBURY, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. ASBURY IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. ASBURY 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 ALLYSON ASBURY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN THREE (3) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. ASBURY SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A PERMANENT NARCOTIC AND THE PERMANENT PRACTICE RESTRICTIONS SET FORTH BELOW.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MS. ASBURY SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. ASBURY SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. ASBURY SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. ASBURY SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. ASBURY SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF COMPLIANCE WITH ALL ASPECTS OF THE TREATMENT PLAN DEVELOPED BY THE CHEMICAL DEPENDENCY PROFESSIONAL DESCRIBED ABOVE UNTIL RELEASED. FURTHER, THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND

CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. ASBURY'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. ASBURY SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. UPON AND AFTER MS. ASBURY'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. ASBURY SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ASBURY'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MS. ASBURY INITIATING DRUG SCREENING, MS. ASBURY 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. ASBURY.

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

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. ASBURY 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. ASBURY SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

**REPORTING REQUIREMENTS OF MS. ASBURY**

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

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

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

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

MS. ASBURY SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MS. ASBURY SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

**DURATION**

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

FOLLOWING REINSTATEMENT, MS. ASBURY SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

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

MS. ASBURY SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF AND THROUGHOUT THE PROBATIONARY PERIOD, MS. ASBURY SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY SHE IS SELECTED, OR IN SUCH A MANNER AS THE BOARD MAY REQUEST, SHALL CONSTITUTE A VIOLATION OF A RESTRICTION PLACED ON A LICENSE FOR PURPOSES OF SECTION 4723.28(B), ORC. THIS SCREENING SHALL REQUIRE A DAILY CALL-IN PROCESS. THE SPECIMENS SUBMITTED BY MS. ASBURY SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ASBURY'S HISTORY.

MS. ASBURY 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. ASBURY SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

**TREATING PRACTITIONERS AND REPORTING**

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

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

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

**EMPLOYMENT CONDITIONS**

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

MS. ASBURY SHALL HAVE HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MS. ASBURY SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. ASBURY IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

**REPORTING REQUIREMENTS OF MS. ASBURY**

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

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

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

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

MS. ASBURY SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MS. ASBURY SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**PERMANENT NARCOTIC RESTRICTION**

MS. ASBURY SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. ASBURY'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. ASBURY'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. ASBURY SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. ASBURY SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

**PERMANENT PRACTICE RESTRICTIONS**

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

MS. ASBURY SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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. ASBURY SHALL NOT CALL-IN OR ORDER PRESCRIPTIONS.

**FAILURE TO COMPLY**

THE STAY OF MS. ASBURY'S SUSPENSION SHALL BE LIFTED AND MS. ASBURY'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. ASBURY HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. ASBURY VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. ASBURY 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. ASBURY HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. ASBURY IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. ASBURY AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. ASBURY DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS ALLYSON ASBURY TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 257236 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**TAYLOR, LINDA, D., P.N. 113355 (CASE #06-1714)**

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

THE BOARD FURTHER ORDERS LINDA TAYLOR TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 113355 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ANNE BARNETT AND DEBRA BROADNAX OPPOSED. KATHLEEN O'DELL WAS ABSENT.

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

**COOMBE, LAWRENCE, D., P.N. 085690 (CASE #05-1261)**

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY LISA KLENKE, IN THE MATTER OF LAWRENCE COOMBE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. COOMBE'S IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. COOMBE 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 LAWRENCE COOMBE'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS LAWRENCE COOMBE TO SURRENDER HIS LICENSED PRACTICAL NURSE LICENSE #P.N. 085690 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. ANNE BARNETT OPPOSED.

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

**ERWIN, STACEY, D., P.N. 102261 (CASE #06-0695)**

IT WAS MOVED BY LISA KLENKE, SECONDED BY PATRICIA BURNS, IN THE MATTER OF STACEY ERWIN, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. ERWIN IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. ERWIN 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 STACEY ERWIN'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. ERWIN SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF FIVE (5) YEARS AND THE PERMANENT PRACTICE RESTRICTIONS SET FORTH BELOW.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MS. ERWIN SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. ERWIN SHALL, AT HER OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION BY A BOARD APPROVED PSYCHIATRIST AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MS. ERWIN SHALL PROVIDE THE PSYCHIATRIST WITH A COPY OF THIS ORDER. FURTHER, MS. ERWIN 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, AND ANY ADDITIONAL RESTRICTIONS THAT SHOULD BE PLACED ON MS. ERWIN'S LICENSE.

MS. ERWIN SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF COMPLIANCE WITH ALL ASPECTS OF THE TREATMENT PLAN DEVELOPED BY THE PSYCHIATRIST DESCRIBED ABOVE UNTIL RELEASED. FURTHER, THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. ERWIN'S LICENSE.

MS. ERWIN SHALL SUCCESSFULLY COMPLETE AND SUBMIT DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF TWENTY (20) HOURS OF CONTINUING NURSING EDUCATION IN PROFESSIONAL BOUNDARIES.

**REPORTING REQUIREMENTS OF MS. ERWIN**

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

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

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

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

MS. ERWIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MS. ERWIN SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

**DURATION**

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

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

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

MS. ERWIN SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**EMPLOYMENT CONDITIONS**

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

MS. ERWIN SHALL HAVE HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MS. ERWIN SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. ERWIN IS UNDER A CONTINUING DUTY TO

PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

**REPORTING REQUIREMENTS OF MS. ERWIN**

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

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

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

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

MS. ERWIN SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MS. ERWIN SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**PERMANENT PRACTICE RESTRICTIONS**

MS. ERWIN SHALL NOT PRACTICE NURSING AS A LICENSED PRACTICAL NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY

THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MS. ERWIN TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MS. ERWIN SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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. ERWIN SHALL NOT HANDLE OR BE INVOLVED IN FINANCIAL ACTIVITY OF FINANCIAL TRANSACTIONS.

**FAILURE TO COMPLY**

THE STAY OF MS. ERWIN'S SUSPENSION SHALL BE LIFTED AND MS. ERWIN'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. ERWIN HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. ERWIN VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. ERWIN 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. ERWIN HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. ERWIN IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. ERWIN AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. ERWIN DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS STACEY ERWIN TO SURRENDER HER LICENSED PRACTICAL NURSE LICENSE #P.N. 102261 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD

MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. JUDITH BRACHMAN OPPOSED.

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

**HUDAS, JEAN MARIE, K, R.N. 202802 (CASE #05-3474)**

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, IN THE MATTER OF JEAN MARIE HUDAS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. HUDAS IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. HUDAS 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 JEAN HUDAS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME BUT NOT LESS THAN TWO (2) YEARS WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. HUDAS SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A PERMANENT NARCOTIC AND THE PERMANENT PRACTICE RESTRICTIONS SET FORTH BELOW.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MS. HUDAS SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MS. HUDAS SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS

EVALUATION. PRIOR TO THE EVALUATION, MS. HUDAS SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MS. HUDAS SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MS. HUDAS SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF COMPLIANCE WITH ALL ASPECTS OF THE TREATMENT PLAN DEVELOPED BY THE CHEMICAL DEPENDENCY PROFESSIONAL DESCRIBED ABOVE UNTIL RELEASED. FURTHER, THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MS. HUDAS' LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HUDAS SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. UPON AND AFTER MS. HUDAS' 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. HUDAS SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HUDAS' HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MS. HUDAS INITIATING DRUG SCREENING, MS. HUDAS 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. HUDAS.

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

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. HUDAS 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. HUDAS SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

**REPORTING REQUIREMENTS OF MS. HUDAS**

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

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

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

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

MS. HUDAS SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MS. HUDAS SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

**DURATION**

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

FOLLOWING REINSTATEMENT, MS. HUDAS SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

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

MS. HUDAS SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF AND THROUGHOUT THE PROBATIONARY PERIOD, MS. HUDAS SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY SHE IS SELECTED, OR IN SUCH A MANNER AS THE BOARD MAY REQUEST, SHALL CONSTITUTE A VIOLATION OF A RESTRICTION PLACED ON A LICENSE FOR PURPOSES OF SECTION 4723.28(B), ORC. THIS SCREENING SHALL REQUIRE A DAILY CALL-IN PROCESS. THE SPECIMENS SUBMITTED BY MS.

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

MS. HUDAS 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. HUDAS SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

**TREATING PRACTITIONERS AND REPORTING**

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

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

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

**EMPLOYMENT CONDITIONS**

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

MS. HUDAS SHALL HAVE HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MS. HUDAS SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. HUDAS IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

**REPORTING REQUIREMENTS OF MS. HUDAS**

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

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

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

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

MS. HUDAS SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MS. HUDAS SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**PERMANENT NARCOTIC RESTRICTION**

MS. HUDAS SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MS. HUDAS' USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. HUDAS' HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MS. HUDAS SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MS. HUDAS SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

**PERMANENT PRACTICE RESTRICTIONS**

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

MS. HUDAS SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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. HUDAS' SUSPENSION SHALL BE LIFTED AND MS. HUDAS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. HUDAS HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. HUDAS VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. HUDAS 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. HUDAS HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. HUDAS IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. HUDAS AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. HUDAS DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS JEAN MARIE HUDAS TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 202802 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

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

**GILLEN, DEBBIE, L., P.N. ENDORSE (CASE #06-0957)**

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, IN THE MATTER OF DEBBIE GILLEN, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. GILLEN IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. GILLEN 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 DEBBIE GILLEN'S APPLICATION FOR A LICENSE BY ENDORSEMENT TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY TEMPORARILY DENIED. MS. GILLEN MAY SUBMIT AN ENDORSEMENT APPLICATION FOR CONSIDERATION UPON SUCCESSFUL COMPLETION OF THE REQUIREMENTS OF THE WEST VIRGINIA BOARD OF NURSING.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**COYNE, JOSEPH, A, R.N. 213008 (CASE #03-1432)**

IT WAS MOVED BY DEBRA BROADNAX, SECONDED BY J. JANE MCFEE, IN THE MATTER OF JOSEPH COYNE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. COYNE IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. COYNE'S 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 JOSEPH COYNE'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MR. COYNE SHALL BE SUBJECT TO

THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF THREE (3) YEARS AND A PERMANENT NARCOTIC RESTRICTION AND THE PERMANENT PRACTICE RESTRICTIONS SET FORTH BELOW.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MR. COYNE SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

PRIOR TO SEEKING REINSTATEMENT BY THE BOARD, MR. COYNE SHALL, AT HER OWN EXPENSE, SEEK A CHEMICAL DEPENDENCY EVALUATION BY A BOARD APPROVED CHEMICAL DEPENDENCY PROFESSIONAL AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF THIS EVALUATION. PRIOR TO THE EVALUATION, MR. COYNE SHALL PROVIDE THE CHEMICAL DEPENDENCY PROFESSIONAL WITH A COPY OF THIS ORDER. FURTHER, MR. COYNE SHALL EXECUTE RELEASES TO PERMIT THE CHEMICAL DEPENDENCY PROFESSIONAL TO OBTAIN ANY INFORMATION DEEMED APPROPRIATE AND NECESSARY FOR THE EVALUATION. THE CHEMICAL DEPENDENCY PROFESSIONAL SHALL SUBMIT A WRITTEN OPINION TO THE BOARD THAT INCLUDES DIAGNOSES AND RECOMMENDATIONS FOR TREATMENT AND MONITORING.

MR. COYNE SHALL PROVIDE THE BOARD WITH SATISFACTORY DOCUMENTATION OF COMPLIANCE WITH ALL ASPECTS OF THE TREATMENT PLAN DEVELOPED BY THE CHEMICAL DEPENDENCY PROFESSIONAL DESCRIBED ABOVE UNTIL RELEASED. FURTHER, THE BOARD MAY UTILIZE THE PROFESSIONAL'S RECOMMENDATIONS AND CONCLUSIONS FROM THE EVALUATION AS A BASIS FOR ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS ON MR. COYNE'S LICENSE.

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MR. COYNE SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. UPON AND AFTER MR. COYNE'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 MR. COYNE SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. COYNE'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MR. COYNE INITIATING DRUG SCREENING, MR. COYNE 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. COYNE.

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

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MR. COYNE 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. COYNE SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD PRIOR TO REINSTATEMENT.

**REPORTING REQUIREMENTS OF MR. COYNE**

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

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

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

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

MR. COYNE SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MR. COYNE SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

MR. COYNE SHALL SUBMIT SATISFACTORY DOCUMENTATION OF THE REINSTATEMENT OF HIS LICENSE IN STATE OF PENNSYLVANIA AND COMPLIANCE WITH ANY TERMS AND CONDITIONS OF IMPOSED BY THE PENNSYLVANIA BOARD OF NURSING.

**DURATION**

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

INTERVIEW WITH MR. COYNE AND REVIEW OF THE DOCUMENTATION SPECIFIED IN THIS ORDER.

FOLLOWING REINSTATEMENT, MR. COYNE SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF THREE (3) YEARS.

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

MR. COYNE SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

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

WITHIN SIXTY (60) DAYS OF THE EXECUTION OF AND THROUGHOUT THE PROBATIONARY PERIOD, MR. COYNE SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY SHE IS SELECTED, OR IN SUCH A MANNER AS THE BOARD MAY REQUEST, SHALL CONSTITUTE A VIOLATION OF A RESTRICTION PLACED ON A LICENSE FOR PURPOSES OF SECTION 4723.28(B), ORC. THIS SCREENING SHALL REQUIRE A DAILY CALL-IN PROCESS. THE SPECIMENS SUBMITTED BY MR. COYNE SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. COYNE'S HISTORY.

MR. COYNE 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. COYNE SHALL PROVIDE SATISFACTORY DOCUMENTATION OF SUCH ATTENDANCE TO THE BOARD EVERY SIX (6) MONTHS.

**TREATING PRACTITIONERS AND REPORTING**

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

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

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

**EMPLOYMENT CONDITIONS**

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

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

**REPORTING REQUIREMENTS OF MR. COYNE**

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

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

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

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

MR. COYNE SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MR. COYNE SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**PERMANENT NARCOTIC RESTRICTION**

MR. COYNE SHALL NOT ADMINISTER, HAVE ACCESS TO, OR POSSESS (EXCEPT AS PRESCRIBED FOR MR. COYNE'S USE BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MR. COYNE'S HISTORY) ANY NARCOTICS, OTHER CONTROLLED SUBSTANCES, OR MOOD ALTERING DRUGS. IN ADDITION, MR. COYNE SHALL NOT COUNT NARCOTICS OR POSSESS OR CARRY ANY WORK KEYS FOR LOCKED MEDICATION CARTS, CABINETS, DRAWERS, OR CONTAINERS. MR. COYNE SHALL NOT CALL IN OR ORDER PRESCRIPTIONS OR PRESCRIPTION REFILLS.

**PERMANENT PRACTICE RESTRICTIONS**

MR. COYNE SHALL NOT PRACTICE NURSING AS A REGISTERED NURSE (1) FOR AGENCIES PROVIDING HOME CARE IN THE PATIENT'S RESIDENCE; (2) FOR HOSPICE CARE PROGRAMS PROVIDING HOSPICE CARE IN THE PATIENT'S RESIDENCE; (3) AS A NURSE FOR STAFFING AGENCIES OR POOLS; (4) AS AN INDEPENDENT PROVIDER WHERE THE NURSE PROVIDES NURSING CARE AND IS REIMBURSED FOR SERVICES BY THE STATE OF OHIO THROUGH STATE AGENCIES OR AGENTS OF THE STATE; OR (5) FOR

AN INDIVIDUAL OR GROUP OF INDIVIDUALS WHO DIRECTLY ENGAGE MR. COYNE TO PROVIDE NURSING SERVICES FOR FEES, COMPENSATION, OR OTHER CONSIDERATION OR AS A VOLUNTEER.

MR. COYNE SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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. COYNE'S SUSPENSION SHALL BE LIFTED AND MR. COYNE'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MR. COYNE HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MR. COYNE VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MR. COYNE 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. COYNE HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MR. COYNE IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MR. COYNE AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MR. COYNE DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS JOSEPH COYNE TO SURRENDER HIS REGISTERED NURSE LICENSE #R.N. 213008 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**WATSON, MARTHA, J., R.N. 309545 (CASE #04-2506)**

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY TERESA WILLIAMS, IN THE MATTER OF MARTHA WATSON, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. WATSON IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. WATSON 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 MARTHA WATSON'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. WATSON SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF TWO (2) YEARS AND THE PERMANENT PRACTICE RESTRICTIONS SET FORTH BELOW.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MS. WATSON SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

FOR A MINIMUM, CONTINUOUS PERIOD OF TWELVE (12) MONTHS IMMEDIATELY PRIOR TO REQUESTING REINSTATEMENT, MS. WATSON SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. UPON AND AFTER MS. WATSON'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. WATSON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. WATSON'S HISTORY.

WITHIN THIRTY (30) DAYS PRIOR TO MS. WATSON INITIATING DRUG SCREENING, MS. WATSON 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. WATSON.

AFTER INITIATING DRUG SCREENING, MS. WATSON 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. WATSON 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.

**REPORTING REQUIREMENTS OF MS. WATSON**

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

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

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

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

MS. WATSON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MS. WATSON SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

MS. WATSON SHALL SUBMIT SATISFACTORY DOCUMENTATION OF THE REINSTATEMENT OF HER LICENSE IN THE STATE OF KENTUCKY AND COMPLIANCE WITH ANY TERMS AND CONDITIONS IMPOSED BY THE KENTUCKY BOARD OF NURSING.

**DURATION**

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

FOLLOWING REINSTATEMENT, MS. WATSON SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF TWO (2) YEARS.

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

MS. WATSON SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**MONITORING**

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

UPON REQUEST BY THE BOARD OR ITS DESIGNEE, MS. WATSON SHALL SUBMIT, AT HER EXPENSE AND ON THE DAY SELECTED, BLOOD OR URINE SPECIMENS FOR DRUG AND/OR ALCOHOL ANALYSIS AT A COLLECTION SITE SPECIFIED BY THE BOARD AT SUCH TIMES AS THE BOARD MAY REQUEST. REFUSAL TO SUBMIT SUCH SPECIMEN, OR FAILURE TO SUBMIT SUCH SPECIMEN ON THE DAY SHE IS SELECTED, OR IN SUCH A MANNER AS THE BOARD MAY REQUEST, SHALL CONSTITUTE A VIOLATION OF A RESTRICTION PLACED ON A LICENSE FOR PURPOSES OF SECTION 4723.28(B), ORC. THIS SCREENING SHALL REQUIRE A DAILY CALL-IN PROCESS. THE SPECIMENS SUBMITTED BY MS. WATSON SHALL BE NEGATIVE, EXCEPT FOR SUBSTANCES PRESCRIBED, ADMINISTERED, OR DISPENSED TO HER BY ANOTHER SO AUTHORIZED BY LAW WHO HAS FULL KNOWLEDGE OF MS. WATSON'S HISTORY.

**EMPLOYMENT CONDITIONS**

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

MS. WATSON SHALL HAVE HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MS. WATSON SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. WATSON IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

**REPORTING REQUIREMENTS OF MS. WATSON**

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

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

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

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

MS. WATSON SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MS. WATSON SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**PERMANENT PRACTICE RESTRICTIONS**

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

MS. WATSON SHALL NOT FUNCTION IN A POSITION OR EMPLOYMENT WHERE THE JOB DUTIES OR REQUIREMENTS INVOLVE MANAGEMENT OF NURSING, 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. WATSON'S SUSPENSION SHALL BE LIFTED AND MS. WATSON'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. WATSON HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. WATSON VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. WATSON 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. WATSON HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. WATSON IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. WATSON AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. WATSON DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS MARTHA WATSON TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 309545 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**VOITS, SAUNDRA, K., R.N. 249999 (CASE #04-1607)**

IT WAS MOVED BY JUDITH BRACHMAN, SECONDED BY DEBRA BROADNAX, IN THE MATTER OF SAUNDRA VOITS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. VOITS IN THE NOTICE OF AUTOMATIC SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. VOITS 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 SAUNDRA VOITS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE

STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT FOLLOWING REINSTATEMENT, MS. VOITS SHALL BE SUBJECT TO THE PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS SET FORTH BELOW FOR A MINIMUM PERIOD OF TWO (2) YEARS.

**REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT**

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

MS. VOITS SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

MS. VOITS SHALL SUCCESSFULLY COMPLETE AND SUBMIT SATISFACTORY DOCUMENTATION OF HER SUCCESSFUL COMPLETION OF THE FOLLOWING CONTINUING NURSING EDUCATION: FOUR (4) HOURS OF OHIO NURSING LAW AND RULES AND TWELVE (120 HOURS OF DOCUMENTATION /ERROR PREVENTION.

**REPORTING REQUIREMENTS OF MS. VOITS**

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

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

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

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

MS. VOITS SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

MS. VOITS SHALL SUBMIT TO A BCI CRIMINAL RECORDS CHECK.

**DURATION**

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

FOLLOWING REINSTATEMENT, MS. VOITS SHALL BE SUBJECT TO THE FOLLOWING PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS FOR A MINIMUM PERIOD OF TWO (2) YEARS.

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

MS. VOITS SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AS REQUESTED BY THE BOARD.

**EMPLOYMENT CONDITIONS**

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

MS. VOITS SHALL HAVE HER EMPLOYER(S), IF WORKING IN A POSITION WHERE A NURSING LICENSE IS REQUIRED; SUBMIT WRITTEN REPORTS REGARDING JOB PERFORMANCE ON A QUARTERLY BASIS. MS. VOITS SHALL PROVIDE HER EMPLOYER(S) WITH A COPY OF THIS ORDER AND SHALL HAVE HER EMPLOYER(S) SEND DOCUMENTATION TO THE BOARD, ALONG WITH THE FIRST EMPLOYER REPORT, OF RECEIPT OF A COPY OF THIS ORDER. FURTHER, MS. VOITS IS UNDER A CONTINUING DUTY TO PROVIDE A COPY OF THIS ORDER TO ANY NEW EMPLOYER PRIOR TO ACCEPTING EMPLOYMENT.

**REPORTING REQUIREMENTS OF MS. VOITS**

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

MS. VOITS SHALL SUBMIT ANY AND ALL INFORMATION THAT THE BOARD MAY REQUEST REGARDING HER ABILITY TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING PRACTICE. MS. VOITS SHALL NOT SUBMIT OR CAUSE TO BE SUBMITTED ANY FALSE, MISLEADING, OR DECEPTIVE STATEMENTS, INFORMATION, OR DOCUMENTATION TO THE BOARD OR TO EMPLOYERS OR POTENTIAL EMPLOYERS.

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

MS. VOITS SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER OR ANY OTHER DOCUMENTS REQUIRED BY THE BOARD TO THE ATTENTION OF THE COMPLIANCE UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

PRIOR TO WORKING AS A NURSE, MS. VOITS SHALL COMPLETE A NURSE REFRESHER COURSE OR EXTENSIVE ORIENTATION APPROVED IN ADVANCE BY THE BOARD.

**FAILURE TO COMPLY**

THE STAY OF MS. MS. VOITS SUSPENSION SHALL BE LIFTED AND MS. MS. VOITS LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE WILL BE AUTOMATICALLY SUSPENDED IF IT APPEARS TO THE BOARD THAT MS. VOITS HAS VIOLATED OR BREACHED ANY TERMS OR CONDITIONS OF THIS ORDER. FOLLOWING THE AUTOMATIC SUSPENSION, THE BOARD SHALL NOTIFY MS. VOITS VIA CERTIFIED MAIL OF THE SPECIFIC NATURE OF THE CHARGES AND AUTOMATIC SUSPENSION OF HER LICENSE. UPON RECEIPT OF THIS NOTICE, MS. VOITS 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. VOITS HAS COMPLIED WITH ALL ASPECTS OF THIS ORDER; AND (2) THE BOARD DETERMINES THAT MS. VOITS IS ABLE TO PRACTICE ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE WITHOUT BOARD MONITORING, BASED UPON AN INTERVIEW WITH MS. VOITS AND REVIEW OF THE REPORTS AS REQUIRED HEREIN. ANY PERIOD DURING WHICH MS. VOITS DOES NOT WORK IN A POSITION FOR WHICH A NURSING LICENSE IS REQUIRED SHALL NOT COUNT TOWARD FULFILLING THE PROBATIONARY PERIOD IMPOSED BY THIS ORDER.

THE BOARD FURTHER ORDERS SAUNDRA VOITS TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 249999 IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**MCDOLE, TIMOTHY, E., P.N. 110908 (CASE #05-1051)**

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, IN THE MATTER OF TIMOTHY MCDOLE, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MR. MCDOLE IN THE NOTICE OF OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MR. MCDOLE 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 TIMOTHY MCDOLE'S LICENSE TO PRACTICE NURSING AS A LICENSED PRACTICAL NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS TIMOTHY MCDOLE TO SURRENDER HIS LICENSED PRACTICAL NURSE LICENSE #P.N. 110908 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**ADAMS, TAMMY, R., R.N. 298427 (CASE #05-2762)**

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, IN THE MATTER OF TAMMY ADAMS, THAT UPON CONSIDERATION OF THE CHARGES STATED AGAINST MS. ADAMS IN THE NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING AND EVIDENCE SUPPORTING THE CHARGES THE BOARD FINDS THAT MS. ADAMS 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 TAMMY ADAMS' LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY PERMANENTLY REVOKED.

THE BOARD FURTHER ORDERS TAMMY ADAMS TO SURRENDER HER REGISTERED NURSE LICENSE #R.N. 298427 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**TAKACH, STEPHEN, R.N. 228921 (CASE #06-0898)**

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

THE BOARD FURTHER ORDERS STEPHEN TAKACH TO SURRENDER HIS REGISTERED NURSE LICENSE #R.N. 228921 AND FRAMEABLE WALL CERTIFICATE IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. CYNTHIA KRUEGER ABSTAINED.

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

#### **VOLUNTARY RETIREMENT**

IT WAS MOVED BY ELIZABETH BUSCHMANN, SECONDED BY KATHLEEN DRISCOLL, THAT THE BOARD ACCEPT THE PERMANENT VOLUNTARY RETIREMENT FROM THE PRACTICE OF NURSING FOR THE FOLLOWING: SMITH, MATTIE, Z., P.N. 015588 (CASE #06-2971); FLOYD, LINDA, S., P.N. 106519 (CASE #04-1634) AND EASLEY, NAOMI, R., R.N. 129316 (CASE #07-0344). MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

#### **DEFAULT ORDERS**

##### **BURMASTER, CYNTHIA, L., R.N. 287946 (CASE #03-1097)**

IT WAS MOVED BY TERESA WILLIAMS, SECONDED BY J. JANE MCFEE, IN THE MATTER OF CYNTHIA BURMASTER, AND IN ACCORDANCE WITH SECTION 4723.28(G) ORC, THE BOARD FINDS THAT MS. BURMASTER HAS FAILED TO SUBMIT TO AN EXAMINATION WHEN DIRECTED, AND THAT THE FAILURE WAS NOT DUE TO CIRCUMSTANCES BEYOND HER CONTROL AND IN ACCORDANCE WITH SECTION 4723.28(B)(16) AND SECTION 4723.28(G) ORC, THE OHIO BOARD OF NURSING FINDS THAT MS. BURMASTER HAS ADMITTED THE TRUTH OF THE ALLEGATIONS SET FORTH IN THE DECEMBER 1, 2006, LETTER TO MS. BURMASTER AND ORDERS THAT MS. BURMASTER'S LICENSE TO PRACTICE NURSING AS A REGISTERED NURSE IN THE STATE OF OHIO IS HEREBY SUSPENDED FOR AN INDEFINITE PERIOD OF TIME WITH THE CONDITIONS FOR REINSTATEMENT SET FORTH BELOW AND THAT THE BOARD ISSUE A NOTICE OF OPPORTUNITY FOR HEARING TO MS. BURMASTER.

##### **CONDITIONS FOR REINSTATEMENT**

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

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

MS. BURMASTER SHALL ENTER INTO A CONSENT AGREEMENT WITH THE BOARD FOR PROBATIONARY TERMS, CONDITIONS, AND LIMITATIONS DETERMINED BY THE BOARD FOR A MINIMUM PERIOD OF TIME DETERMINED BY THE BOARD. IF THE BOARD AND MS. BURMASTER ARE UNABLE TO AGREE TO TERMS, CONDITIONS, AND LIMITATIONS IN A CONSENT AGREEMENT, THE TERMS, CONDITIONS, AND LIMITATIONS SHALL BE DETERMINED AFTER A HEARING IS HELD.

MS. BURMASTER SHALL, AT HER OWN EXPENSE, SEEK A PSYCHIATRIC EVALUATION WITH HOWARD SOKOLOV, MD, OR ANOTHER PSYCHIATRIST OR EVALUATOR APPROVED IN ADVANCE BY THE BOARD AND SHALL PROVIDE THE BOARD WITH COMPLETE DOCUMENTATION OF SUCH EVALUATION. PRIOR TO THE EVALUATION, MS. BURMASTER SHALL PROVIDE THE EVALUATOR WITH A COPY OF THE BOARD ORDER AND ALL PUBLIC DOCUMENTS CONCERNING MS. BURMASTER, 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, AND ANY RESTRICTIONS THAT SHOULD BE PLACED ON MS. BURMASTER'S PRACTICE. THE EVALUATOR SHALL SUBMIT A STATEMENT TO THE BOARD THAT MS. BURMASTER IS CAPABLE OF PRACTICING NURSING ACCORDING TO ACCEPTABLE AND PREVAILING STANDARDS OF SAFE NURSING CARE.

**REPORTING REQUIREMENTS OF MS. BURMASTER**

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

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

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

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

MS. BURMASTER SHALL SUBMIT THE REPORTS AND DOCUMENTATION REQUIRED BY THIS ORDER TO THE ATTENTION OF THE MONITORING UNIT, OHIO BOARD OF NURSING, 17 SOUTH HIGH STREET, SUITE 400, COLUMBUS, OH 43215-7410.

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

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

**NURSE REFRESHER COURSE**

MS. BURMASTER SHALL COMPLETE A NURSING REFRESHER COURSE APPROVED IN ADVANCE BY THE BOARD.

MS. BURMASTER SHALL SURRENDER TO THE BOARD HER OHIO REGISTERED NURSE LICENSE RN 287946, IMMEDIATELY.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY UPON THE DATE OF MAILING INDICATED ON THE CERTIFICATE OF SERVICE AND IS HEREBY ENTERED UPON THE JOURNAL OF THE BOARD FOR THE 16<sup>TH</sup> DAY OF MARCH 2007. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT.

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

**MONITORING**

**LIFTS OF SUSPENSION/PROBATIONS**

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY ANNE BARNETT, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, WITH THE RECOMMENDATION BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS, BE RELEASED FROM THEIR CONSENT AGREEMENTS: GRIESHOP, SHARON, L., R.N. 323041 (CASE #05-2994); HARKLESS, TINA, M., R.N. 296895 (CASE #05-2345); BLACK, CYNTHIA, I., P.N. 121100 (CASE #05-2522); RICHARDSON, ANNE, R.N. 238311 (CASE #03-1492); BROOKS, AMY, E., P.N. 120256 (CASE #05-1775); COLE, JAZMA, T., P.N. 121099 (CASE #05-2096); JONES, NICOLE, M., R.N. 308651 (CASE #05-0828); FRANKL, NEIL, R.N. 207515 (CASE #05-2882); MIRAGLIA, MARIA, C., R.N. 286057 (CASE #04-2492B); LOCKE, VICTORIA, P.N. 120260 (CASE #05-1718) AND ANDERSON, TAMICHA, L., P.N. 121146 (CASE #05-2338). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

IT WAS MOVED BY J. JANE MCFEE, SECONDED BY JANET L. BOECKMAN, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, BE RELEASED EARLY FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS. THESE RELEASES HAVE BEEN RECOMMENDED BY DEBRA BROADNAX SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: HAMILTON, CHARLOTTE, M., R.N. 244119 (CASE #02-1310) (EXCEPT FOR PERMANENT RESTRICTIONS THAT WILL REMAIN IN EFFECT), FISHER, PATRICIA, A., P.N. 116159 (CASE #05-2505) AND CARL, KRISTA, L., P.N. 090057 (CASE #04-2542). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

IT WAS MOVED BY ANNE BARNETT, SECONDED BY PATRICIA BURNS, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS, WITH THE EXCEPTION OF THE PERMANENT PRACTICE RESTRICTION(S) THAT WILL REMAIN IN EFFECT. THESE RELEASES HAVE BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: SANFORD, LINDA, A., P.N. 121105 (CASE #05-3369), CROOM, DONNA, L., R.N. 317639 (CASE #04-0903) AND CRAWFORD, TWILA, M., R.N. 227439 (CASE #03-1583). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

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

IT WAS MOVED BY ANNE BARNETT, SECONDED BY PATRICIA BURNS, THAT THE FOLLOWING, HAVING MET THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS WITH THE BOARD, BE RELEASED FROM THE TERMS AND CONDITIONS OF THEIR CONSENT AGREEMENTS, WITH THE EXCEPTION OF THE PERMANENT LICENSURE RESTRICTION(S) THAT WILL REMAIN IN EFFECT. THESE RELEASES HAVE BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: ROBERTS, SHERRI, L., R.N. 243533 (CASE #03-1199) AND WOOTEN, KIMBERLY, A., R.N. 310922 (CASE #04-0051). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

**LIFT OF NARCOTIC RESTRICTIONS**

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE FOLLOWING BE RELEASED FROM THEIR NARCOTIC RESTRICTIONS WITHIN THEIR RESPECTIVE CONSENT AGREEMENTS. THESE RELEASES HAVE BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: GIMLICH, DONNA, L., R.N. 266282 (CASE #03-2229); BEDNARIK, LISA, D., R.N. 328994 (CASE #06-1419); PHELAN, EDWARD, W., P.N. 117733 (CASE #04-1538); GANNON, KATHRYN, L., R.N. 260452 (CASE #05-0184); MCKILLIPS, DENA, E., R.N. 254455 (CASE #05-1971); POST, ALLISON, M., R.N. 329821 (CASE #06-2368); FOX, KAREN, S., R.N. 143454 (CASE #05-2424) AND RUOFF, NICOLE, A., P.N. 109440 (CASE #06-0040). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED ON ALL CASES.

**LIFT OF NARCOTIC RESTRICTIONS - EARLY RELEASE**

IT WAS MOVED BY PATRICIA BURNS, SECONDED BY LISA KLENKE, THAT THE FOLLOWING BE RELEASED EARLY FROM HER NARCOTIC RESTRICTION WITHIN HER RESPECTIVE CONSENT AGREEMENT. THIS RELEASE HAS BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: HALL, SHELLI, R.N. 240765 (CASE #05-1771). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

**LIFT OF PRACTICE RESTRICTION**

IT WAS MOVED BY JANET L. BOECKMAN, SECONDED BY J. JANE MCFEE, THAT THE FOLLOWING HAVING MET THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT WITH THE BOARD BE RELEASED FROM HIS PRACTICE RESTRICTION WITHIN HIS RESPECTIVE CONSENT AGREEMENT. THIS RELEASE HAS BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: SMITH, GREGORY, T., R.N. 233941 (CASE #04-2691). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

**LIFT OF SUSPENSION – ONLY PERMANENT WORK & NARCOTIC RESTRICTIONS REMAIN**

IT WAS MOVED BY KATHLEEN DRISCOLL, SECONDED BY ELIZABETH BUSCHMANN, THAT THE FOLLOWING HAVING MET THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT WITH THE BOARD BE RELEASED FROM THE TERMS AND CONDITIONS OF THE CONSENT AGREEMENT, WITH THE EXCEPTION OF THE PERMANENT PRACTICE AND NARCOTIC RESTRICTION(S) THAT WILL REMAIN IN EFFECT. THIS RELEASE HAS BEEN RECOMMENDED BY DEBRA BROADNAX, SUPERVISING MEMBER FOR DISCIPLINARY MATTERS: SCHMITZ, DEBBIE, K., R.N. 221692 (CASE #05-

3583). MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. KATHLEEN O'DELL WAS ABSENT. DEBRA BROADNAX ABSTAINED.

## **Other**

### **Alternative Program**

H. Fischer reported that staff requested the AAG review the statutory and rule language regarding confidentiality provisions of the Alternative Program (AP). The AAG determined that while the AP information is not a public record and not subject to public disclosure, the AP is a program of the Board, not separate or apart, so AP information could be shared within the Board and Board staff. This means Board staff can establish more streamlined processes to handle discipline and AP cases and a more collaborative approach with the investigators. AP cases will continue to be reviewed with the Board Supervising Member. B. Houchen stated that the two AP monitoring agents would become part of the Compliance Unit. The staff is positive about these changes believing it will result in better coordination of cases. The Board members asked questions for clarification and agreed with the changes.

### **Consent Agreements**

The Consent Agreements discussion was tabled for a later meeting.

## **REPORTS TO THE BOARD**

### **Board Committee Reports**

#### **Ohio Center for Nursing**

The Board Committee on the Ohio Center for Nursing met on Friday, January 19, 2007 and on Friday, March 16, 2007. E. Buschmann, Chair of the Committee, distributed the meeting minutes from the January 19, 2007 meeting and reported that another teleconference with the network group was held. The Committee discussed that the Board could use monies from the Special Issues fund to join the National Forum. During the meeting the group reviewed questions for the workforce survey and J. Mahowald provided a survey used by Michigan. Board staff investigated the use of Survey Monkey™ to conduct the survey. The Board staff will further review the costs and options for discussion at the next meeting. The group also discussed the web site. B. Houchen provided a proposed menu of items for the site and E. Mays explained the mechanics of establishing the web site and stated he will provide in-house maintenance for the site. The Board members agreed by general consent for the Board to maintain the web site for the Ohio Center for Nursing. This committee will meet again at noon on Friday, May 18, 2007. E. Buschmann thanked B. Houchen and J. Mahowald for their work.

#### **Board Committee - Practice**

The Board Committee on Practice met on Thursday, March 15, 2007. L. Klenke, Chair of the Committee, reported that the group discussed an Interpretative Guideline (IG) for the RN providing moderate sedation. During the meeting they primarily addressed two issues: 1) whether deep sedation should be part of the

discussion for this IG, and 2) should a physician be present and how should this be addressed in an IG. The intent is to address moderate sedation, not deep sedation, in an IG. However, when providing moderate sedation, there is a possibility that a patient may go into deep sedation and the nurse would be expected to respond appropriately and provide safe care. The group did not discuss specific drugs, but may discuss them later. There were differing opinions about a physician being present in certain settings, and with certain medication use, etc. It was also stressed that the nurse monitoring the patient should not be involved with any other activity because of the need to carefully monitor the patient's status. It was also recommended that emerging technology be considered as an element to delivering safe care. Some participants stated, in their opinion, moderate sedation may be outside the RN scope of practice. Nevertheless, the group noted that currently RNs are involved in the provision of moderate sedation and an IG needs to provide appropriate guidance for safe patient care.

L. Klenke stated there was a good discussion and that the current process is working well. The next step is to redraft the IG based on input and additional information. T. Williams commented that she appreciated the materials provided in the packet and that it was provided to all Board members. This committee will meet again at noon on Thursday, May 17, 2007.

#### **Board Committee on Retreat Planning**

T. Williams, Chair of the Committee, reported that the Board Committee on the Board Retreat was held on Friday, March 16, 2007 at 8:00 a.m. The Retreat will be held at the Drury Hotel, Dublin on April 16-17, 2007 from 9:00 a.m. – 4:00 p.m. both days. The agenda and packet items will be mailed about a week before the Retreat. Some of the items to be discussed are the Board governance survey, rule review, NCLEX testing, compliance, education, strategic plan, dialysis and IV therapy; NEALP; and ethics. In addition, L. Klenke asked if information could be pulled on the Institute of Medicine study regarding recommendations for patient safety and the role of regulatory agencies. An updated organizational chart was requested. T. Williams informed Board members that information was obtained from the hotel that there would be a charge this year for the meeting room. Although there was no charge last year, the hotel revised its policy so that a group must reserve 20 rooms to not incur a charge for meeting space. S. Thacker is contacting the hotel to discuss the charge. T. Williams distributed the directions to the hotel.

#### **Advisory Group Reports**

##### Nursing Education

K. Driscoll, Chair of the Committee, highlighted the topics discussed in the Nursing Education Advisory Group meeting held in February 2007. At the meeting, S. Thacker provided an overview of the NEGP. L. Emrich reviewed the education rules that became effective February 1, 2007. A question arose about the one to ten ratio requirements in OAC Rules 4723-5-09 and 4723-5-20. After the meeting it

was clarified that the one to ten ratio applied to a faculty member or teaching assistant supervising students who were providing direct patient care but the ratio did not include students who were in an observational experience or being precepted by others.

Board staff clarified that if the Board delayed a survey visit to an education program, the five-year approval status of the program would begin from the date of the re-approval by the Board.

K. Driscoll stated she had questions about how many teaching assistants could be reasonably evaluated at one time and this would be discussed at the next meeting of the Advisory Group.

#### Dialysis

D. Broadnax stated that the topics discussed in the Dialysis Advisory Group meeting held in March 2007 had already been discussed. She recommended that staff members visit a dialysis unit to see the environment and see how an outpatient dialysis setting works.

#### **Open Forum – 10:00 a.m. Friday, March 16, 2007**

No one addressed the Board during Open Forum.

#### **Other Reports**

##### **Medication Aide Pilot Program Report**

The Board received the Medication Aide Report and cover letter. A. Barnett commended staff for a well-written report.

##### **Physicians Supply and Demand Consultation Group**

C. Krueger represents the Board on the Physicians Supply and Demand Consultation Group, convened by the Ohio Board of Regents, and attended a February 5, 2007 meeting. The group plans to send a survey to physicians to gather workforce data. Another meeting has not been scheduled.

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

President Krueger reviewed the items received by the Board: OBN letters to NCSBN; Board Policy on Advisory Groups and Board Committees; Nursing Programs in Columbus (article); Healing Hands Aim to Expand Their Reach (article); Response to Inquiry about Multi-State Licensure; NCSBN 2007 Nominations; NCSBN Response-Strategic Planning; Letter to Wynne Simpkins, LPNAO; NCSBN Bylaws-Proposed Revisions; NCLEX Scores for 2006; and Ohio Patient Safety Institute letters.

J. Brachman restated her ongoing concern regarding the lack of response from NCSBN regarding Ohio's recommendation of instituting a group for consumer Board members. C. Krueger responded that the Board would continue to address her concerns with NCSBN.

J. McFee questioned whether the Ohio Patient Safety Institute recommended changes in wristband colors would be effective as it would change the standard colors used in their area of the state. L. Klenke responded that the recommended change should create standardization statewide because currently various regions of the state use different color systems. Jan Lanier, ONA, reported that the wristbands are being reviewed also for the do-not-resuscitate (DNR) rules. The Ohio Department of Health is proposing revisions to the DNR rules and there is also discussion about making changes to the living will in Ohio. She encouraged nurses to attend the meetings being held.

D. Broadnax asked about the Board Policy on Advisory Groups. She recommended that the phrase “meets one to two times yearly, as needed “ should read “meets one to two times yearly, and as needed.” B. Houchen responded that the wording would be corrected.

### **NCLEX Pass Rates**

L. Emrich reviewed the 2006 NCLEX scores for education programs. The College of Mt. St. Joseph was listed as not meeting the required pass rate, but Mt. St. Joseph informed the Board that Pearson Vue, the testing company for NCSBN, confirmed there was one student who was erroneously placed in the first-time test taker category. Pearson Vue corrected the error and Mt. St Joseph meets the required pass rate.

C. Krueger stated that NCSBN raised the passing score for the NCLEX, effective April 1, 2007, and it is anticipated that this will impact the pass rates of nursing education programs.

## **BOARD GOVERNANCE**

### **Schedule Board Meetings for 2009**

The Board members agreed by general consent to schedule Board meetings for 2009 as follows: January 15-16; March 19-20; May 14-15; July 16-17; September 24-25 and November 18-19-20. T. Williams requested that the Retreat be scheduled in advance as Board meetings are scheduled. It was agreed to do so during the May meeting.

### **Board Governance Surveys**

The Board received a summary of the Board governance surveys in their packets. The results will be discussed at the Retreat.

### **Hospitality Chair Report**

K. O'Dell reported that the Hospitality fund balance is \$329.76. A five-dollar contribution from Board members per meeting would be adequate. She explained the fund is comprised solely of Board member contributions and is used to recognize “retiring” Board members with dinner and a gift and other items for Board members.

### **Collect FDS Forms**

President Krueger reminded Board members to submit their Financial Disclosure Statements (FDS) to Board staff during this meeting and that Board staff will file the forms prior to the filing deadline of April 15.

### **OBM Memorandum**

The Board received a memo that the Office of Budget and Management (OBM) implemented a temporary freeze on certain meal-related expenditures for all state agencies. The Board incurs only minor expenses under this temporary freeze and the freeze does not apply to the meal expenses that Board members submit on their travel expense reports. H. Fisher reviewed the OBM memo and answered questions. The Board discussed how the directive would impact the Board Retreat.

### **Evaluation Of Meeting/Recommendations For Next Meeting**

D. Broadnax requested to resign her position on the Committee on Prescriptive Governance in order that E. Yoon could replace her. Following discussion;

IT WAS MOVED BY LISA KLENKE, SECONDED BY ELIZABETH BUSCHMANN, THAT DEBRA BROADNAX, AT HER REQUEST, BE REPLACED BY ERIC YOON AS BOARD REPRESENTATIVE TO THE COMMITTEE ON PRESCRIPTIVE GOVERNANCE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

J. Boeckman commented that she appreciates the "Quick Facts" paper, which she finds it to be very helpful and useful for when providing information to senior students.

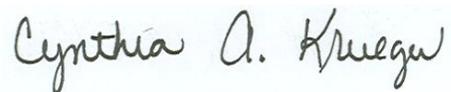
For the May meeting, the Board agreed by general consent to begin the meeting each day at 8:30 a.m. and to hold the Executive Session at 3:00 p.m. on Thursday. The Board will evaluate the time changes at the May meeting.

L. Klenke asked that during the Retreat the Board discuss a process for Board member Chairs of Advisory Groups to work with staff in preparing for Advisory Group meetings. Staff agreed this would be beneficial.

## ADJOURNMENT

The meeting was adjourned at 1:35 p.m. on March 16, 2007.

Cynthia Krueger, RN, MSN  
President

Handwritten signature of Cynthia A. Krueger in cursive script.

Attest:

Betsy Houchen, RN, MS, JD  
Secretary

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Handwritten signature of Betsy J. Houchen in cursive script.