



## OHIO BOARD OF NURSING

### MINUTES OF MEETING

#### REGULAR MEETING OF THE BOARD NOVEMBER 15-16, 2017

The regular meeting of the Ohio Board of Nursing (Board) was held on November 15-16, 2017 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 Wednesday, November 15, 2017 at 8:30 a.m., President Patricia Sharpnack called the Board meeting to order, welcomed students and guests, and requested that Board Members introduce themselves. On Thursday, November 16, 2017 at 10:30 a.m., President Patricia Sharpnack called the Board meeting to order. Vice-President J. Jane McFee read the Board mission each day.

Patricia Sharpnack, RN, President  
J. Jane McFee, LPN, Vice-President  
Sandra Ranck, RN, Supervising Member for Disciplinary Matters  
Janet Arwood, LPN  
Brenda Boggs, LPN  
Matthew Carle, Consumer Member  
Barbara Douglas, RN, APRN-CRNA  
Nancy Fellows, RN (Absent Wednesday and Thursday)  
Erin Keels, RN, APRN-CNP  
Lisa Klenke, RN  
Lauralee Krabill, RN  
Maryam Lyon, RN  
Joanna Ridgeway, LPN

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

#### **ADMINISTRATIVE MATTERS**

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

On Wednesday, November 15, 2017, the Board Committee on Advisory Group Appointments met at 12:00 p.m.; the Rules Hearing was held at 1:00 p.m.; and at 1:58 p.m., the following addressed the Board: Attorney James McGovern, Kathy Days, RN, and AAG James Wakley; Attorney James McGovern, Terra Beachy, RN, and AAG James Wakley; and Attorney Todd Collis, Yvonne Smith, RN NCLEX Applicant, LPN, and AAG James Wakley. On Thursday, November 16, 2017, Open Forum was held at 10:30 a.m., and Executive Session was at 10:33 a.m.

### **Approval of Minutes of the September 2017 Meeting**

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that the Board approve the minutes from the September 2017 Board meeting, as submitted. Motion adopted by a majority vote of the Board members present with Lisa Klenke and Maryam Lyon abstaining.

### **Executive Director Report**

Betsy Houchen highlighted the following from the Executive Director Report:

- The Board thanked staff for their generosity in contributing \$8,104 for the 2017 Combined Charitable Campaign.
- The Board congratulated Lisa Hashemian, Board Education Surveyor, who was accepted to participate in the NCSBN Institute of Regulatory Excellence (IRE) Fellowship Program. Kristie Oles, Board Education Surveyor, completed her third year in the Program, and Lisa Emrich completed the Fellowship in 2016. President Patricia Sharpnack is currently a member of the IRE Committee.
- L. Emrich and Tom Dilling participated in the CMS Regional Collaborative on the Opioid Crisis and Chronic Pain Management on November 2, 2017.
- The State of Ohio Board of Pharmacy announced an upgrade to OARRS, effective on November 20, 2017, that will offer new features such as scores that calculate a patient's possible risk of overdose and addiction, red flags to alert prescribers of a potential patient safety issues, interactive visualization of prescription data, a messaging option to communicate with other health care providers, and the ability to search for local addiction treatment providers.
- The RN renewal and peak licensure season proceeded smoothly with no major disruptions. At the end of renewal, 95% had renewed (over 202,000), over 4,000 placed their license on inactive status, and 11,000 licenses lapsed. The Compliance Unit processed over 3,000 applications. APRN renewal ends December 31, 2017. As of November 3, 2017, approximately 73% of the APRNs had renewed. The Board staff continue to send licensees targeted email alerts and reminders.
- Board President Sharpnack and Director Houchen presented at the ONA Pre-Convention Conference on October 6, 2017, and provided a general Board update. They received positive comments concerning renewal from conference attendees.
- Director Houchen reported that the State Enterprise is proposing the Ohio eLicense system become part of the State's Ohio Digital Experience (ODX) to establish uniform branding and a uniform access point for all

government portals. The Ohio Department of Administrative Services believes ODX could increase security through a Single Sign On process. If the State incorporates Ohio eLicense into ODX, Board licensees would likely be required to register again for the Ohio eLicense system. It was noted that registration has been a major issue for licensees over the past two years, and the Board members stated they are hopeful that licensee registration issues do not re-occur.

- The Board hosted about 100 participants for the NCLEX Regional Workshop, presented by NCSBN on November 1, 2017. Dr. Phillip Dickison, NCSBN Chief Officer for Operations and Examinations, presented on the Next Generation NCLEX (NGN). President Sharpnack reported many attendees commented the Workshop was helpful and especially informative about NGN. Board members agreed to host the Workshop every year as NCSBN implements the NGN.

### **Fiscal Report**

Kathy King, Fiscal Officer, presented the fiscal report for first quarter of fiscal year 2018 and highlighted certain accounts.

### **Legislative Report**

Tom Dilling presented the Legislative Report and summarized the status of the legislation highlighted in the written report. He reported that the Board worked with Senator Burke for an amendment to HB 191 that revises certain language so it is consistent with the APRN Consensus Model, and clarifies that APRNs with prescriptive authority who apply for reciprocity in Ohio are not required to complete the advanced pharmacology education.

## **NEW BUSINESS**

### **Administrative Rule Review**

On Wednesday, November 15, 2017, the Board conducted a Public Rules Hearing. The Board heard testimony from Christine Williams, APRN-CNP; Mary Jane Maloney, APRN-CNP, representing OAAPN; Karin Grant, APRN-CNP, practicing acute care at OhioHealth; and Tiffany Bukoffsky, representing the Ohio Nurses Association. President Sharpnack thanked those providing testimony, and stated the Board would consider the testimony during the Board meeting on Thursday. The Public Rules Hearing concluded at 1:50 p.m. On Thursday, November 16, 2017, the Board discussed the proposed rules and the testimony.

### Rule 4723-9-10, OAC

Holly Fischer provided background information regarding Rule 4723-9-10, OAC. Following August 31, 2017, the effective date of Rule 4723-9-10, the Board received numerous calls/emails from prescribing APRNs to request that they have the same authority to exceed the 30 MED per day average as physician assistants (PAs). Upon learning the exception for various physicians was being applied to the PAs by the Medical Board, the Board sought to revise the Nursing

Board rule so the exception to exceed the 30 MED per day average would apply to APRNs.

H. Fischer explained the Medical Board Rule 4731-11-13, OAC, prohibits any physician from exceeding the average except if the physician is the “treating physician” and if the treating physician determines that certain circumstances exist, “The patient suffers from medical conditions, surgical outcomes or injuries of such severity that pain cannot be managed within the thirty MED average limit . . .”. The rule states that the treating physician must make this decision, and “shall be held singularly accountable for prescriptions that exceed the 30 MED average.” The Medical Board released FAQs, which are posted online, indicating the “prescribing” physician is the “treating” physician.

Because APRN prescriptive authority cannot exceed that of the APRN’s collaborating physician (Section 4723.481(B), ORC), unless the APRN collaborates *with* the “treating physician”, who in turn is bound by Rule 4731-11-13, the APRN cannot legally prescribe in excess of the 30 MED average. In other words, if the APRN collaborates with a non-treating physician, that physician is legally prohibited from exceeding the 30 MED average, as is the APRN.

The Board filed a proposed revision to Rule 4723-9-10 after the September Board meeting when the Board agreed to provide the exemption to prescribing APRNs. The Governor’s Office, Medical, Pharmacy, and Dental Boards, and Office of Common Sense Initiative (CSI) reviewed the revision, as legally consistent with Medical Board Rule 4731-11-13.

On October 2, 2017, the Advisory Committee on Advanced Practice Registered Nursing (APRN Advisory Committee) recommended the Board proceed to adopt the rule exemption for APRNs with a change to the proposed language. H. Fischer stated she believes the language proposed by the APRN Advisory Committee is also legally consistent with Medical Board Rule 4731-11-13. The Nursing Board rule requires the standard care arrangement indicate compliance with the Medical Board and to set forth an understanding between the treating physician and the prescribing APRN.

H. Fischer presented several options regarding Rule 4723-9-10: (1) make no changes to the proposed rule language as previously filed; (2) revise the language according to the APRN Advisory Committee recommendation; (3) remove all the new exemption language in the proposed rule and not provide APRNs the ability to prescribe according to the exemption, and continue discussions with stakeholders.

The Board discussed the testimony from OAAPN, ONA, and Christine Williams asking the Board to remove all the proposed language that would authorize prescribing APRNs to exceed the 30 MED average, and the testimony from Karin Grant, who requested that the Board keep the exemption language and authorize

APRNs to exceed the 30 MED average. There was no testimony from OAAPN identifying a conflict with the rule language and Medical Board Rule 4731-11-13.

Erin Keels stated that she recognized the APRNs' concerns with certain aspects of the rule language and the APRN Advisory Committee discussed these concerns at length during the October 2, 2017 meeting. After the discussion, the APRN Advisory Committee voted, and by a six to two vote, recommended the Board revise the language and proceed to provide the exemption to authorize prescribing APRNs to exceed the 30 MED average. She stated the recommendation was made so APRNs could provide needed patient care, and while the language may not be perfect, the APRN Advisory Committee believed the exception is needed for APRNs, and E. Keels stated she agreed. She stated the APRN Advisory Committee recognized that the goal of the Governor's Task Force is to address the opiate epidemic. Sandy Ranck stated she agrees with E. Keels and believes that if the rule does not allow the exemption, patient care will be negatively impacted.

Lisa Klenke agreed that the Board should provide the exemption for prescribing APRNs and proceed by revising the language according to the APRN Advisory Committee recommendation. She stated HB 216 created the APRN Advisory Committee as a means to weigh issues and information and make recommendations to the Board. She attended the October 2, 2017 meeting and stated that the APRN Advisory Committee discussed both sides of the issue and made their recommendation to the Board. She stated that the role of the APRN Advisory Committee is to guide the Board, as other Advisory Groups do, and the APRN Advisory Committee recommended that the Board proceed with the exemption.

President Sharpnack agreed stating that she also attended the APRN Advisory Committee in October and believes the recommendation was made based on APRNs having the ability to provide needed patient care. President Sharpnack stated she believes the APRN Advisory Committee is representative of APRNs statewide. During the testimony, President Sharpnack noted that during the Rules Hearing she asked OAAPN to clarify their position in light of the APRN Advisory Committee recommendation and Ms. Maloney stated that OAAPN is not in agreement with the APRN Advisory Committee recommendation. Matthew Carle noted that during the testimony OAAPN stated they represent nearly 2,900 of the approximately 17,000 APRNs in Ohio and he believes the exemption would benefit patient care being provided by prescribing APRNs in the state.

L. Klenke stated that while some who testified indicated they believe the exception may not work in all settings, the APRN from the acute care institutional setting encouraged the Board to adopt the exception because under the current rule without the 30 MED average exception, she testified there are delays in patient care and operational difficulties in providing care.

Janet Arwood stated she was not reading beyond the actual language of the rule, which she believes some APRNs are doing because they state that “supervision” or “delegation” will be required. It was clarified during the hearing that these terms are not in the rule language, and neither supervision nor delegation is required or needed because there is a collaborative agreement for APRNs.

Board members unanimously agreed by general consensus, each individually responding “yes,” to revise the language as the APRN Advisory Committee recommended and re-file Rule 4723-9-10 so that the 30 MED average exception will apply to prescribing APRNs. H. Fischer stated she would re-file the rule and the JCARR hearing is scheduled for December 11, 2017.

#### Rule 4723-9-03, OAC

H. Fischer discussed a comment received on November 14, 2017 from an attorney on behalf of OSANA for Rule 4723-9-03 that relates to Section 4723.482, ORC. This section of the code refers to certified nurse practitioners (CNPs), clinical nurse specialists (CNSs), or certified nurse-midwife (CNMs) who apply for an APRN license, regarding the requirement they obtain a 45-hour course in advanced pharmacology. Because the rule refers to an APRN applicant, the commenter recommended it be changed. The Board agreed by general consensus to replace “APRN” with “CNS, CNP, and CNM” in the rule.

### **EXECUTIVE SESSION**

On Thursday, November 16, 2017:

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack that that the Board go into executive session to discuss pending or imminent court action with legal counsel, and to discuss the employment, dismissal, discipline, promotion, demotion or compensation of a public employee. A roll call vote was taken and the Board unanimously voted to go into Executive Session, with the following members present and voting: J. McFee, L. Krabill, B. Boggs, S. Ranck, E. Keels, J. Arwood, J. Ridgeway, M. Lyon, B. Douglas, L. Klenke, M. Carle, P. Sharpnack. The Board entered Executive Session at 10:34 a.m. and reported out of Executive Session at 11:17 a.m.

### **APPROVALS**

#### **New Nursing Education Programs**

##### The Ohio Technical Center School of Practical Nursing

**Action:** It was moved by J. Jane McFee, seconded by Sandra Ranck, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to The Ohio Technical Center School of Practical Nursing. It was further moved that the Program submit progress reports to the Board on or before April 10, 2018; July 10, 2018; and October 10, 2018. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Columbiana County Career & Technical Center LPN-RN Diploma Nursing Program

**Action:** It was moved by Brenda Boggs, seconded by Janet Arwood, that the Board grant Conditional approval, in accordance with Rule 4723-5-08, OAC, to Columbiana County Career & Technical Center LPN-RN Diploma Nursing Program. It was further moved that the Program submit progress reports to the Board on or before April 5, 2018, August 6, 2018, and December 6, 2018. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

**Nursing Education Programs – Approval Status**

Good Samaritan College of Nursing and Health Science

**Action:** It was moved by Sandra Ranck, seconded by Matthew Carle, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Good Samaritan College of Nursing and Health Science for a period of five years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Hondros College of Nursing Practical Nursing Diploma

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Hondros College of Nursing Practical Nursing Diploma for a period of five years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill, Maryam Lyon and Patricia Sharpnack abstaining.

Lorain County Community College Associate Degree Nursing Program

**Action:** It was moved by Janet Arwood, seconded by Erin Keels, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Lorain County Community College Associate Degree Nursing Program for a period of five years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Practical Nursing-Fortis College, Westerville

**Action:** It was moved by Joanna Ridgeway, seconded by Maryam Lyon, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Practical Nursing-Fortis College, Westerville for a period of five years effective November 15, 2017. It was further moved that the Program submit a progress report to the Board on or before January 5, 2018. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Ross College-North Canton Practical Nursing Program

**Action:** It was moved by Maryam Lyon, seconded by Joanna Ridgeway, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Ross College-North Canton Practical Nursing Program for a period of five years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Associate Degree in Nursing-Fortis College, Westerville

**No Action:** Survey report provided for Board review. Provisional approval continues based on low NCLEX pass rates.

Beckfield College Associate Degree Nursing Program

**Action:** It was moved by Barbara Douglas, seconded by Lisa Klenke, that after consideration of the survey visit report and the Program's response to the report, the Board place Beckfield College Associate Degree Nursing Program on Provisional approval, effective November 15, 2017 to November 20, 2019, in accordance with Section 4723.06(A)(7), ORC, based upon the Program's failure to meet and maintain the minimum standards for education programs established in Rules 4723-5-05(B); 4723-5-15(A)(5) and (A)(9); 4723-5-17(B); 4723-5-19(A)(9); and 4723-5-21(E)(2), OAC. It was further moved that the Program submit progress reports to the Board on or before January 5, 2018; July 19, 2018; January 4, 2019; and June 14, 2019. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Firelands Regional Medical Center School of Nursing

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Firelands Regional Medical Center School of Nursing for a period of five years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Marion Technical College Nursing Program

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Marion Technical College Nursing Program for a period of three years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

Upper Valley Career Center Practical Nursing Program

**No Action:** Survey report provided for Board review. Program approval status will be considered at the January 2018 meeting pursuant to the 2017 Consent Agreement.

Antonelli College Practical Nursing Program

**Action:** It was moved by J. Jane McFee, and seconded by Sandra Ranck, that the Board grant Full approval, in accordance with Rule 4723-5-04, OAC, to Antonelli College Practical Nursing Program for a period of one year effective November 15, 2017. It was further moved that the Program submit progress reports to the Board on or before December 14, 2017; March 16, 2018; June 22, 2018; and August 16, 2018. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

### **Nurse Education Programs Program Request**

#### Mid-East Career and Technology Centers Diploma RN Program

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of the Mid-East Career and Technology Centers Diploma RN Program to January 8, 2018. It was further moved that the Program submit progress reports to the Board on or before March 15, 2018; August 15, 2018; and December 20, 2018. Motion adopted by a majority vote of the Board members present with Lauralee Krabill and Patricia Sharpnack abstaining.

### **Training Programs**

#### D & S Medication Aide Training Program

**Action:** It was moved by Sandra Ranck, seconded by Erin Keels, that the Board reapprove, in accordance with Rule 4723-27-07, OAC, D & S Medication Aide Training Program for a period of two years effective November 15, 2017. Motion adopted by unanimous vote of the Board members present.

#### FMCNA-East Division Education Dept.-Ironton

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, FMCNA-East Division Education Dept.-Ironton for a period of two years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Maryam Lyon abstaining.

#### Dialysis Clinic, Inc. Dialysis Tech Training Program

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, Dialysis Clinic Inc. Dialysis Tech Training Program for a period of two years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Maryam Lyon abstaining.

#### Fresenius Medical Care-Akron

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, Fresenius Medical Care-Akron for a period of two years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Maryam Lyon abstaining.

#### Fresenius Medical Care Columbus

**Action:** It was moved by Barbara Douglas, seconded by Matthew Carle, that the Board reapprove, in accordance with Rule 4723-23-07, OAC, Fresenius Medical Care Columbus for a period of two years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Maryam Lyon abstaining.

O'Neill Health Campus, North Ridgeville

**Action:** It was moved by Maryam Lyon, seconded by Lisa Klenke, that the Board reapprove, in accordance with Rule 4723-27-07, OAC, O'Neill Health Campus, North Ridgeville for a period of two years effective November 15, 2017. Motion adopted by unanimous vote of the Board members present.

The Ohio State University College of Nursing Community Health Worker Program

**Action:** It was moved by Lisa Klenke, seconded by Barbara Douglas, that the Board reapprove, in accordance with Rule 4723-26-14, OAC, The Ohio State University College of Nursing Community Health Worker Program for a period of two years effective November 15, 2017. Motion adopted by a majority vote of the Board members present with Joanna Ridgeway abstaining.

Bayley Medication Aide Training Program

**Action:** It was moved by Matthew Carle, seconded by J. Jane McFee, that the Board reapprove, in accordance with Rule 4723-27-07, OAC, Bayley Medication Aide Training Program for a period of two years effective November 15, 2017. Motion adopted by unanimous vote of the Board members present.

**National Certifying Organizations for APRNs**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board approve, for 2018, the following national certifying organizations for advanced practice registered nurses seeking a license to practice in Ohio, in accordance with Sections 4723.06(A) and 4723.46, ORC:

American Academy of Nurse Practitioners Certification Board  
American Association of Critical-Care Nurses Certification Corporation  
American Midwifery Certification Board  
American Nurses Credentialing Center  
Hospice and Palliative Credentialing Center  
National Board of Certification and Recertification for Nurse Anesthetists  
National Certification Corporation  
Oncology Nursing Certification Corporation  
Pediatric Nursing Certification Board

Motion adopted by a majority vote of the Board members present with Barbara Douglas and Erin Keels abstaining.

**National Testing Organizations for Dialysis Technicians**

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board approve, for 2018, the following national dialysis technician testing organizations in accordance with Section 4723.751, ORC, and Rule 4723-23-10 (A), OAC: Board of Nephrology Examiners Nursing and Technology (BONENT); and National Nephrology Certification Organization (NNCO). Motion adopted by a majority vote of the Board members present with Maryam Lyon abstaining.

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

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary permits, initially issued by the Board September 1, 2017 through October 31, 2017 to the following: registered nurses; licensed practical nurses; APRN-CRNAs; APRN-CNPs; APRN-CNSs; APRN-CNMs; Ohio certified dialysis technicians; dialysis technician interns; community health workers; and medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by a majority vote of the Board members present with Erin Keels abstaining.

### **ADJUDICATION AND COMPLIANCE**

On Thursday, November 16, 2017, J. Jane McFee requested that each voting Board member verify that they reviewed in depth all materials pertaining to these matters by saying “yes” or “no and that any Board member who did not review the materials abstain from voting on the matters.

### **Board Actions**

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

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

Garcia-Rios, Nadine, P.N. 098244 (CASE #17-4998); Dodge, Ashley, R.N. 371584 (CASE #17-4128); Flaherty, Tamara, P.N. 155406 (CASE #17-5092); Justice, Derek, R.N. 300970 (CASE #17-3501); Jones, TaSheena, P.N. 149705 (CASE #17-5220); Butterbaugh, Willa, P.N. 104819 (CASE #17-2445); Gray, Deborah, R.N. 293310 (CASE #17-3956); Sheppard, Vernia, R.N. 292322 (CASE #17-2368); Marlowe, Shauna, R.N. 411105, P.N. 148350 (CASE #16-1731); Howard, Toni, R.N. 418245 (CASE #17-4576); Seales, Annemarie, R.N. 291479 (CASE #17-2583); Lanham, Rachele, R.N. 305366 (CASE #17-4835); Barcellona, Carmela, P.N. 144047 (CASE #17-4532); Norris, Donald, P.N. 164562 (CASE #17-5047); Allen, Kimberly, P.N. 139267 (CASE #16-6627); Moline, Sara, R.N. 355719 (CASE #17-1324); Calhoun, Rebecca, P.N. 156076 (CASE #16-6340); Fitzpatrick, Misty, P.N. 155403 (CASE #17-3797); Dennison, Christina, P.N. 134261 (CASE #17-2169); Morehart, Ryan, R.N. 405257 (CASE #16-6640); Henry, Mark, P.N. 147147 (CASE #16-1523); Hull, Heather, R.N. endorse (CASE #17-2182); Barlas, Carolyn, P.N. 152313 (CASE #16-4000); Davis, Alisa, R.N. 279196 (CASE #17-0964); Gochenauer, Christina, R.N. 323846 (CASE #15-1613); Savon, Jacque, P.N. 157475 (CASE #16-8992); Trice, Lois, DTI applicant (CASE #17-4327); Massie, Leona, P.N. 126615 (CASE #17-0698); Petit, Sherry, R.N. 277389 (CASE #17-4552); Henningsen, Jennifer, P.N. 133688 (CASE #17-4501); White, Michael, R.N. 309838 (CASE #17-2974); Pierce, Ann, P.N. 111661 (CASE #17-3631); Love, Tonya, P.N. 105495 (CASE #16-4400); Peters, Teresa, R.N. 209611 (CASE #17-2810); Maitlen, Mindee, P.N. 123033 (CASE #15-7346); Coke, Amanda, P.N. NCLEX (CASE #17-6189);

Weston, Vera, P.N. 139782 (CASE #17-5957); Evans, Megan, R.N. 412204 (CASE #17-6456); Johnson, Sara, R.N. 387546 (CASE #17-5663); Mehlman, Andrea, R.N. 305991 (CASE #17-5258); Puthoff, Scott, P.N. 133807 (CASE #17-6017); Lyell, Christine, R.N. 369615 (CASE #17-5842); Salak, Diane, R.N. 176621 (CASE #16-6370).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

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

Vela, Lynn, P.N. 155849 (CASE #16-3548); Montero, Zachary, P.N. 161606 (CASE #17-4453); Semelsberger, Dawn, R.N. 260510 (CASE #16-7204); Wells, Emily, R.N. 347555 (CASE #17-1557); Stoy, Timothy, P.N. 149118 (CASE #17-5888); Middleton, Kerri, R.N. 281266, P.N. 095852 (CASE #17-6110); Christensen, Laura, R.N. 365749 (CASE #17-6120); Cole, Kimberly, P.N. 139165 (CASE #17-5284); Horn, Connie, P.N. 114508 (CASE #17-4531); Marcum, Leanna, P.N. 162721 (CASE #17-3000); Iudiciani, Stefanie, P.N. 150336 (CASE #16-7714); Saunders, Shelley, R.N. 406855, P.N. 111432 (CASE #17-5489); Kessel, James, P.N. 135241 (CASE #17-2901); Calloway, Amy, P.N. 103540 (CASE #17-5463); Muloin, Michael, P.N. 106857 (CASE #17-0950); Kavanagh, Stacey, P.N. 132249 (CASE #17-2162); Zarick, Jennifer, R.N. 409222 (CASE #17-1682); Tinney, Lacey, P.N. 160846 (CASE #17-6141); Guzman, Nicole, R.N. 313692 (CASE #17-3361); Siwik, Maria, R.N. 245951 (CASE #16-4859).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

**Action:** It was moved by Barbara Douglas, seconded by Maryam Lyon, that the Board issue a Notice of Automatic Suspension and Opportunity for Hearing for violations of Chapter 4723, ORC for the following case(s):

Henley, Lorca, R.N. 346172, P.N. 121635 (CASE #17-5678); Porter, Mara, R.N. 412935 (CASE #17-4451); Bolin, Charlie, R.N. 378829 (CASE #17-0852); Compston, Christina, P.N. 147432 (CASE #17-5450); Shackett, Evelyn, P.N. 160823 (CASE #17-5042); Bowling, Mary Beth, P.N. 107906 (CASE #17-4776); Flynn, Natalie, R.N. 266263, CNP 09772, CTP 09772 (CASE #17-4699); Holt, Stefanie, R.N. 407537 (CASE #17-5436); Rivera, Raynita, P.N. 154886 (CASE #17-5150); Nogueira, Rae, R.N. 304847 (CASE #17-5151); McClain, Cassandra, P.N. 149510 (CASE #17-5091); Inal, Jennifer, R.N. 337878 (CASE #17-5011); Latham, Lori, P.N. 163685 (CASE #17-5703); Book, Sheila, P.N. 110524 (CASE

#17-5925); Hermiller, Lisa, P.N. 143222 (CASE #17-5491); Adams, Lisa, P.N. 094210 (CASE #17-6432); Weisburn, Megan, R.N. 358345 (CASE #17-5949); Cupps, Rita, R.N. 233002 (CASE #17-6146); Townsend, Jamie, P.N. 111083 (CASE #17-6173).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that the Board issue a Notice of Automatic Suspension and Opportunity for Hearing for violations of Chapter 4723, ORC for the following case:

McDowell, Steven, P.N. 138909 (CASE #17-4730).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

#### **POST IMMEDIATE SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING**

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, that the Board issue a Post Immediate Suspension and Notice of Opportunity for Hearing for violations of Chapter 4723, ORC for the following case(s):

Wheeler, Tiffany, R.N. 404327 (CASE #17-0729); Kubicina, Kourtney, R.N. 424629 (CASE #17-5358); Goetz, Margaret, R.N. 159619 (CASE #16-6909); Hughey, Rebekah, P.N. 097798 (CASE #17-5510); Stawicki, Rachelle, R.N. 383762 (CASE #17-5433); Wireman, Danielle, R.N. 257798 (CASE #16-6810); Smith, Lori, R.N. 305805 (CASE #17-5755).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

#### **SURRENDERS/WITHDRAWALS**

##### **Permanent Voluntary Surrender**

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

McLain, Dena, P.N. 138126 (CASE #16-6497); Otto, John, P.N. 155662 (CASE #16-1316); Courtney, Ciara, P.N. 149611 (CASE #17-4738); Robertson, Rachel, R.N. 288030 (CASE #17-5593); Miracle, Bradley, P.N. 125898 (CASE #17-

5504); Myers, Jennifer, R.N. 381589 (CASE #17-3141); Lynn, Joseph, R.N. 363192 (CASE #17-6075).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

## **WITHDRAWALS**

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

**Action:** It was moved by Erin Keels, seconded by Barbara Douglas, that the Board accept the Voluntary Non-Permanent Withdrawal of Application for Licensure by Endorsement for the following case:

Hesser, Kacy, R.N. endorse (CASE #17-6151).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

## **CONSENT AGREEMENTS**

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

Orr, Laurie, R.N. 217322 (CASE #15-2311); Bosner, Kelsie, P.N. 159951 (CASE #16-5653); Stamper, Teresa, R.N. 383010 (CASE #17-0720); Osting, Amber, P.N. 124301 (CASE #16-7243); Klosterman, Angela, P.N. 155631 (CASE #16-5436); Schott, Christine, R.N. 216987 (CASE #16-0100); Owens, Tera, P.N. 158947 (CASE #16-3116); Schmania, Thomas, R.N. 409888, CRNA 17070 (CASE #16-1332); Maurath, Tracy, P.N. 146524 (CASE #16-4115); McAfee, Alfreda, R.N. 373605 (CASE #17-1975); Wolf, Patricia, R.N. 302489, CNP 07017, CTP 07017 (CASE #16-1727); Draudt, Steffi, P.N. 156401 (CASE #16-5256); Cross, David, R.N. 409728 (CASE #16-2127); Suits, April, R.N. 434582, P.N. 126443 (CASE #17-1453); Witte, Ashley, P.N. 139068 (CASE #16-7197); Norris, Stacy, P.N. 154628 (CASE #16-3710); Andrews, Kimberly, P.N. 090451 (CASE #16-2614); Brown, Kelly, R.N. 278288 (CASE #17-0681); Daniel, Jennifer, P.N. 102631 (CASE #17-3773); Hartman, Katie, R.N. 402153 (CASE #17-1251); Stenger, Shannon, R.N. 379064, DT 002481 (CASE #17-3512); Mastin, Julie, R.N. 379120 (CASE #17-0558); Fee, Brian, R.N. 416484 (CASE #16-5359); Jeffers, Megan, P.N. 148476 (CASE #16-7185); Morgan, Zachary, R.N. 324742 (CASE #17-2196); Summers, Kelly, R.N. 311988 (CASE #16-5447); Shrewsbury, Douglas, R.N. 398788, CNP 15504, CTP 15504 (CASE #16-5722); Goins, Mischka, P.N. 119956 (CASE #17-3646); Mcilwain, Craig, R.N. 259042 (CASE #17-2029); German, Denise, R.N. 247866 (CASE #16-2430); McNamara, Shannon, R.N. 371458 (CASE #17-5102); Postel, Lindsey, R.N. 431812 (CASE #17-5140); Camardo, Diana, R.N. 196369 (CASE #16-4829); Esquivel-Rodriguez, Amanda, P.N. 114304, R.N. NCLEX (CASE #17-4282); Warman, Daphne, R.N. 341375 (CASE #16-4927); Bey, Michelle, P.N. 152026 (CASE #16-7390); Rankin, Pamela, R.N. 320541 (CASE #16-5086); Jeter, Christian,

P.N. NCLEX (CASE #17-4485); Parker, Sherria, R.N. 410700 (CASE #17-2859); Pearce, Tiffany, R.N. 374594 (CASE #17-5465); Baker, Wendi, P.N. 117856 (CASE #17-2523); Sams, Cecilia, R.N. 153146 (CASE #17-1795); Grasser, Renee, R.N. 290018 (CASE #17-3411); Clarke, Rodger, R.N. 196794 (CASE #17-1070); Lawson, Earl, R.N. 289088 (CASE #17-3090); Naxer, Margaret, R.N. 197203 (CASE #17-3135); Ballenger, Catherine, R.N. 376909 (CASE #17-2826); Booker, Mark, R.N. 311649, CRNA 16616 (CASE #17-1762); Wells, Robert, R.N. NCLEX (CASE #17-5820); Bryan, Anna, R.N. 366920, P.N. 115768 (CASE #17-4938); Burke, Jennifer, R.N. 311546 (CASE #16-7009); Hettinger, Hydie, R.N. 316261, P.N. 112063 (CASE #16-3906); Radtke, Michael, P.N. 101525 (CASE #16-6956); Morales, Jenny, P.N. 101118 (CASE #16-4251); Johnson, Toya, P.N. 160985 (CASE #16-6629); Siaw, Sincere, P.N. 164210 (CASE #17-2106); Fessenmeyer, Tracy, P.N. 157767 (CASE #17-1593); Ordway, Karen, P.N. 102563 (CASE #16-5207); Arceneaux, Amy, R.N. 257368 (CASE #15-8084); Black, Amber, R.N. 377530 (CASE #16-3939); Davis, Alyssa, R.N. 392367 (CASE #16-1754); King, Karen, P.N. 098035 (CASE #17-3362); Berry, John, R.N. 416661 (CASE #17-4326); Mason, Tammy, R.N. 299518 (CASE #16-7247); Blake, Patricia, R.N. 149651 (CASE #17-4436); Holland, Christian, P.N. endorse (CASE #17-5549); Mills, Trinity, P.N. 125722 (CASE #17-2033); Finnegan, Cindi, R.N. 265591 (CASE #16-7867); Dock, Amy, R.N. 344179 (CASE #17-5496); Bayman, Heather, R.N. 304282 (CASE #17-1183); Craemer, Glenn, R.N. 379225 (CASE #17-1268); Shaw, Lori, R.N. 285587 (CASE #17-4605); Maxwell, Amanda, R.N. 375887 (CASE #17-4700); Archer, Molly, R.N. 371754 (CASE #17-0532); Centifanti, Christine, R.N. 181134 (CASE #17-1199); Bowles, Laura, R.N. 331434 (CASE #17-2950); Willoughby, Angel, R.N. 356993 (CASE #14-5477); Qvick, Kelsie, P.N. 155770 (CASE #16-2172); Elahee-Lee, Loree, R.N. 277899, P.N. 091169, CNP 10764, CTP 10764 (CASE #17-0577); Ragone, Maria, R.N. 405636 (CASE #17-4780); Raymond, Kristen, R.N. 383255 (CASE #16-7671); Rockwell, Johanna, R.N. 188485 (CASE #17-0472); Baker, Veronica, P.N. 121771 (CASE #17-0810); Eckard, Michelle, R.N. NCLEX (CASE #17-4002); Davis, Bryttany, P.N. 158837 (CASE #16-4957); Rogers, Andrea, R.N. 295414 (CASE #16-6999); Spradlin, Wendy, R.N. 329100 (CASE #15-8389); Treadway, Danielle, R.N. 390727, P.N. 106430 (CASE #17-2484); Boeing, Melissa, R.N. 312869 (CASE #15-7902); Larocco, Cheryl, P.N. 099344 (CASE #16-7272); Hagwood, Elissa, P.N. 158084 (CASE #17-1197); Miller, Pamela, P.N. 112414 (CASE #15-7034); Satyshur, James, R.N. 407973 (CASE #17-2143); Lamancusa, Brenda, P.N. 119213 (CASE #16-2992); Desimone, Susan, R.N. 150732 (CASE #17-2225); Allen, Lisa, R.N. NCLEX, P.N. 109854 (CASE #17-4893); Browning, Amy, R.N. 237161 (CASE #14-4079); Petry, Leandra, R.N. 442305 (CASE #17-5778); McDonald, Kristen, R.N. 385753 (CASE #16-4371); Haggard, Kelly, R.N. 264630 (CASE #17-2221); Basham, Kamberlyn, R.N. 376048 (CASE #17-3655); Ford, India, R.N. 413338, P.N. 155902 (CASE #17-1677); Kuehner, Amberly, R.N. 282608 (CASE #17-2691); Pitoscia, Rocky, R.N. 351068 (CASE #17-5991); Nolta, Jr., Everett, R.N. 398596, P.N. 143688 (CASE #17-6480); Crutcher, Lisa, R.N. 376716 (CASE #15-0831); West, Kelli, R.N. 266502 (CASE #17-5509); Archbold, Cassidy, P.N. 134078 (CASE #16-1659); Hovinga, Lindsey, R.N. 382969, P.N. 127268 (CASE #16-3264, #17-3403);

Murray, Eva, R.N. 424359 (CASE #16-7016); Langenkamp, Amanda, P.N. 164208 (CASE #17-4625).

J. Jane McFee voted no on Elahee-Lee, Loree, R.N. 277899, P.N. 091169, CNP 10764, CTP 10764 (CASE #17-0577); Patricia Sharpnack voted no on Spradlin, Wendy, R.N. 329100 (CASE #15-8389); Allen, Lisa, R.N. NCLEX, P.N. 109854 (CASE #17-4893), and Browning, Amy, R.N. 237161 (CASE #14-4079); Erin Keels abstained on Hartman, Katie, R.N. 402153 (CASE #17-1251), Summers, Kelly, R.N. 311988 (CASE #16-5447), Blake, Patricia, R.N. 149651 (CASE #17-4436), Raymond, Kristen, R.N. 383255 (CASE #16-7671); and Spradlin, Wendy, R.N. 329100 (CASE #15-8389); Joanna Ridgeway abstained on Blake, Patricia, R.N. 149651 (CASE #17-4436); Maryam Lyon voted no on Elahee-Lee, Loree, R.N. 277899, P.N. 091169, CNP 10764, CTP 10764 (CASE #17-0577); Spradlin, Wendy, R.N. 329100 (CASE #15-8389); and Ford, India, R.N. 413338, P.N. 155902 (CASE #17-1677).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

Keys, Jaciya C., P.N. 149150 (CASE #16-1008)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board grant the State's Motion to redact social security numbers from State's Exhibit 6, page 1, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **JACIYA C. KEYS's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. KEYS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **previously imposed Permanent Practice Restrictions, unless otherwise approved in advance**, set forth below.

#### **SUSPENSION OF LICENSE**

**MS. KEYS's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. KEYS's** license to practice as a licensed practical nurse if **MS. KEYS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

#### **CONDITIONS FOR REINSTATEMENT**

**MS. KEYS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KEYS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. KEYS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. KEYS's** completed criminal records check, including the FBI check, is received by the Board.

### ***Evaluations***

5. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. KEYS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. KEYS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. KEYS's** license, and a statement as to whether **MS. KEYS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. KEYS's** license.

### ***Monitoring***

7. Abstain completely from 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. KEYS's** history. **MS. KEYS** shall self-administer the prescribed drugs only in the manner prescribed.

8. **If recommended by a chemical dependency evaluation**, abstain completely from the use of alcohol or any products containing alcohol.
9. **Prior to requesting reinstatement**, begin submitting, at **MS. KEYS's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. KEYS'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. KEYS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. KEYS**.
  - a. **Prior** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. KEYS**, **and** submit the report directly to the Board.
  - b. **After** initiating drug screening, be under a **continuing duty** to:
    - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
    - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
    - iii. 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; and

- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. KEYS** and submit the report directly to the Board.

### ***Reporting Requirements for Suspension Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. KEYS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

15. Verify that the reports and documentation required by this Order are received in the Board office.
16. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. KEYS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. KEYS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. KEYS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. KEYS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. KEYS's** license, and a statement as to whether **MS. KEYS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. KEYS's** license.

### ***Monitoring***

5. Abstain completely from 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. KEYS's** history. **MS. KEYS** shall self-administer prescribed drugs only in the manner prescribed.
6. **If recommended by a chemical dependency evaluation**, abstain completely from the use of alcohol or any products containing alcohol.
7. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in

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

**MS. KEYS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. KEYS** *and* submit the report directly to the Board.

### ***Employment Conditions***

8. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. KEYS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. KEYS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. KEYS's license is subject to the following License Restrictions:**

**Permanent Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. KEYS** shall not practice nursing as a licensed practical nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State

agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. KEYS** to provide nursing services for fees, compensation, or other consideration or who engage **MS. KEYS** as a volunteer.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. KEYS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Banks, Shaunitha Nicole, R.N. 310116 (CASE #16-1813)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that **SHAUNITHA NICOLE BANKS's** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension be stayed

subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year including the **Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

The rationale for the modification is the following: The Board has determined in its expertise that a probationary period with temporary practice restrictions is adequate to protect the public.

## **PROBATIONARY PERIOD**

**MS. BANKS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of one (1) year.

## **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. BANKS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. **Within ninety (90) days of the effective date of this Order**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BANKS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. BANKS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. BANKS's** completed criminal records check, including the FBI check, is received by the Board.
4. **Within six (6) months of the effective date of this Order**, pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

5. **Within six (6) months of the effective date of this Order**, successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: ten (10) hours of Substance Abuse; and two (2) hours of Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Evaluations***

6. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. BANKS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. BANKS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BANKS's** license, and a statement as to whether **MS. BANKS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  
7. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BANKS's** license.

### ***Monitoring***

8. Abstain completely from 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. BANKS's** history. **MS. BANKS** shall self-administer prescribed drugs only in the manner prescribed.
  
9. **Within sixty (60) of the effective date of this Order**, submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BANKS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BANKS's** history.

**MS. BANKS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to

additional treating practitioners;

- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BANKS** and submit the report directly to the Board.

### ***Employment Conditions***

10. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
11. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. BANKS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
12. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
13. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**.
14. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

15. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.

16. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
17. Submit any and all information that the Board may request regarding **MS. BANKS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
18. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
19. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

20. Verify that the reports and documentation required by this Order are received in the Board office.
21. 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.

## **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. BANKS's license is subject to the following License Restrictions:**

### **Temporary Practice Restrictions**

**Unless otherwise approved in advance, in writing, by the Board or its designee, MS. BANKS** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. BANKS** to provide nursing services for fees, compensation, or other consideration or who engage **MS. BANKS** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. BANKS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Kostoff, Randi Leanne, R.N. 374172 (CASE #16-0178)

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, 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 **RANDI LEANNE KOSTOFF's** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension be stayed subject to the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Practice Restrictions**, set forth below.

### **PROBATIONARY PERIOD**

**MS. KOSTOFF's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

## PROBATIONARY TERMS AND RESTRICTIONS

### MS. KOSTOFF shall:

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. **Within ninety (90) days of the effective date of this Order**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KOSTOFF**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. KOSTOFF's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. KOSTOFF's** completed criminal records check, including the FBI check, is received by the Board.
4. **Within six (6) months of the effective date of this Order**, pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### *Educational Requirements*

5. **Within six (6) months of the effective date of this Order**, successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Professional Boundaries; fifteen (15) hours of Documentation; five (5) hours of Ethics; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### *Employment Conditions*

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

7. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. KOSTOFF** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
8. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
9. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**.
10. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. KOSTOFF's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

16. Verify that the reports and documentation required by this Order are received in the Board office.

17. 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.

## **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. KOSTOFF's license is subject to the following License Restrictions:**

### **Temporary Practice Restrictions**

**MS. KOSTOFF** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. KOSTOFF** to provide nursing services for fees, compensation, or other consideration or who engage **MS. KOSTOFF** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. KOSTOFF** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Loos, Lori Sue, R.N. 387837, P.N. 131739 (CASE #14-4129)

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that the Board grant the State's Motion to redact patient names from State's Exhibits 8 and 9 in accordance with Section 4723.28(I)(1) of the Ohio Revised Code. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **LORI SUE LOOS's** licenses to practice nursing as a registered nurse and licensed practical nurse be **PERMANENTLY REVOKED**.

Barbara Douglas voted no. Motion adopted by a majority vote of the Board members present with Erin Keels and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Berry, Elizabeth Marlene, P.N. 116956 (fka Elizabeth Marlene Neice) (CASE #16-1902; #15-7538)

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that the Board redact the social security number from State's Exhibit 6, page 42, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **ELIZABETH MARLENE BERRY (fka "ELIZABETH MARLENE NEICE")'s** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Days, Kathy Marie Bockelman, R.N. 231225 (CASE #15-6979)

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, 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 **KATHY MARIE BOCKELMAN DAYS's** license to practice nursing as a registered nurse in the State of Ohio be suspended and that the suspension be stayed subject to the probationary terms and restrictions set forth below for a minimum period of one (1) year including the **previously imposed permanent practice restrictions**, set forth below.

## **PROBATIONARY PERIOD**

**MS. DAYS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of one (1) year.

## **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. DAYS** shall:

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. **Within ninety (90) days of the effective date of this Order**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DAYS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. DAYS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. DAYS's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

4. **Within six (6) months of the effective date of this Order**, successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours of Professionalism; and five (5) hours of Management of Difficult Patients. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Evaluations***

5. **Within ninety (90) days of the effective date of this Order**, at **MS. DAYS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. DAYS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. DAYS's** license, and a statement as to whether **MS. DAYS** is capable of practicing nursing

according to acceptable and prevailing standards of safe nursing care.

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

### ***Monitoring***

7. **Within sixty (60) days of the effective date of this Order**, 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

8. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. DAYS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**.
12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. DAYS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. DAYS's license is subject to the following License Restrictions:**

**PERMANENT PRACTICE RESTRICTIONS**

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

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

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. DAYS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Powih, Newman Paul, P.N. 151752 (CASE #16-3082)

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, 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 **NEWMAN PAUL POWIH's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Ashley, Chrysandra Lynn, R.N. 329895 (CASE #15-5320)

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that the Board grant State's Motion to redact the social security number from State's Exhibit 2, page 3, in accordance with the Federal Privacy Act of 1974, and to strike pages 3 through 23 of State's Exhibit 7. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and that the Notice of Opportunity for Hearing issued to **CHRYSANDRA LYNN ASHLEY** on July 21, 2016 in Case Number 2015-005320 be dismissed.

The rationale for the modification is the following: The Board in its expertise has determined that the State has not proven by a preponderance of evidence that the nurse engaged in false, misleading or deceptive conduct.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Chrisman, Matthew Allen, R.N. 312921 (CASE #16-1928; #15-1941)

**Action:** It was moved by Barbara Douglas, seconded by Maryam Lyon, that the Board grant Respondent's Motion to submit additional evidence. It was further moved that the Board seal State's Exhibit 8 to maintain confidentiality of patient names, in accordance with Section 4723.28(l)(1) of the Ohio Revised Code. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **MATTHEW ALLEN CHRISMAN's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. CHRISMAN's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Permanent Practice Restrictions**, set forth below.

The rationale for the modification is the following: The Board in its expertise has determined that a reduction in continuing education to ten (10) hours of Substance Use Disorder and two (2) hours of Ohio Nursing Laws and Rules; a required nursing refresher course; and temporary narcotic restrictions are sufficient to protect the public.

### **SUSPENSION OF LICENSE**

**MR. CHRISMAN's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than three (3) years.

The Board may reinstate **MR. CHRISMAN's** license to practice as a registered nurse if **MR. CHRISMAN** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MR. CHRISMAN shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. CHRISMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MR. CHRISMAN's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MR. CHRISMAN's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: ten (10) hours of Substance Use Disorders; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MR. CHRISMAN's** expense, obtain a mental health

- evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. CHRISMAN** shall provide the mental health evaluator with a copy of this Order. **MR. CHRISMAN** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CHRISMAN's** license, and a statement as to whether **MR. CHRISMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. CHRISMAN's** license.
  8. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MR. CHRISMAN's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MR. CHRISMAN** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. CHRISMAN's** license, and a statement as to whether **MR. CHRISMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. CHRISMAN's** license.

### ***Monitoring***

10. Abstain completely from personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. CHRISMAN's** history. **MR. CHRISMAN** shall self-administer the prescribed drugs only in the manner prescribed.

11. Abstain completely from the use of alcohol or any products containing alcohol.
12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, submit, at **MR. CHRISMAN's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. CHRISMAN's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. CHRISMAN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MR. CHRISMAN**.
  - a. **Prior** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. CHRISMAN**, **and** submit the report directly to the Board.
  - b. **After** initiating drug screening, be under a **continuing duty** to:
    - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
    - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
    - iii. 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; and
    - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. CHRISMAN** **and** submit the report directly to the Board.

13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MR. CHRISMAN's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MR. CHRISMAN's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MR. CHRISMAN shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

#### **MR. CHRISMAN** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. CHRISMAN** *and* submit the report directly to the Board.

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

### ***Employment Conditions***

7. **Prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MR. CHRISMAN** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MR. CHRISMAN's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MR. CHRISMAN's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Upon reinstatement, MR. CHRISMAN** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MR. CHRISMAN** to provide nursing services for fees, compensation, or other consideration or who engage **MR. CHRISMAN** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MR. CHRISMAN** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Erin Keels and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Szwed, Carissa, P.N. 150233 (CASE #16-4549)

**Action:** it was moved by Lisa Klenke, seconded by Matthew Carle, 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 **CARISSA SZWED's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. SZWED's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic Restrictions, unless otherwise approved in advance, and Temporary Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. SZWED's** license to practice as a licensed practical nurse is suspended for

an indefinite period of time but not less than one (1) year.

The Board may reinstate **MS. SZWED's** license to practice as a licensed practical nurse if **MS. SZWED** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

#### **MS. SZWED shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SZWED**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. SZWED's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. SZWED's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Substance Abuse; five (5) hours of Professional Accountability and Legal Liability; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

#### ***Evaluations***

6. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. SZWED's** expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. SZWED** shall provide the mental health evaluator with a copy of this

- Order. **MS. SZWED** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SZWED's** license, and a statement as to whether **MS. SZWED** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **If a mental health evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SZWED's** license.
  8. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. SZWED's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. SZWED** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SZWED's** license, and a statement as to whether **MS. SZWED** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SZWED's** license.

### ***Monitoring***

10. Abstain completely from 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. SZWED's** history. **MS. SZWED** shall self-administer the prescribed drugs only in the manner prescribed.
11. Abstain completely from the use of alcohol or any products containing alcohol.

12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. SZWED's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SZWED'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. SZWED** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. SZWED**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SZWED**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SZWED** **and** submit the report directly to the Board.

13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### ***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. SZWED's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. SZWED's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

#### **MS. SZWED shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

#### **MS. SZWED shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SZWED** and submit the report directly to the Board.
6. 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 provide satisfactory documentation of such attendance to the Board

every six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. SZWED** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. SZWED's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. SZWED's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

**Upon reinstatement, MS. SZWED** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. SZWED** to provide nursing services for fees, compensation, or other consideration or who engage **MS. SZWED** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. SZWED** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Baker, Leandrea S., P.N. 131631 (CASE #15-0295; #14-3916; #14-6326)

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that the Board dismiss the allegations set forth in Item 1 of the January 26, 2017 Notice of Opportunity for Hearing, as follows: "You administered insulin to Patient #1, despite an order that no insulin was to be administered if the blood sugar level was below 150."; and ",so you used a lancet to draw blood for the blood sugar check on Patient #1". It was further moved, that the Board grant the State's Motion to redact patient names from State's Exhibit 10, page 6, and Exhibit 11, page 3, in accordance with Section 4723.28(I)(1) of the Ohio Revised Code and to redact the social security number on State's Exhibit 12, page 1, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **LEANDREA S. BAKER's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. BAKER's** license to practice nursing as a licensed practical nurse shall be subject to a stayed

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

### **SUSPENSION OF LICENSE**

**MS. BAKER's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. BAKER's** license to practice as a licensed practical nurse if **MS. BAKER** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. BAKER shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BAKER**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. BAKER's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. BAKER's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: ten (10) hours of Medication Administration and Documentation; ten (10) hours of Substance Abuse; and two (2) hours Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

6. Establish contact with a nursing educator, approved in advance by the Board or its designee, who has no less than a master's degree and who is affiliated with a nursing educational program.
  - a. Have the educator provide the Board with a written report of an assessment of **MS. BAKER**, which identifies **MS. BAKER's** knowledge/practice deficiencies and remedial educational needs.
  - b. Prior to the assessment, provide the nursing educator with a copy of this Order and submit to any nursing skills or knowledge assessments required by the educator. **MS. BAKER** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. BAKER's** employer(s), former employers, and Board staff.
  - c. Following the assessment, have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. BAKER** and obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. BAKER** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. BAKER** shall complete such learning plan.
  - d. Successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan.
  - e. Be responsible for all costs associated with meeting the requirements of the learning plan.
  - f. **After MS. BAKER has successfully completed the learning plan**, have the educator provide the Board with:
    - i. An assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. BAKER's** license; and
    - ii. A written opinion stating whether **MS. BAKER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
  - g. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. BAKER's** license.

- h. If **MS. BAKER** has met all other conditions for reinstatement, in the event that the educator's recommendations include a clinical component, this requirement will be completed following reinstatement of **MS. BAKER's** nursing license and prior to **MS. BAKER** practicing as a nurse.

### ***Evaluations***

7. **Within ninety (90) days immediately prior to requesting reinstatement, at MS. BAKER's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. MS. BAKER shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. BAKER's license, and a statement as to whether MS. BAKER is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
8. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BAKER's** license.

### ***Monitoring***

9. Abstain completely from 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. BAKER's** history. **MS. BAKER** shall self-administer the prescribed drugs only in the manner prescribed.
10. Abstain completely from the use of alcohol or any products containing alcohol.
11. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement, submit, at MS. BAKER's expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after MS. BAKER'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. BAKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. BAKER**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BAKER**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BAKER** **and** submit the report directly to the Board.

12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### ***Reporting Requirements for Suspension Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.

14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. BAKER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. BAKER's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. BAKER shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### **Monitoring**

3. Abstain completely from 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. BAKER's** history. **MS. BAKER** shall self-administer prescribed drugs only in the manner prescribed.
4. Abstain completely from the use of alcohol or any products containing alcohol.
5. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. **MS. BAKER may request release from this requirement after one (1) year of the probationary period.** 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. BAKER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. BAKER's** history.

#### **MS. BAKER shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BAKER and** submit the report directly to the Board.
6. **If recommended by the chemical dependency evaluation,** 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. BAKER** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. BAKER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. BAKER's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

**Permanent Practice Restrictions**

**Upon reinstatement, MS. BAKER** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. BAKER** to provide nursing services for fees, compensation, or other consideration or who engage **MS. BAKER** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

**FAILURE TO COMPLY**

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

conditions of this Order. Following the automatic suspension, the Board shall notify **MS. BAKER** via certified mail of the specific nature of the charges and automatic suspension of **MS. BAKER's** license. **MS. BAKER** 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. BAKER** has complied with all aspects of this Order; and (2) the Board determines that **MS. BAKER** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. BAKER** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. BAKER** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Tomaszewski, Laura Marie, R.N. 249617 (CASE #15-7768; #16-1474; #15-7413)  
**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board dismiss the following allegations in the September 2016 Notice of Opportunity for Hearing: Item 2., Lines 7-9, which state, "Despite this, on or about April 2, 2016, Dr. Ahmed stated that it is not his practice to order Dilaudid for pain medication for his patients; he stated he uses Fentanyl."; and Attachment A, Patient 3, Pain level Item 2. "7 @ 11:30 p.m." It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **LAURA MARIE TOMASZEWSKI's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Beachy, Terra Nicole, R.N. 317224 (CASE #16-7120)  
**Action:** It was moved by J. Jane McFee, seconded by Lauralee Krabill, that the Board grant State's Motion to redact the social security number on State's Exhibit 8, page 2, in accordance with the Federal Privacy Act of 1974. It was further

moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **TERRA NICOLE BEACHY's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years, retroactive to January 26, 2017, with the conditions for reinstatement set forth below, and following reinstatement, **MS. BEACHY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Permanent Practice Restrictions, unless otherwise approved in advance**, set forth below.

The rationale for modification is the following: The Board in its expertise has determined that a shorter term of suspension with a mandatory chemical dependency evaluation is adequate to protect the public. Further, the Board finds that a fine, continuing education on ethics, and a mental health evaluation are not necessary to protect the public.

### **SUSPENSION OF LICENSE**

**MS. BEACHY's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than two (2) years, retroactive to January 26, 2017.

The Board may reinstate **MS. BEACHY's** license to practice as a registered nurse if **MS. BEACHY** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. BEACHY shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS.**

**BEACHY**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. BEACHY's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. BEACHY's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Substance Abuse; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MS. BEACHY's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. BEACHY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BEACHY's** license, and a statement as to whether **MS. BEACHY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BEACHY's** license.

### ***Monitoring***

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

alcohol.

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. BEACHY's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BEACHY'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. BEACHY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. BEACHY**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BEACHY**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BEACHY and** submit the report directly to the Board.

11. **For a minimum, continuous period of one (1) year immediately prior**

**to requesting reinstatement**, attend a minimum of three (3) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. BEACHY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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Ohio Board of Nursing  
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Columbus, OH 43215-7410**

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. BEACHY's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. BEACHY shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

#### **MS. BEACHY shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BEACHY** *and* submit the report directly to the Board.
6. Attend a minimum of three (3) meetings per week of a support or peer

group meeting approved in advance by the Board, or a Twelve Step program, and provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. BEACHY** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. BEACHY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. BEACHY's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. BEACHY shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage MS. BEACHY to provide nursing services for fees, compensation, or other consideration or who engage MS. BEACHY as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. BEACHY shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing**

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. BEACHY** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Erin Keels and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Pierce, Antonice Monique, P.N. 112153 (CASE #16-3656)

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, 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 **ANTONICE MONIQUE PIERCE's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. PIERCE's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Permanent Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. PIERCE's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. PIERCE's** license to practice as a licensed practical nurse if **MS. PIERCE** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. PIERCE shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. PIERCE**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. PIERCE's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. PIERCE's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the requirements imposed by the Franklin County Court of Common Pleas in Case Number 16CR2147.

### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours of Veracity; five (5) hours of Ethics; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for**

**license renewal.**

***Evaluations***

7. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MS. PIERCE's** expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. PIERCE** shall provide the mental health evaluator with a copy of this Order. **MS. PIERCE** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. PIERCE's** license, and a statement as to whether **MS. PIERCE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. PIERCE's** license.

***Reporting Requirements for Suspension Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. PIERCE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

14. Verify that the reports and documentation required by this Order are received in the Board office.
15. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. PIERCE's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

#### **MS. PIERCE shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. Submit documentation of her full compliance with the requirements imposed by the Franklin County Court of Common Pleas in Case Number 16CR2147.

#### ***Employment Conditions***

4. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
5. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. PIERCE** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
6. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
7. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job

performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse.**

8. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. PIERCE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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14. Verify that the reports and documentation required by this Order are received in the Board office.
15. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. PIERCE's license is subject to the following License Restrictions:**

### **Permanent Practice Restrictions**

**Upon reinstatement, MS. PIERCE** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. PIERCE** to provide nursing services for fees, compensation, or other consideration or who engage **MS. PIERCE** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. PIERCE** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Wilson, Rebecca Lynn, R.N. 298835 (CASE #16-2128)

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that the Board redact patient names from Respondent's Exhibit A, pages 39-41, in accordance with Section 4723.28(I)(1), ORC. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation, and that **REBECCA LYNN WILSON's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. WILSON's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. WILSON's** license to practice as a registered nurse if **MS. WILSON** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. WILSON shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WILSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. WILSON's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. WILSON's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the terms and conditions imposed by the 2016 Agreement with the Nevada State Board of Nursing, and that her Nevada license is fully reinstated and unencumbered. Submit

documentation that her Missouri license is unencumbered.

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

***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. Submit any and all information that the Board may request regarding **MS. WILSON's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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12. Verify that the reports and documentation required by this Order are received in the Board office.
13. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Smith, Yvonne, R.N. NCLEX applicant, P.N. 110184 (aka "Sheila Yvonne Smith," "Sheila Ashitey," "Sheila Yvonne Ashitey Smith") (CASE #15-7230)

**Action:** It was moved by Erin Keels, seconded by Joanna Ridgeway, that the Board grant the State's Motion, filed July 10, 2017, to correct the record, and admitted State's Exhibit 14 as additional evidence. It was further moved that the Board seal Respondent's Exhibit B-2 to preserve patient confidentiality in accordance with Section 4723.28(l)(1) of the Ohio Revised Code. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modified the Recommendation in the Hearing Examiner's Report and Recommendation and that **YVONNE SMITH's** license to practice nursing as a licensed practical nurse be **REPRIMANDED** and subject to the following term:

1. **Within six (6) months of the effective date of this Order, MS. SMITH** shall, in addition to the requirements for renewal of her license, successfully complete and submit satisfactory documentation of successful completion of the following continuing education taken subsequent to the effective date of this Order: two (2) hours of Ohio Nursing Laws and Rules.

It was further moved that upon meeting the requirements for licensure, **MS. SMITH** be granted a license to practice nursing in the State of Ohio as a registered nurse, that said license be indefinitely suspended, and that such suspension be stayed subject to probationary terms and restrictions set forth below for a minimum period of one (1) year from the date of licensure.

The rationale for the modification is as follows: The Board in its expertise has determined that a reprimand on **MS. SMITH's** license to practice as a licensed practical nurse, and a one (1) year stayed suspension upon a license granted to **MS. SMITH** to practice as a registered nurse, are adequate to protect the public.

### **PROBATIONARY PERIOD**

**Upon meeting the requirements for licensure, MS. SMITH's** license to practice nursing as a registered nurse shall be subject to Probationary Terms and Restrictions for a minimum period of one (1) year.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. SMITH shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

3. **Within ninety (90) days of licensure**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SMITH**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. SMITH's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. SMITH's** completed criminal records check, including the FBI check, is received by the Board.

### ***Employment Conditions***

4. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
5. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. SMITH** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
6. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
7. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**.
8. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. SMITH's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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14. Verify that the reports and documentation required by this Order are received in the Board office.
15. Inform the Board **within five (5) business days**, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. SMITH** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Janet Arwood, Brenda Boggs, Barbara Douglas, and Lauralee Krabill voted no. Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Roark, Sharon Rose, P.N. 155189 (CASE #16-5952);

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, 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 dismiss the Notice of Opportunity for Hearing issued to **MS. ROARK** on January 26, 2017, in Case Number 2016-005952, based upon insufficient evidence presented of a violation by a preponderance of evidence standard.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Goodman, Felicia, P.N. 114123 (CASE #17-0963)

**Action:** It was moved by Janet Arwood, seconded by Erin Keels, 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 **FELICIA GOODMAN's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Collins, Angela Danielle, P.N. 158699 (CASE #16-4393)

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that the Board redact social security numbers from the following in accordance with the Federal Privacy Act of 1974: State's Exhibit 6, page 5; State's Exhibit 7, page 2; State's Exhibit 8, pages 13, 14, 16, 17, 18, 58, and 65; State's Exhibit 9, page 2. It was further moved that the Board redact financial account information from State's Exhibit 8, pages 20 and 23, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **ANGELA DANIELLE COLLINS's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS.**

**COLLINS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

The rationale for modification is the following: The Board in its expertise determined that the recommendation by the Hearing Examiner does not take into account the seriousness of a urine screen that is positive for Cocaine. Furthermore, the Board determined that a longer minimum term of suspension, with temporary narcotic restrictions and temporary practice restrictions, are necessary to adequately protect the public.

### **SUSPENSION OF LICENSE**

**MS. COLLINS's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. COLLINS's** license to practice as a licensed practical nurse if **MS. COLLINS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. COLLINS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. COLLINS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. COLLINS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. COLLINS's** completed criminal records check, including the FBI check, is received by the Board.

### ***Evaluations***

5. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MS. COLLINS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. COLLINS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. COLLINS's** license, and a statement as to whether **MS. COLLINS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. COLLINS's** license.

### ***Monitoring***

7. Abstain completely from 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. COLLINS's** history. **MS. COLLINS** shall self-administer the prescribed drugs only in the manner prescribed.
8. Abstain completely from the use of alcohol or any products containing alcohol.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement,** submit, at **MS. COLLINS's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. COLLINS'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. COLLINS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. COLLINS**.

- a. **Prior** to initiating drug screening:
  - i. Provide a copy of this Order to all treating practitioners;
  - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
  - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. COLLINS**, **and** submit the report directly to the Board.
  
- b. **After** initiating drug screening, be under a **continuing duty** to:
  - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. COLLINS** **and** submit the report directly to the Board.

***Reporting Requirements for Suspension Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. COLLINS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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15. Verify that the reports and documentation required by this Order are received in the Board office.
16. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. COLLINS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

#### **MS. COLLINS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Monitoring***

3. Abstain completely from 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. COLLINS's** history. **MS. COLLINS** shall self-administer prescribed drugs only in the manner prescribed.
4. Abstain completely from the use of alcohol or any products containing alcohol.
5. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall

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

**MS. COLLINS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. COLLINS** and submit the report directly to the Board.

### ***Employment Conditions***

6. **Prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. COLLINS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
8. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
9. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.

10. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. COLLINS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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16. Verify that the reports and documentation required by this Order are received in the Board office.
17. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. COLLINS's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

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

### Temporary Practice Restrictions

**Upon reinstatement, MS. COLLINS** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. COLLINS** to provide nursing services for fees, compensation, or other consideration or who engage **MS. COLLINS** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### FAILURE TO COMPLY

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

As indicated above under Employment Conditions, any period during which **MS. COLLINS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Newton, Lola Mae, P.N. 129658 (CASE #16-2733; #14-2836)

**Action:** It was moved by Barbara Douglas, seconded by Maryam Lyon, that the Board redact the social security numbers from State's Exhibit 6, page 7, in accordance with the Federal Privacy Act of 1974. It was further moved that the Board acceptd all of the Findings of Fact, Conclusions of Law, and the Recommendation in the Hearing Examiner's Report and Recommendation and that **LOLA MAE NEWTON's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Spaulding, Amy R., R.N. 365424 (CASE #17-4821)

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **AMY R. SPAULDING's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. SPAULDING's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Permanent Practice Restrictions, unless otherwise approved in advance, and the Temporary Narcotic Restrictions**, set forth below.

The rationale for modification is the following: The Board in its expertise determined that the public will be adequately protected with a minimum of five (5) years of Board supervision, with Temporary Narcotic Restrictions and the addition of a mental health evaluation upon request of the Board.

### **SUSPENSION OF LICENSE**

**MS. SPAULDING's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. SPAULDING's** license to practice as a registered nurse if **MS. SPAULDING** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. SPAULDING shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SPAULDING**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. SPAULDING's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. SPAULDING's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Substance Abuse; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

#### ***Evaluations***

6. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. SPAULDING's** expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. SPAULDING** shall provide the mental health evaluator with a copy of this Order. **MS. SPAULDING** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SPAULDING's** license, and a statement as to whether **MS.**

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

7. **If a mental health evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SPAULDING's** license.
8. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. SPAULDING's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. **MS. SPAULDING** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. SPAULDING's** license, and a statement as to whether **MS. SPAULDING** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. SPAULDING's** license.

### ***Monitoring***

10. Abstain completely from 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. SPAULDING's** history. **MS. SPAULDING** shall self-administer the prescribed drugs only in the manner prescribed.
11. Abstain completely from the use of alcohol or any products containing alcohol.
12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, submit, at **MS. SPAULDING's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. SPAULDING'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. SPAULDING** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. SPAULDING**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SPAULDING**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SPAULDING** **and** submit the report directly to the Board.

13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. SPAULDING's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. SPAULDING's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. SPAULDING shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### **Evaluations**

3. **Upon the request of the Board or its designee and within sixty (60) days of that request, at MS. SPAULDING's expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, MS. SPAULDING shall provide the mental health evaluator with a copy of this Order. MS. SPAULDING shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. SPAULDING's license, and a statement as to whether MS. SPAULDING is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
4. **If a mental health evaluation is requested, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on MS. SPAULDING's license.**
5. **Upon the request of the Board or its designee and within sixty (60) days of that request, at MS. SPAULDING's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. MS. SPAULDING shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. SPAULDING's license, and a statement as to whether MS. SPAULDING is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
6. **If a chemical dependency evaluation is requested, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on MS. SPAULDING's license.**

**Monitoring**

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

**MS. SPAULDING** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. SPAULDING and** submit the report directly to the Board.
10. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

11. **Prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
12. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. SPAULDING** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
13. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
14. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
15. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

16. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
17. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
18. Submit any and all information that the Board may request regarding **MS. SPAULDING's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
19. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

21. Verify that the reports and documentation required by this Order are received in the Board office.
22. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. SPAULDING's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

**Permanent Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. SPAULDING** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. SPAULDING** to provide nursing services for fees, compensation, or other consideration or who engage **MS. SPAULDING** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

**FAILURE TO COMPLY**

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

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

As indicated above under Employment Conditions, any period during which **MS. SPAULDING** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Barbara Douglas voted no. Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

Wiley, Daniel Matthew, R.N. 366966 (CASE #15-5267)

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that the Board admit State's Exhibits 1-11 into the record; and redact social security numbers from Exhibit 10, page 2, according to the Federal Privacy Act of 1974. It was further moved that the Board deny State's Motion to Remand to introduce additional evidence; dismiss the factual allegations from Item 2 of the January 26, 2017 Notice of Opportunity for Hearing: [you diverted] "Fentanyl"; "and self-administered the stolen drugs"; and dismiss the Section 4723.28(B)(8), ORC, legal violation citation. It was further moved that the Board accept all of the Findings of Fact, Conclusions of Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation, and that **DANIEL MATTHEW WILEY's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. WILEY's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Permanent Practice Restrictions**, set forth below.

The rationale for modification is the following: The Board in its expertise has determined that the addition of a mandatory nurse refresher course is necessary and that a temporary narcotic restriction is sufficient to adequately protect the

public.

### **SUSPENSION OF LICENSE**

**MR. WILEY's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MR. WILEY's** license to practice as a registered nurse if **MR. WILEY** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MR. WILEY shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. WILEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MR. WILEY's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MR. WILEY's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. Submit documentation of his full compliance with the requirements imposed by the Portage County Court of Common Pleas in Case Number 2016 CR 00084.

### ***Educational Requirements***

7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Chemical Dependency and Substance Abuse; fifteen (15) hours of Documentation; five (5) hours of Veracity; five (5) hours of Professional Accountability and Legal Liability for Nurses; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

8. **Within ninety (90) days immediately prior to requesting reinstatement, at MR. WILEY's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order. MR. WILEY shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MR. WILEY's license, and a statement as to whether MR. WILEY is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. WILEY's** license.

### ***Monitoring***

10. Abstain completely from personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. WILEY's** history. **MR. WILEY** shall self-administer the prescribed drugs only in the manner prescribed.
11. Abstain completely from the use of alcohol or any products containing alcohol.
12. **For a minimum, continuous period of two (2) years immediately prior**

**to requesting reinstatement**, submit, at **MR. WILEY's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. WILEY's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. WILEY** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MR. WILEY**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. WILEY**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. WILEY and** submit the report directly to the Board.

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

of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MR. WILEY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MR. WILEY's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MR. WILEY shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. Submit documentation of his full compliance with the requirements imposed by the Portage County Court of Common Pleas in Case Number 2016 CR 00084.

### ***Monitoring***

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

#### **MR. WILEY shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. WILEY and** submit the report directly to the Board.

7. Attend a minimum of two (2) meetings per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

8. **Prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MR. WILEY** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MR. WILEY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MR. WILEY's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Upon reinstatement, MR. WILEY** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MR. WILEY** to provide nursing services for fees, compensation, or other consideration or who engage **MR. WILEY** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MR. WILEY** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Lauer, Norma Ducusin, R.N. 232270 (CASE #15-3370)

**Action:** It was moved by Patricia Sharpnack, seconded by Matthew Carle, 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 **NORMA DUCUSIN LAUER's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. LAUER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Permanent Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. LAUER's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than one (1) year.

The Board may reinstate **MS. LAUER's** license to practice as a registered nurse if **MS. LAUER** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. LAUER shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LAUER**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. LAUER's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. LAUER's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the requirements imposed by the United States District Court, Northern District of Ohio, in Case Number 1:15-CR-223-3.

#### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: fifteen (15) hours of Critical Thinking; five (5) hours of Ethics; five (5) hours of Professional Accountability and Legal Liability for Nurses; and two (2) hours of Ohio Nursing Laws and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

#### ***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30)

- days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
  9. Submit any and all information that the Board may request regarding **MS. LAUER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
  10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
  11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

12. Verify that the reports and documentation required by this Order are received in the Board office.
13. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. LAUER's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. LAUER shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. Submit documentation of her full compliance with the requirements imposed by the United States District Court, Northern District of Ohio, in Case Number 1:15-CR-223-3.

### ***Employment Conditions***

4. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
5. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. LAUER** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
6. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
7. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
8. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. LAUER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

14. Verify that the reports and documentation required by this Order are received in the Board office.
15. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. LAUER's license is subject to the following License Restrictions:**

**Permanent Practice Restrictions**

**Upon reinstatement, MS. LAUER** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. LAUER** to provide nursing services for fees, compensation, or other consideration or who engage **MS. LAUER** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

**FAILURE TO COMPLY**

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

Order; and (2) the Board determines that **MS. LAUER** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. LAUER** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. LAUER** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Brenda Boggs and J. Jane McFee voted no. Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

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

Welly, Jessica Jane, P.N. 134795 (CASE #16-5998)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **JESSICA JANE WELLY** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WELLY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. WELLY's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. WELLY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **previously imposed Permanent Practice Restrictions, unless otherwise approved in advance, and Temporary Narcotic Restrictions**, set forth below.

#### **SUSPENSION OF LICENSE**

**MS. WELLY's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than three (3) years.

The Board may reinstate **MS. WELLY's** license to practice as a licensed practical nurse if **MS. WELLY** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

#### **CONDITIONS FOR REINSTATEMENT**

**MS. WELLY shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WELLY**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. WELLY's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. WELLY's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Veracity in Nursing, five (5) hours Professional Accountability and Legal Liability, and ten (10) hours Substance Abuse. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

7. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. WELLY's** expense, obtain a psychiatric evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. WELLY** shall provide the mental health evaluator with a copy of this Order and the Notice of Opportunity for Hearing. **MS. WELLY** shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for

- treatment and monitoring, any additional restrictions that should be placed on **MS. WELLY's** license, and a statement as to whether **MS. WELLY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. 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 mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WELLY's** license.
  9. **Within ninety (90) days immediately prior to requesting reinstatement, at MS. WELLY's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. MS. WELLY shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. WELLY's license, and a statement as to whether MS. WELLY is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
  10. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. WELLY's** license.

### ***Monitoring***

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

the Board may request. Upon and after **MS. WELLY'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. WELLY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. WELLY**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WELLY**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WELLY and** submit the report directly to the Board.

14. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

15. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
16. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
17. Submit any and all information that the Board may request regarding **MS. WELLY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
18. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
19. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

20. Verify that the reports and documentation required by this Order are received in the Board office.
21. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. WELLY's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. WELLY shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### **Monitoring**

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

#### **MS. WELLY shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WELLY and** submit the report directly to the Board.
6. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. WELLY** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. WELLY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. WELLY's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

**Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. WELLY** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Messinger, Patricia Jo, R.N. 422123 (CASE #16-0818)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **PATRICIA JO MESSINGER** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MESSINGER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MESSINGER's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and following reinstatement, **MS. MESSINGER's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic and Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. MESSINGER's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than one (1) year.

The Board may reinstate **MS. MESSINGER's** license to practice as a registered nurse if **MS. MESSINGER** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. MESSINGER shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MESSINGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MESSINGER's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MESSINGER's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Monitoring***

6. Abstain completely from 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. MESSINGER's** history. **MS. MESSINGER** shall self-administer the prescribed drugs only in the manner prescribed.

7. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement**, submit, at **MS. MESSINGER's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MESSINGER'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. MESSINGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. MESSINGER**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MESSINGER**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed,

administered, or dispensed to **MS. MESSINGER** *and* submit the report directly to the Board.

***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. MESSINGER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. MESSINGER's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. MESSINGER shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

#### **MS. MESSINGER** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MESSINGER** and submit the report directly to the Board.

### ***Employment Conditions***

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

6. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. MESSINGER** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
7. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
8. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
9. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. MESSINGER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

15. Verify that the reports and documentation required by this Order are received in the Board office.

16. 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.

## **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. MESSINGER's license is subject to the following License Restrictions:**

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. MESSINGER** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. MESSINGER** to provide nursing services for fees, compensation, or other consideration or who engage **MS. MESSINGER** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

**MESSINGER's** license. **MS. MESSINGER** 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. MESSINGER** has complied with all aspects of this Order; and (2) the Board determines that **MS. MESSINGER** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. MESSINGER** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. MESSINGER** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Johnson, Heather Noreen, P.N. 094735 (CASE #17-0524)

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that upon consideration of the charges stated against **HEATHER NOREEN JOHNSON** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. JOHNSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. JOHNSON's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. JOHNSON's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic Restrictions, unless otherwise approved in advance, and Temporary Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. JOHNSON's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. JOHNSON's** license to practice as a licensed practical nurse if **MS. JOHNSON** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. JOHNSON shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. JOHNSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. JOHNSON's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. JOHNSON's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Chemical Dependency; five (5) hours Medication Errors; and two (2) hours Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

#### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. JOHNSON's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. JOHNSON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any

- additional restrictions that should be placed on **MS. JOHNSON's** license, and a statement as to whether **MS. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. JOHNSON's** license.

### ***Monitoring***

8. Abstain completely from personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JOHNSON's** history. **MS. JOHNSON** shall self-administer the prescribed drugs only in the manner prescribed.
9. Abstain completely from the use of alcohol or any products containing alcohol.
10. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement**, submit, at **MS. JOHNSON's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. JOHNSON's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. JOHNSON** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. JOHNSON**.
  - a. ***Prior*** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed,

administered, or dispensed to **MS. JOHNSON**, *and* submit the report directly to the Board.

- b. **After** initiating drug screening, be under a **continuing duty** to:
- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. JOHNSON** *and* submit the report directly to the Board.

11. **If recommended by the chemical dependency evaluation, MS. JOHNSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### ***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. JOHNSON's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. JOHNSON's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. JOHNSON shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. JOHNSON's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. JOHNSON** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. JOHNSON's** license, and a statement as to whether **MS. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional

described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. JOHNSON's** license.

### ***Monitoring***

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

#### **MS. JOHNSON** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. JOHNSON** *and* submit the report directly to the Board.
8. **If recommended by the chemical dependency evaluation, MS. JOHNSON** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a

Twelve Step program, and provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

9. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
10. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. JOHNSON** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
11. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
12. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
13. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. JOHNSON's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. JOHNSON's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

**Upon reinstatement, MS. JOHNSON** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. JOHNSON** to provide nursing services for fees, compensation, or other consideration or who engage **MS. JOHNSON** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

### **DURATION**

The Board may only alter the probationary period imposed by this Order if: (1) the Board determines that **MS. JOHNSON** has complied with all aspects of this Order; and (2) the Board determines that **MS. JOHNSON** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. JOHNSON** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. JOHNSON** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Gibson, Dawn Denise, R.N. 328740 (CASE #15-5680)

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that upon consideration of the charges stated against **DAWN DENISE GIBSON** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GIBSON** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. GIBSON's** license to practice nursing as a registered nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Laughman, Linda Joyce, R.N. 191349 (CASE #14-6022)

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that upon consideration of the charges stated against **LINDA JOYCE LAUGHMAN** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. LAUGHMAN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. LAUGHMAN's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. LAUGHMAN's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Practice Restrictions**, set forth below.

### SUSPENSION OF LICENSE

**MS. LAUGHMAN's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. LAUGHMAN's** license to practice as a registered nurse if **MS. LAUGHMAN** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

**MS. LAUGHMAN shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. LAUGHMAN**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. LAUGHMAN's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. LAUGHMAN's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Professional Accountability; five (5) hours Chemical Dependency; two (2) hours Ethics; and two (2) hours Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement, at MS. LAUGHMAN's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. MS. LAUGHMAN shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. LAUGHMAN's license, and a statement as to whether MS. LAUGHMAN is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. LAUGHMAN's** license.

### ***Monitoring***

8. Abstain completely from 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. LAUGHMAN's** history. **MS. LAUGHMAN** shall self-administer the prescribed drugs only in the manner prescribed.
9. Abstain completely from the use of alcohol or any products containing alcohol.
10. **For a minimum, continuous period of six (6) months immediately**

**prior to requesting reinstatement**, submit, at **MS. LAUGHMAN's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. LAUGHMAN'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. LAUGHMAN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. LAUGHMAN**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. LAUGHMAN**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. LAUGHMAN** **and** submit the report directly to the Board.

**11. If recommended by the chemical dependency evaluation**, 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

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

***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. LAUGHMAN's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. LAUGHMAN's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. LAUGHMAN shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

#### **MS. LAUGHMAN** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. LAUGHMAN** *and* submit the report directly to the Board.
6. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board every

six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. LAUGHMAN** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. LAUGHMAN's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. LAUGHMAN's license is subject to the following License Restrictions:**

#### **Temporary Practice Restrictions**

**Upon reinstatement, MS. LAUGHMAN** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. LAUGHMAN** to provide nursing services for fees, compensation, or other consideration or who engage **MS. LAUGHMAN** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

#### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. LAUGHMAN** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Nagy, Carol (aka "Carol Jean Cluckey", and "Carol Jean Lloyd Cluckey" fka "Carol Jean Lloyd"), R.N. applicant, P.N. 035701 (CASE #16-6696)

**Action:** It was moved by Janet Arwood, seconded by Erin Keels, that upon consideration of the charges stated against **CAROL NAGY** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. NAGY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. NAGY's** application for licensure to practice as a registered nurse be **PERMANENTLY DENIED**. It was further moved that **MS. NAGY's** application for reinstatement of her license to practice as a licensed practical nurse be **DENIED**, and her license to practice nursing as a license practical nurse shall be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. NAGY's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. NAGY's** license to practice as a licensed practical nurse if **MS. NAGY** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. NAGY shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. NAGY**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. NAGY's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. NAGY's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Evaluations***

8. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. NAGY's** expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of

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

***Reporting Requirements for Suspension Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. NAGY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

15. Verify that the reports and documentation required by this Order are received in the Board office.

16. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Bergs, Diedra Thelma, P.N. 080346 (CASE #17-0686)

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, that upon consideration of the charges stated against **DIEDRA THELMA BERGS** in the March 9, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BERGS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. BERGS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. BERGS's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. BERGS's** license to practice as a licensed practical nurse if **MS. BERGS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. BERGS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BERGS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. BERGS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. BERGS's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Critical Thinking, and a Basic Life Support Class. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. BERGS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.

14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Carroll, Tonya Michelle, P.N. 132605 (CASE #17-1889)

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that upon consideration of the charges stated against **TONYA MICHELLE CARROLL** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CARROLL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. CARROLL's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. CARROLL's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **previously imposed Permanent Practice Restrictions** and the **Temporary Narcotic Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. CARROLL's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. CARROLL's** license to practice as a licensed practical nurse if **MS. CARROLL** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. CARROLL shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CARROLL**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. CARROLL's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. CARROLL's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Evaluations***

5. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. CARROLL's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. **MS. CARROLL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CARROLL's** license, and a statement as to whether **MS. CARROLL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a

basis for additional terms and restrictions on **MS. CARROLL's** license.

### ***Monitoring***

7. Abstain completely from 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. CARROLL's** history. **MS. CARROLL** shall self-administer the prescribed drugs only in the manner prescribed.
8. Abstain completely from the use of alcohol or any products containing alcohol.
9. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement**, submit, at **MS. CARROLL's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. CARROLL'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. CARROLL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. CARROLL**.
  - a. **Prior** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. CARROLL**, **and** submit the report directly to the Board.
  - b. **After** initiating drug screening, be under a **continuing duty** to:
    - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
    - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another

practitioner;

- iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. CARROLL** and submit the report directly to the Board.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.
11. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement**, continue participating in ongoing individual counseling at intervals deemed appropriate by Elizabeth Rich, LICDC-CS, or another chemical dependency professional approved in advance by the Board or its designee until released. **MS. CARROLL** shall have the chemical dependency professional submit written reports regarding **MS. CARROLL's** current diagnosis, progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. CARROLL** shall provide the chemical dependency professional with a copy of this Order prior to submission of the first report. **MS. CARROLL** shall inform the Board, in writing, within five (5) business days of discontinuing participation in group and/or individual counseling, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another chemical dependency professional and intervals of treatment for approval by the Board or its designee.

### ***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. CARROLL's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.

16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. CARROLL's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. CARROLL shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. CARROLL's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. **MS. CARROLL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. CARROLL's** license, and a statement as to whether **MS.**

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

4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. CARROLL's** license.

### ***Monitoring***

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

**MS. CARROLL** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed,

administered, or dispensed to **MS. CARROLL** *and* submit the report directly to the Board.

8. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.
9. Continue participating in ongoing individual counseling at intervals deemed appropriate by Elizabeth Rich, LICDC-CS, or another chemical dependency professional approved in advance by the Board or its designee until released. **MS. CARROLL** shall have the chemical dependency professional submit written reports regarding **MS. CARROLL's** current diagnosis, progress, status, and compliance with her treatment plan to the Board **on a quarterly basis**. **MS. CARROLL** shall inform the Board, in writing, within five (5) business days of discontinuing participation in group and/or individual counseling, and prior to said discontinuation, shall inform the Board, in writing, of the name(s) of another mental health treating professional(s) and intervals of treatment for approval by the Board or its designee.

### ***Employment Conditions***

10. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
11. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. CARROLL** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
12. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
13. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
14. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

15. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
16. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
17. Submit any and all information that the Board may request regarding **MS. CARROLL's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
18. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
19. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

20. Verify that the reports and documentation required by this Order are received in the Board office.
21. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. CARROLL's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. CARROLL** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Christopher, Deborah L., R.N. 132030 (CASE #17-0687)

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that upon consideration of the charges stated against **DEBORAH L. CHRISTOPHER** in the March 9, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. CHRISTOPHER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. CHRISTOPHER's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. CHRISTOPHER's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. CHRISTOPHER's** license to practice as a registered nurse if **MS. CHRISTOPHER** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. CHRISTOPHER shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. CHRISTOPHER**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. CHRISTOPHER's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. CHRISTOPHER's** completed criminal records check, including the FBI check, is received by the Board.

5. Pay a fine of one thousand dollars (\$1,000.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: ten (10) hours Universal and Standard Precautions; five (5) hours Medication Administration; five (5) hours Professional Accountability and Legal Liability; five (5) hours Time Management; and two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. CHRISTOPHER's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

**17 South High Street, Suite 400  
Columbus, OH 43215-7410**

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Barbara Douglas and Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Woyame, Theresa Ann, R.N. 237610 (CASE #16-4308; #16-4306)

**Action:** It was moved by Barbara Douglas, seconded by Maryam Lyon, that upon consideration of the charges stated against **THERESA ANN WOYAME** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WOYAME** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. WOYAME's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

**SUSPENSION OF LICENSE**

**MS. WOYAME's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. WOYAME's** license to practice as a registered nurse if **MS. WOYAME** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

**CONDITIONS FOR REINSTATEMENT**

**MS. WOYAME shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WOYAME**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. WOYAME's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. WOYAME's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the terms and conditions imposed by the Decision and Order issued by the Board of Registered Nursing, Department of Consumer Affairs, State of California dated June 23, 2016, and that her California license is current, valid, and unrestricted.

#### ***Nursing Refresher Course***

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

#### ***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. Submit any and all information that the Board may request regarding **MS. WOYAME's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

**17 South High Street, Suite 400  
Columbus, OH 43215-7410**

12. Verify that the reports and documentation required by this Order are received in the Board office.
13. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Eckenroad, Carrie R., P.N. 111845 (CASE #17-0063; #16-7752)

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that upon consideration of the charges stated against **CARRIE R. ECKENROAD** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ECKENROAD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. ECKENROAD's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. ECKENROAD's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

**SUSPENSION OF LICENSE**

**MS. ECKENROAD's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. ECKENROAD's** license to practice as a licensed practical nurse if **MS. ECKENROAD** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

**CONDITIONS FOR REINSTATEMENT**

**MS. ECKENROAD shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this

Order.

2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ECKENROAD**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. ECKENROAD's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. ECKENROAD's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Evaluations***

5. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. ECKENROAD's** expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ECKENROAD** shall provide the mental health evaluator with a copy of this Order and the Notice of Opportunity for Hearing. **MS. ECKENROAD** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ECKENROAD's** license, and a statement as to whether **MS. ECKENROAD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ECKENROAD's** license.
7. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. ECKENROAD's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. ECKENROAD** shall execute

- releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ECKENROAD's** license, and a statement as to whether **MS. ECKENROAD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ECKENROAD's** license.

### ***Monitoring***

9. Abstain completely from 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. ECKENROAD's** history. **MS. ECKENROAD** shall self-administer the prescribed drugs only in the manner prescribed.
10. **If recommended by the chemical dependency evaluation**, abstain completely from the use of alcohol or any products containing alcohol.
11. **If recommended by the chemical dependency evaluation**, submit, at **MS. ECKENROAD's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. ECKENROAD'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. ECKENROAD** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. ECKENROAD**.
  - a. ***Prior*** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and

- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ECKENROAD**, *and* submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ECKENROAD** *and* submit the report directly to the Board.

12. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### ***Reporting Requirements for Suspension Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. ECKENROAD's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. ECKENROAD's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. ECKENROAD shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. ECKENROAD's** expense, obtain a mental health evaluation from a Board approved evaluator and provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. ECKENROAD** shall provide the mental health evaluator with a copy of this Order and the Notice of Opportunity for Hearing. **MS. ECKENROAD** shall execute releases to permit the mental health evaluator to obtain any information deemed appropriate and necessary for the evaluation. The mental health evaluator shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ECKENROAD's** license, and a statement as to whether **MS. ECKENROAD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **If a mental health evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the mental health evaluator described above until released. Further, the Board may utilize the mental health evaluator's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ECKENROAD's** license.
5. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. ECKENROAD's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. ECKENROAD** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ECKENROAD's** license, and a statement as to whether **MS. ECKENROAD** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ECKENROAD's** license.

### ***Monitoring***

7. Abstain completely from 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. ECKENROAD's** history. **MS. ECKENROAD** shall self-administer prescribed drugs only in the manner prescribed.
8. **If recommended by the chemical dependency evaluation**, abstain completely from the use of alcohol or any products containing alcohol.
9. **If recommended by the chemical dependency evaluation**, submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section

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

**MS. ECKENROAD** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ECKENROAD** and submit the report directly to the Board.

10. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

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

12. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. ECKENROAD** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.

13. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.

14. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse.**
15. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

16. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
17. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
18. Submit any and all information that the Board may request regarding **MS. ECKENROAD's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
19. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

21. Verify that the reports and documentation required by this Order are received in the Board office.
22. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. ECKENROAD's license is subject to the following License Restrictions:**

### **Temporary Narcotic Restriction**

**Upon reinstatement, MS. ECKENROAD** shall not administer, have access to, or possess (except as prescribed for **MS. ECKENROAD's** use by another so authorized by law who has full knowledge of **MS. ECKENROAD's** history) any narcotics, other controlled substances, or mood altering drugs. In addition, **MS. ECKENROAD** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. ECKENROAD** shall not call in or order prescriptions or prescription refills. **If recommended by the chemical dependency evaluation, MS. ECKENROAD may submit a written request to the Board or its designee, to be released from the Temporary Narcotic Restriction.**

### **Temporary Practice Restrictions**

**Upon reinstatement, MS. ECKENROAD** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. ECKENROAD** to provide nursing services for fees, compensation, or other consideration or who engage **MS. ECKENROAD** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. ECKENROAD** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Estep, Sabrina Kay, R.N. 407611 (CASE #16-7955; #16-3925; 16-3086)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **SABRINA KAY ESTEP** in the January 26, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ESTEP** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. ESTEP's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. ESTEP's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Permanent Narcotic and Permanent Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. ESTEP's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than three (3) years.

The Board may reinstate **MS. ESTEP's** license to practice as a registered nurse if **MS. ESTEP** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. ESTEP shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing

- the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
  4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ESTEP**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. ESTEP's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. ESTEP's** completed criminal records check, including the FBI check, is received by the Board.
  5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. ESTEP's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. **MS. ESTEP** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ESTEP's** license, and a statement as to whether **MS. ESTEP** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ESTEP's** license.

### ***Monitoring***

8. Abstain completely from 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. ESTEP's** history. **MS. ESTEP** shall self-administer the prescribed drugs only in the manner prescribed.
9. Abstain completely from the use of alcohol or any products containing alcohol.
  10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. ESTEP's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. ESTEP'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. ESTEP** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. ESTEP**.
    - a. **Prior** to initiating drug screening:
      - i. Provide a copy of this Order to all treating practitioners;
      - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
      - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ESTEP**, **and** submit the report directly to the Board.
    - b. **After** initiating drug screening, be under a **continuing duty** to:
      - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
      - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
      - iii. 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; and

- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ESTEP** and submit the report directly to the Board.

11. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

### ***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. ESTEP's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. ESTEP's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

## **PROBATIONARY TERMS AND RESTRICTIONS**

### **MS. ESTEP shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request, at MS. ESTEP's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing. MS. ESTEP shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. ESTEP's license, and a statement as to whether MS. ESTEP is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
4. **If a chemical dependency evaluation is requested, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on MS. ESTEP's license.**

### ***Monitoring***

5. Abstain completely from 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. ESTEP's** history. **MS. ESTEP** shall self-administer prescribed drugs only in the manner prescribed.
6. Abstain completely from the use of alcohol or any products containing alcohol.
7. Submit, at her expense, and on the day selected, blood, breath, hair or

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

**MS. ESTEP** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ESTEP** *and* submit the report directly to the Board.
8. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

9. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
10. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. ESTEP** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.

11. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse.**
12. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse.**
13. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. ESTEP's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. 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.

## LICENSE RESTRICTIONS

**In addition to Probationary Terms and Restrictions, MS. ESTEP's license is subject to the following License Restrictions:**

### Permanent Narcotic Restriction

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

### Permanent Practice Restrictions

**Upon reinstatement, MS. ESTEP** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. ESTEP** to provide nursing services for fees, compensation, or other consideration or who engage **MS. ESTEP** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### FAILURE TO COMPLY

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

Board monitoring, based upon an interview with **MS. ESTEP** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. ESTEP** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Getz, Debra D., R.N. 320542 (CASE #17-2192)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **DEBRA D. GETZ** in the May 18, 2017 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GETZ** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. GETZ's** license to practice nursing as a registered nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. GETZ's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **previously imposed Permanent Practice Restrictions**; and the **Temporary Narcotic Restrictions, unless otherwise approved in advance**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. GETZ's** license to practice as a registered nurse is suspended for an indefinite period of time but not less than three (3) years.

The Board may reinstate **MS. GETZ's** license to practice as a registered nurse if **MS. GETZ** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. GETZ shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.

2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GETZ**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. GETZ's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. GETZ's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: ten (10) hours Medication Administration and Documentation, ten (10) hours Chemical Dependency and Substance Abuse, and two (2) hours Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, **MS. GETZ** shall, at her expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. GETZ** shall provide the psychiatrist with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GETZ's** license, and a statement as to whether **MS. GETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MS. GETZ** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. GETZ's** license.

8. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MS. GETZ's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. GETZ** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GETZ's** license, and a statement as to whether **MS. GETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. GETZ's** license.

### ***Monitoring***

10. Abstain completely from 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. GETZ's** history. **MS. GETZ** shall self-administer the prescribed drugs only in the manner prescribed.
11. Abstain completely from the use of alcohol or any products containing alcohol.
12. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement,** submit, at **MS. GETZ's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. GETZ'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. GETZ** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. GETZ**.

- a. **Prior** to initiating drug screening:
  - i. Provide a copy of this Order to all treating practitioners;
  - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
  - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. GETZ**, **and** submit the report directly to the Board.
  
- b. **After** initiating drug screening, be under a **continuing duty** to:
  - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. GETZ** **and** submit the report directly to the Board.

13. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. GETZ's** ability to practice nursing according to acceptable and prevailing

standards of safe nursing practice.

17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. GETZ's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

#### **MS. GETZ shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. GETZ's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. GETZ** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the

evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. GETZ's** license, and a statement as to whether **MS. GETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. GETZ's** license.

### ***Monitoring***

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

### **MS. GETZ shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and

- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. GETZ** and submit the report directly to the Board.
8. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

9. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
10. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. GETZ** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
11. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
12. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse**.
13. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.

16. Submit any and all information that the Board may request regarding **MS. GETZ's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. GETZ's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Permanent Practice Restrictions**

**Upon reinstatement, MS. GETZ shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides**

nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. GETZ** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. GETZ** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Gomez, Veronica Ann, P.N. 132508 (CASE #17-1265)

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that upon consideration of the charges stated against **VERONICA ANN GOMEZ** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. GOMEZ** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of

Opportunity for Hearing, and that **MS. GOMEZ's** license to practice nursing as a licensed practical nurse be **PERMANENTLY REVOKED**.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Hazeltine, Jeremy W., P.N. 132938 (CASE #17-0853)

**Action:** It was moved by Brenda Boggs, seconded by Erin Keels, that upon consideration of the charges stated against **JEREMY W. HAZELTINE** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. HAZELTINE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MR. HAZELTINE's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MR. HAZELTINE's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years.

### **SUSPENSION OF LICENSE**

**MR. HAZELTINE's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MR. HAZELTINE's** license to practice as a licensed practical nurse if **MR. HAZELTINE** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MR. HAZELTINE shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. HAZELTINE**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MR. HAZELTINE's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MR. HAZELTINE's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. Prior to requesting reinstatement by the Board, **MR. HAZELTINE** shall submit documentation of his full compliance with the terms and conditions imposed by the Franklin County Court of Common Pleas in Case Number 14CR-07-3703.

#### ***Educational Requirements***

7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: two (2) hours Ohio Law and Rules, four (4) hours Veracity; and five (5) hours Ethics. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

#### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MR. HAZELTINE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MR. HAZELTINE's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MR. HAZELTINE shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Employment Conditions***

3. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
4. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MR. HAZELTINE** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
5. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.

6. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse.**
7. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MR. HAZELTINE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in employment status or of any change in residential or home address or telephone number.

**FAILURE TO COMPLY**

The stay of **MR. HAZELTINE's** suspension shall be lifted and **MR. HAZELTINE's** license to practice nursing as a licensed practical nurse will be automatically suspended if it appears to the Board that **MR. HAZELTINE** has

violated or breached any terms or conditions of this Order. Following the automatic suspension, the Board shall notify **MR. HAZELTINE** via certified mail of the specific nature of the charges and automatic suspension of **MR. HAZELTINE's** license. **MR. HAZELTINE** 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. HAZELTINE** has complied with all aspects of this Order; and (2) the Board determines that **MR. HAZELTINE** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MR. HAZELTINE** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MR. HAZELTINE** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Hess, Sonya Lee, R.N. 329534 (CASE #17-2785; #16-7863)

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that upon consideration of the charges stated against **SONYA LEE HESS** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HESS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. HESS's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. HESS's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year.

### **SUSPENSION OF LICENSE**

**MS. HESS's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. HESS's** license to practice as a registered nurse if **MS. HESS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. HESS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HESS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. HESS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. HESS's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. Submit documentation showing her full compliance with the terms and conditions imposed by the Consent Order issued by the Michigan Department of Licensing and Regulatory Affairs, Bureau of Health Care Services, Board of Nursing, dated June 3, 2015, and that her Michigan license is current, valid and unrestricted.

#### ***Monitoring***

7. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. HESS's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HESS'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. HESS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. HESS**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HESS**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HESS and** submit the report directly to the Board.

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. HESS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. HESS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of one (1) year.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. HESS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

***Monitoring***

3. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. **MS. HESS may request release from this requirement after one (1) year of the probationary period.** 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.**

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

**MS. HESS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HESS** *and* submit the report directly to the Board.

### ***Employment Conditions***

4. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
5. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. HESS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
6. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
7. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse**.
8. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. HESS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

14. Verify that the reports and documentation required by this Order are received in the Board office.
15. Inform the Board **within five (5) business days**, in writing, of any change in employment status or of any change in residential or home address or telephone number.

**FAILURE TO COMPLY**

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

and (2) the Board determines that **MS. HESS** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. HESS** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. HESS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Martin, Karen Michelle, R.N. 297077 (CASE #17-1274)

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, that upon consideration of the charges stated against **KAREN MICHELLE MARTIN** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MARTIN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MARTIN's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. MARTIN's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. MARTIN's** license to practice as a registered nurse if **MS. MARTIN** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. MARTIN shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MARTIN**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MARTIN's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MARTIN's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
6. Submit documentation showing her full compliance with the terms and conditions imposed by the Revised Settlement Agreement with Final Order and Administrative Complaint issued by the State of Florida Board of Nursing, dated December 21, 2016, and that her Florida license is current, valid, and unrestricted.
7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.

***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. MARTIN's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.

14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Morningstar, Diana Rae, P.N. 117239 (CASE #17-2322)

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, that upon consideration of the charges stated against **DIANA RAE MORNINGSTAR** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MORNINGSTAR** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. MORNINGSTAR's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. MORNINGSTAR's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. MORNINGSTAR's** license to practice as a licensed practical nurse if **MS. MORNINGSTAR** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. MORNINGSTAR shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MORNINGSTAR**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MORNINGSTAR's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MORNINGSTAR's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of one thousand dollars (\$1000.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

#### ***Educational Requirements***

6. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Professional Accountability and Legal Liability; five (5) hours Ethics; five (5) hours Scope of Practice; and one (1) hour Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. MORNINGSTAR's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Post, Julia Adele, R.N. 300282 (CASE #17-1289)

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that upon consideration of the charges stated against **JULIA ADELE POST** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. POST** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. POST's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. POST's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. POST's** license to practice as a registered nurse if **MS. POST** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. POST shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. POST**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. POST's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. POST's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the terms and conditions imposed by the Stipulated Findings of Fact, Conclusions of Law and Agreed Order issued by the State of Washington Department of Health Nursing Care Quality Assurance Commission, dated January 6, 2017, and that her Washington license is current, valid, and unrestricted.

#### ***Nursing Refresher Course***

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

### ***Evaluations***

7. **Within ninety (90) days immediately prior to requesting reinstatement, at MS. POST's expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating MS. POST's fitness for duty and safety to practice nursing as a registered nurse. This Board approved physician shall provide the Board with complete documentation of MS. POST's comprehensive physical examination and with a comprehensive assessment regarding MS. POST's fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, MS. POST shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. MS. POST shall execute releases to permit the Board approved physician performing the comprehensive physical examination, and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. POST's license to practice, and stating whether MS. POST is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
8. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physical examination and assessment as a basis for additional terms and restrictions on **MS. POST's** license.

### ***Reporting Requirements for Suspension Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. POST's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

14. Verify that the reports and documentation required by this Order are received in the Board office.
15. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Rachford, Lori Ann (aka "Lori Ann Rachford Vest"), R.N. 290612 (CASE #17-2784)

**Action:** It was moved by Barbara Douglas, seconded by Lisa Klenke, that upon consideration of the charges stated against **LORI ANN RACHFORD** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. RACHFORD** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. RACHFORD's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

**SUSPENSION OF LICENSE**

**MS. RACHFORD's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. RACHFORD's** license to practice as a registered nurse if **MS. RACHFORD** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

**CONDITIONS FOR REINSTATEMENT**

**MS. RACHFORD shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.

2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. RACHFORD**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. RACHFORD's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. RACHFORD's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the terms and conditions imposed by the Agreed Order issued by the Commonwealth of Kentucky Board of Nursing, dated May 9, 2017, and that her Kentucky license is current, valid, and unrestricted.

#### ***Nursing Refresher Course***

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

#### ***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. Submit any and all information that the Board may request regarding **MS. RACHFORD's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

12. Verify that the reports and documentation required by this Order are received in the Board office.

13. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Rogers, Brenda Renee, P.N. 103164 (CASE #17-0739)

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that upon consideration of the charges stated against **BRENDA RENEE ROGERS** in the March 9, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ROGERS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. ROGERS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. ROGERS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **previously imposed Permanent Practice Restrictions**, set forth below.

**SUSPENSION OF LICENSE**

**MS. ROGERS's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. ROGERS's** license to practice as a licensed practical nurse if **MS. ROGERS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

**CONDITIONS FOR REINSTATEMENT**

**MS. ROGERS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROGERS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. ROGERS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. ROGERS's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Ethics; five (5) hours Professional Accountability; and one (1) hour Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. Submit any and all information that the Board may request regarding **MS. ROGERS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

12. Verify that the reports and documentation required by this Order are received in the Board office.
13. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. ROGERS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. ROGERS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Employment Conditions***

3. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
4. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. ROGERS** does not work in a position within the State of Ohio for which a

- license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
5. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
  6. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
  7. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. ROGERS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. 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.

## LICENSE RESTRICTIONS

**In addition to Probationary Terms and Restrictions, MS. ROGERS's license is subject to the following License Restrictions:**

### **Permanent Practice Restrictions**

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

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. ROGERS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Spalding, Therese Beth, R.N. 292985 (CASE #17-1505)

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that upon consideration of the charges stated against **THERESE BETH SPALDING** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. SPALDING** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. SPALDING's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. SPALDING's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. SPALDING's** license to practice as a registered nurse if **MS. SPALDING** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. SPALDING shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. SPALDING**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. SPALDING's** criminal records check to the Board. The Board will not consider a request for

reinstatement until **MS. SPALDING's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirements***

5. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Critical Thinking, and two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Reporting Requirements for Suspension Period***

7. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
8. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
9. Submit any and all information that the Board may request regarding **MS. SPALDING's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
10. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
11. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

12. Verify that the reports and documentation required by this Order are received in the Board office.
13. Inform the Board **within five (5) business days**, in writing, of any change

in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Delisle, Eva Marie, R.N. 373086 (CASE #17-0764)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that upon consideration of the charges stated against **EVA MARIE DELISLE** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. DELISLE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. DELISLE's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. DELISLE's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. DELISLE's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. DELISLE's** license to practice as a registered nurse if **MS. DELISLE** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. DELISLE shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DELISLE**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. DELISLE's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. DELISLE's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: a Course in Assessment, five (5) hours Professional Accountability and Legal Liability, three (3) hours Vulnerable Patient Population in the Correctional Setting, and two (2) hours Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.
7. Establish contact with a nursing educator, approved in advance by the Board or its designee, who has no less than a master's degree and who is affiliated with a nursing educational program.
  - a. Have the educator provide the Board with a written report of an assessment of **MS. DELISLE**, which identifies **MS. DELISLE's** knowledge/practice deficiencies and remedial educational needs.
  - b. Prior to the assessment, provide the nursing educator with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and submit to any nursing skills or knowledge assessments required by the educator. **MS. DELISLE** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. DELISLE's** employer(s), former employers, and Board staff.
  - c. Following the assessment, have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. DELISLE** and obtain approval of the learning plan by the Board or

its designee. The learning plan shall identify specific remediation that **MS. DELISLE** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. DELISLE** shall complete such learning plan.

- d. Successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan.
- e. Be responsible for all costs associated with meeting the requirements of the learning plan.
- f. **After MS. DELISLE has successfully completed the learning plan**, have the educator provide the Board with:
  - i. An assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. DELISLE's** license; and
  - ii. A written opinion stating whether **MS. DELISLE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
- g. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. DELISLE's** license.
- h. If **MS. DELISLE** has met all other conditions for reinstatement, in the event that the educator's recommendations include a clinical component, this requirement will be completed following reinstatement of **MS. DELISLE's** nursing license and prior to **MS. DELISLE** practicing as a nurse.

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. DELISLE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive

statements, information, or documentation to the Board.

12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. DELISLE's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. DELISLE shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Employment Conditions***

3. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
4. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. DELISLE** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.

5. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse.**
6. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse.**
7. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. DELISLE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. DELISLE's license is subject to the following License Restrictions:**

**Temporary Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. DELISLE** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. DELISLE** to provide nursing services for fees, compensation, or other consideration or who engage **MS. DELISLE** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

**FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. DELISLE** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Bretz, Michael D., P.N. 144508 (CASE #17-1242; #16-2248)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that upon consideration of the charges stated against **MICHAEL D. BRETZ** in the May 18, 2017 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MR. BRETZ** 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 **MR. BRETZ's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MR. BRETZ's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

#### SUSPENSION OF LICENSE

**MR. BRETZ's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MR. BRETZ's** license to practice as a licensed practical nurse if **MR. BRETZ** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

#### CONDITIONS FOR REINSTATEMENT

**MR. BRETZ shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting**

**reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. BRETZ**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MR. BRETZ's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MR. BRETZ's** completed criminal records check, including the FBI check, is received by the Board.

### ***Educational Requirments***

5. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Substance Use Disorder; five (5) hours Medication Administration; and two (2) hours Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MR. BRETZ's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MR. BRETZ** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. BRETZ's** license, and a statement as to whether **MR. BRETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. BRETZ's** license.

### ***Monitoring***

8. Abstain completely from personal use or possession of drugs, except those prescribed, administered, or dispensed to **MR. BRETZ** by another so authorized by law who has full knowledge of **MR. BRETZ's** history. **MR. BRETZ** shall self-administer the prescribed drugs only in the manner prescribed.
9. Abstain completely from the use of alcohol or any products containing alcohol.
10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MR. BRETZ's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. BRETZ's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day **MR. BRETZ** 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. BRETZ** shall be negative, except for substances prescribed, administered, or dispensed to **MR. BRETZ** by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MR. BRETZ**.
  - a. ***Prior*** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. BRETZ**, **and** submit the report directly to the Board.
  - b. ***After*** initiating drug screening, be under a ***continuing duty*** to:
    - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
    - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;

- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. BRETZ** and submit the report directly to the Board.

11. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

- 12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
- 13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
- 14. Submit any and all information that the Board may request regarding **MR. BRETZ's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
- 15. Not submit or cause to be submitted any **MR. BRETZ**, misleading, or deceptive statements, information, or documentation to the Board.
- 16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

- 17. Verify that the reports and documentation required by this Order are received in the Board office.
- 18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

## **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MR. BRETZ's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

## **PROBATIONARY TERMS AND RESTRICTIONS**

### **MR. BRETZ shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MR. BRETZ's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MR. BRETZ** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. BRETZ's** license, and a statement as to whether **MR. BRETZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. BRETZ's** license.

### ***Monitoring***

5. Abstain completely from personal use or possession of drugs, except those prescribed, administered, or dispensed to **MR. BRETZ** by another so authorized by law who has full knowledge of **MR. BRETZ's** history. **MR. BRETZ** shall self-administer prescribed drugs only in the manner prescribed.

6. Abstain completely from the use of alcohol or any products containing alcohol.
7. Submit, at his expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day **MR. BRETZ** 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. BRETZ** shall be negative, except for substances prescribed, administered, or dispensed to **MR. BRETZ** by another so authorized by law who has full knowledge of **MR. BRETZ's** history.

**MR. BRETZ** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MR. BRETZ** *and* submit the report directly to the Board.
8. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

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

10. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MR. BRETZ** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
11. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
12. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse**.
13. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MR. BRETZ's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

19. Verify that the reports and documentation required by this Order are received in the Board office.

20. 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.

## **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MR. BRETZ's license is subject to the following License Restrictions:**

### **Temporary Narcotic Restriction**

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

### **Temporary Practice Restrictions**

**Upon reinstatement, MR. BRETZ** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MR. BRETZ** to provide nursing services for fees, compensation, or other consideration or who engage **MR. BRETZ** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MR. BRETZ** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Meros, Julie M., P.N. 125558 (CASE #16-7090)

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that upon consideration of the charges stated against **JULIE M. MEROS** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MEROS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. MEROS's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. MEROS's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Permanent Practice Restrictions, unless otherwise approved in advance, and the Temporary Narcotic Restrictions**, set forth below.

## **SUSPENSION OF LICENSE**

**MS. MEROS's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. MEROS's** license to practice as a licensed practical nurse if **MS. MEROS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

#### **MS. MEROS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MEROS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MEROS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MEROS's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Evaluations***

5. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. MEROS's** expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MEROS's** fitness for duty and safety to practice nursing as a licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. MEROS's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MEROS's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. MEROS** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. **MS. MEROS** shall execute releases to permit the Board approved physician performing the comprehensive physical examination, and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MEROS's** license to practice, and stating whether **MS. MEROS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

6. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physical examination and assessment as a basis for additional terms and restrictions on **MS. MEROS's** license.
7. **Within ninety (90) days immediately prior to requesting reinstatement,** at **MS. MEROS's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. MEROS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MEROS's** license, and a statement as to whether **MS. MEROS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MEROS's** license.

### ***Monitoring***

9. Abstain completely from 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. MEROS's** history. **MS. MEROS** shall self-administer the prescribed drugs only in the manner prescribed.
10. **For a minimum, continuous period of three (3) months immediately prior to requesting reinstatement,** submit, at **MS. MEROS's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MEROS'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. MEROS** shall be negative, except for substances prescribed,

administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. MEROS**.

- a. **Prior** to initiating drug screening:
  - i. Provide a copy of this Order to all treating practitioners;
  - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
  - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MEROS**, *and* submit the report directly to the Board.
  
- b. **After** initiating drug screening, be under a **continuing duty** to:
  - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MEROS** *and* submit the report directly to the Board.

### ***Reporting Requirements for Suspension Period***

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. MEROS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.

14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
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16. Verify that the reports and documentation required by this Order are received in the Board office.
17. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. MEROS's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. MEROS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Monitoring***

3. Abstain completely from 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. MEROS's** history. **MS. MEROS** shall self-administer prescribed drugs only in the manner prescribed.
4. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day

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

**MS. MEROS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MEROS** *and* submit the report directly to the Board.

### ***Employment Conditions***

5. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
6. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. MEROS** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
7. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
8. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **beginning within thirty (30) days of working in a position as a nurse**.

9. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. MEROS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
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15. Verify that the reports and documentation required by this Order are received in the Board office.
16. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. MEROS's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

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

### **Permanent Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. MEROS** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. MEROS** to provide nursing services for fees, compensation, or other consideration or who engage **MS. MEROS** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. MEROS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Bennett, Tessa Elaine, P.N. 145711 (CASE #17-1615; #16-6147)

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that upon consideration of the charges stated against **TESSA ELAINE BENNETT** in the May 18, 2017 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. BENNETT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. BENNETT's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. BENNETT's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Permanent Narcotic and Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

### SUSPENSION OF LICENSE

**MS. BENNETT's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than three (3) years.

The Board may reinstate **MS. BENNETT's** license to practice as a licensed practical nurse if **MS. BENNETT** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

**MS. BENNETT shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. BENNETT**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. BENNETT's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. BENNETT's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the requirements imposed by the Allen County Court of Common Pleas in Case Number CR-2016-0176 and in Case Number CR-2017-0028.

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. BENNETT's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. BENNETT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BENNETT's** license, and a statement as to whether **MS. BENNETT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BENNETT's** license.

### ***Monitoring***

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

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. BENNETT's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. BENNETT'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. BENNETT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. BENNETT**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BENNETT**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BENNETT and** submit the report directly to the Board.

11. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. BENNETT's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. BENNETT's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. BENNETT shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. BENNETT's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. BENNETT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. BENNETT's** license, and a statement as to whether **MS. BENNETT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. BENNETT's** license.

### ***Monitoring***

5. Abstain completely from 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. BENNETT's** history. **MS. BENNETT** shall self-administer prescribed drugs only in the manner prescribed.
6. Abstain completely from the use of alcohol or any products containing alcohol.
7. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. BENNETT** shall be negative,

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

**MS. BENNETT** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. BENNETT** *and* submit the report directly to the Board.
8. **If recommended by the chemical dependency evaluation**, 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

9. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
10. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. BENNETT** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
11. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
12. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of**

**the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse.**

13. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. BENNETT's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

19. Verify that the reports and documentation required by this Order are received in the Board office.
20. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. BENNETT's license is subject to the following License Restrictions:**

**Permanent Narcotic Restriction**

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

### **Temporary Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. BENNETT** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. BENNETT** to provide nursing services for fees, compensation, or other consideration or who engage **MS. BENNETT** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. BENNETT** does not work in a position within the State of Ohio for which a license

to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Minor, Siera M., P.N. 150075 (CASE #17-1490)

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that upon consideration of the charges stated against **SIERA M. MINOR** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MINOR** 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, that **MS. MINOR's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. MINOR's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of one (1) year including the **Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

### SUSPENSION OF LICENSE

**MS. MINOR's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. MINOR's** license to practice as a licensed practical nurse if **MS. MINOR** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

**MS. MINOR shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated

representative, as requested by the Board or its designee.

4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MINOR**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MINOR's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MINOR's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

#### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Documentation, five (5) hours Medication Administration, five (5) hours Stress Management, and one (1) hour Ohio Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.
7. Establish contact with a nursing educator, approved in advance by the Board or its designee, who has no less than a master's degree and who is affiliated with a nursing educational program.
  - a. Have the educator provide the Board with a written report of an assessment of **MS. MINOR**, which identifies **MS. MINOR's** knowledge/practice deficiencies and remedial educational needs.
  - b. Prior to the assessment, provide the nursing educator with a copy of this Order and the Notice of Automatic Suspension and Opportunity for Hearing and submit to any nursing skills or knowledge assessments required by the educator. **MS. MINOR** shall also execute releases prior to the assessment to permit the educator to obtain any information deemed appropriate and necessary for the assessment including information from **MS. MINOR's** employer(s), former employers, and Board staff.
  - c. Following the assessment, have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. MINOR** and obtain approval of the learning plan by the Board or its

designee. The learning plan shall identify specific remediation that **MS. MINOR** shall complete to address any knowledge/practice deficiencies and remedial educational needs identified by the educator and shall identify the time frame during which **MS. MINOR** shall complete such learning plan.

- d. Successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan.
- e. Be responsible for all costs associated with meeting the requirements of the learning plan.
- f. **After MS. MINOR has successfully completed the learning plan**, have the educator provide the Board with:
  - i. An assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. MINOR's** license; and
  - ii. A written opinion stating whether **MS. MINOR** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
- g. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms and restrictions on **MS. MINOR's** license.
- h. If **MS. MINOR** has met all other conditions for reinstatement, in the event that the educator's recommendations include a clinical component, this requirement will be completed following reinstatement of **MS. MINOR's** nursing license and prior to **MS. MINOR** practicing as a nurse.

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. MINOR's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive

statements, information, or documentation to the Board.

12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. MINOR's** license shall be subject to Probationary Terms and Restrictions for a minimum period of one (1) year.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. MINOR shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Employment Conditions***

3. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
4. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. MINOR** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.

5. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse.**
6. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse.**
7. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. MINOR's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. MINOR's license is subject to the following License Restrictions:**

**Temporary Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. MINOR** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. MINOR** to provide nursing services for fees, compensation, or other consideration or who engage **MS. MINOR** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

**FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. MINOR** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Oboczky, Michelle Renee, P.N. 098414 (CASE #17-0439)

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, that upon consideration of the charges stated against **MICHELLE RENEE OBOCZKY** in the May 18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. OBOCZKY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. OBOCZKY's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. OBOCZKY's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

#### **SUSPENSION OF LICENSE**

**MS. OBOCZKY's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. OBOCZKY's** license to practice as a licensed practical nurse if **MS. OBOCZKY** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

#### **CONDITIONS FOR REINSTATEMENT**

**MS. OBOCZKY shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting**

- reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. OBOCZKY**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. OBOCZKY's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. OBOCZKY's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. OBOCZKY's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. OBOCZKY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. OBOCZKY's** license, and a statement as to whether **MS. OBOCZKY** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. OBOCZKY's** license.

### ***Monitoring***

8. Abstain completely from 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. OBOCZKY's** history. **MS. OBOCZKY** shall self-administer the prescribed drugs only in the manner prescribed.
9. **If recommended by the chemical dependency evaluation**, abstain

completely from the use of alcohol or any products containing alcohol.

10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement**, submit, at **MS. OBOCZKY's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. OBOCZKY'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. OBOCZKY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. OBOCZKY**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. OBOCZKY**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. OBOCZKY** **and** submit the report directly to the Board.

***Reporting Requirements for Suspension Period***

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. OBOCZKY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

16. Verify that the reports and documentation required by this Order are received in the Board office.
17. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

**PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. OBOCZKY's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

**PROBATIONARY TERMS AND RESTRICTIONS**

**MS. OBOCZKY shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### **Evaluations**

3. **Upon the request of the Board or its designee and within sixty (60) days of that request, at MS. OBOCZKY's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. MS. OBOCZKY shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. OBOCZKY's license, and a statement as to whether MS. OBOCZKY is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
4. **If a chemical dependency evaluation is requested, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on MS. OBOCZKY's license.**

### **Monitoring**

5. Abstain completely from 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. OBOCZKY's** history. **MS. OBOCZKY** shall self-administer prescribed drugs only in the manner prescribed.
6. **If recommended by the chemical dependency evaluation, abstain completely from the use of alcohol or any products containing alcohol.**
7. Submit, at her expense, and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. **MS. OBOCZKY may request release from this requirement after six (6) months of the probationary period.** 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. OBOCZKY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. OBOCZKY's** history.

**MS. OBOCZKY** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and
- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. OBOCZKY** *and* submit the report directly to the Board.

***Employment Conditions***

8. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. OBOCZKY** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. OBOCZKY's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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Ohio Board of Nursing  
17 South High Street, Suite 400  
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18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. OBOCZKY's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

**Upon reinstatement, MS. OBOCZKY** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. OBOCZKY** to provide nursing services for fees, compensation, or other consideration or who engage **MS. OBOCZKY** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. OBOCZKY** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Rowe, Leslie A., P.N. 142114 (CASE #16-2026)

**Action:** It was moved by Joanna Ridgeway, seconded by Matthew Carle, that upon consideration of the charges stated against **LESLIE A. ROWE** in the May

18, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ROWE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. ROWE's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. ROWE's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. ROWE's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. ROWE's** license to practice as a licensed practical nurse if **MS. ROWE** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. ROWE shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ROWE**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. ROWE's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. ROWE's** completed criminal records check, including the FBI check, is received by the Board.

5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Evaluations***

6. **Within ninety (90) days immediately prior to requesting reinstatement, at MS. ROWE's expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. MS. ROWE shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on MS. ROWE's license, and a statement as to whether MS. ROWE is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.**
7. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ROWE's** license.

### ***Monitoring***

8. Abstain completely from 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. ROWE's** history. **MS. ROWE** shall self-administer the prescribed drugs only in the manner prescribed.
9. Abstain completely from the use of alcohol or any products containing alcohol.
10. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement, submit, at MS. ROWE's expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after MS. ROWE'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. ROWE** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. ROWE**.

a. **Prior** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
- ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
- iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ROWE**, **and** submit the report directly to the Board.

b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ROWE and** submit the report directly to the Board.

**Reporting Requirements for Suspension Period**

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. ROWE's** ability to practice nursing according to acceptable and prevailing

standards of safe nursing practice.

14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

16. Verify that the reports and documentation required by this Order are received in the Board office.
17. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. ROWE's** license shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. ROWE shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

#### ***Evaluations***

3. **Upon the request of the Board or its designee and within sixty (60) days of that request**, at **MS. ROWE's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. ROWE** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical

dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. ROWE's** license, and a statement as to whether **MS. ROWE** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **If a chemical dependency evaluation is requested**, provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. ROWE's** license.

### ***Monitoring***

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

### **MS. ROWE shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and

- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. ROWE** and submit the report directly to the Board.

### ***Employment Conditions***

8. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. ROWE** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. ROWE's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

**Compliance Unit  
Ohio Board of Nursing  
17 South High Street, Suite 400  
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18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. ROWE's license is subject to the following License Restrictions:**

#### **Temporary Narcotic Restriction**

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

#### **Temporary Practice Restrictions**

**Upon reinstatement, MS. ROWE** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. ROWE** to provide nursing services for fees, compensation, or other consideration or who engage **MS. ROWE** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. ROWE** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Wilhelm, Kellie Lee, R.N. 335994 (CASE #17-1595)

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that upon consideration of the charges stated against **KELLIE LEE WILHELM** in the May 18, 2017 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. WILHELM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and that **MS. WILHELM's** license to practice nursing as a registered nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below, and following reinstatement, **MS. WILHELM's** license to practice nursing as a registered nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Practice Restrictions, unless otherwise approved in advance**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. WILHELM's** license to practice as a registered nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. WILHELM's** license to practice as a registered nurse if **MS. WILHELM** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. WILHELM shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WILHELM**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. WILHELM's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. WILHELM's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of five hundred dollars (\$500.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

### ***Educational Requirements***

6. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Substance Use Disorder, and two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal.**

### ***Monitoring***

7. Abstain completely from 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. WILHELM's** history. **MS. WILHELM** shall self-administer the prescribed drugs only in the manner prescribed.
8. **For a minimum, continuous period of six (6) months immediately prior to requesting reinstatement,** submit, at **MS. WILHELM's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WILHELM'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. WILHELM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. WILHELM.**
  - a. **Prior** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WILHELM,** **and** submit the report directly to the Board.
  - b. **After** initiating drug screening, be under a **continuing duty** to:

- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WILHELM** and submit the report directly to the Board.

***Reporting Requirements for Suspension Period***

9. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
10. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
11. Submit any and all information that the Board may request regarding **MS. WILHELM's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
12. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
13. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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14. Verify that the reports and documentation required by this Order are received in the Board office.
15. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

## **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. WILHELM's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

## **PROBATIONARY TERMS AND RESTRICTIONS**

### **MS. WILHELM shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

### **MS. WILHELM shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
- c. 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; and

- d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. WILHELM** and submit the report directly to the Board.

### ***Employment Conditions***

5. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
6. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. WILHELM** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
7. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
8. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
9. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

### ***Reporting Requirements for Probationary Period***

10. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
11. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
12. Submit any and all information that the Board may request regarding **MS. WILHELM's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
13. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.

14. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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17 South High Street, Suite 400  
Columbus, OH 43215-7410**

15. Verify that the reports and documentation required by this Order are received in the Board office.
16. 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.

### **LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. WILHELM's license is subject to the following License Restrictions:**

#### **Temporary Practice Restrictions**

**Upon reinstatement, unless otherwise approved in advance, in writing, by the Board or its designee, MS. WILHELM** shall not practice nursing as a registered nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. WILHELM** to provide nursing services for fees, compensation, or other consideration or who engage **MS. WILHELM** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

#### **FAILURE TO COMPLY**

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

notify **MS. WILHELM** via certified mail of the specific nature of the charges and automatic suspension of **MS. WILHELM's** license. **MS. WILHELM** 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. WILHELM** has complied with all aspects of this Order; and (2) the Board determines that **MS. WILHELM** is able to practice nursing according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. WILHELM** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. WILHELM** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck and Joanna Ridgeway abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Howell, Misty Lynne, P.N. 129347 (CASE #16-3321)

**Action:** It was moved by Barbara Douglas, seconded by Matthew Carle, that upon consideration of the charges stated against **MISTY LYNNE HOWELL** in the July 27, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. HOWELL** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. HOWELL's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. HOWELL's** license to practice nursing as a licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of three (3) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

### **SUSPENSION OF LICENSE**

**MS. HOWELL's** license to practice as a licensed practical nurse is suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. HOWELL's** license to practice as a licensed practical nurse if **MS. HOWELL** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions

for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

#### **MS. HOWELL shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HOWELL**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. HOWELL's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. HOWELL's** completed criminal records check, including the FBI check, is received by the Board.

#### ***Evaluations***

5. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. HOWELL's** expense, obtain a chemical dependency evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Opportunity for Hearing. **MS. HOWELL** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. HOWELL's** license, and a statement as to whether **MS. HOWELL** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
6. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the

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

### ***Monitoring***

7. Abstain completely from 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. HOWELL's** history. **MS. HOWELL** shall self-administer the prescribed drugs only in the manner prescribed.
8. Abstain completely from the use of alcohol or any products containing alcohol.
9. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, submit, at **MS. HOWELL's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HOWELL'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. HOWELL** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. HOWELL**.
  - a. ***Prior*** to initiating drug screening:
    - i. Provide a copy of this Order to all treating practitioners;
    - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
    - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HOWELL**, ***and*** submit the report directly to the Board.
  - b. ***After*** initiating drug screening, be under a ***continuing duty*** to:
    - i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
    - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another

practitioner;

- iii. 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; and
- iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HOWELL** and submit the report directly to the Board.

10. **For a minimum, continuous period of one (1) year immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

***Reporting Requirements for Suspension Period***

11. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
12. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. Submit any and all information that the Board may request regarding **MS. HOWELL's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
14. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
15. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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Ohio Board of Nursing  
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Columbus, OH 43215-7410**

16. Verify that the reports and documentation required by this Order are received in the Board office.
17. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

## **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. HOWELL's** license shall be subject to Probationary Terms and Restrictions for a minimum period of three (3) years.

## **PROBATIONARY TERMS AND RESTRICTIONS**

### **MS. HOWELL shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.

### ***Monitoring***

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

### **MS. HOWELL shall:**

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
- b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;

- c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. HOWELL** and submit the report directly to the Board.
6. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

### ***Employment Conditions***

7. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
8. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. HOWELL** does not work in a position within the State of Ohio for which a license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
9. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
10. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of the effective date of this Order or beginning within thirty (30) days of working in a position as a nurse**.
11. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

12. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
13. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
14. Submit any and all information that the Board may request regarding **MS. HOWELL's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
15. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
16. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

17. Verify that the reports and documentation required by this Order are received in the Board office.
18. 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.

**LICENSE RESTRICTIONS**

**In addition to Probationary Terms and Restrictions, MS. HOWELL's license is subject to the following License Restrictions:**

**Temporary Narcotic Restriction**

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

prescriptions or prescription refills.

### **Temporary Practice Restrictions**

**Upon reinstatement, MS. HOWELL** shall not practice nursing as a licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. HOWELL** to provide nursing services for fees, compensation, or other consideration or who engage **MS. HOWELL** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### **FAILURE TO COMPLY**

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

As indicated above under Employment Conditions, any period during which **MS. HOWELL** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Orme, Sheila Faye, P.N. 108142 (CASE #16-4949)

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that upon consideration of the charges stated against **SHEILA FAYE ORME** in the January 26, 2017 Notice of Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. ORME** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and that **MS. ORME's** license to practice nursing as a licensed practical nurse be suspended for an indefinite period of time with the conditions for reinstatement set forth below.

### **SUSPENSION OF LICENSE**

**MS. ORME's** license to practice as a licensed practical nurse is suspended for an indefinite period of time.

The Board may reinstate **MS. ORME's** license to practice as a licensed practical nurse if **MS. ORME** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### **CONDITIONS FOR REINSTATEMENT**

**MS. ORME shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ORME**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. ORME's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. ORME's** completed criminal records check, including the FBI check, is received by the Board.
5. Pay a fine of one thousand dollars (\$1,000.00), payable: online by credit or debit card; or payable to the "Treasurer, State of Ohio," by certified check, cashier check, or money order mailed to the attention of the

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

### ***Educational Requirements***

6. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
7. Successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or other comparable course(s) approved in advance by the Board or its designee: five (5) hours Critical Thinking, and two (2) hours Ohio Nursing Law and Rules. Continuing education required by this Order **does not meet the continuing education requirements for license renewal**.

### ***Reporting Requirements for Suspension Period***

8. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
9. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
10. Submit any and all information that the Board may request regarding **MS. ORME's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
11. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board.
12. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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Columbus, OH 43215-7410**

13. Verify that the reports and documentation required by this Order are received in the Board office.
14. Inform the Board **within five (5) business days**, in writing, of any change

in residential or home address or telephone number.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Mills, Monica R. (aka "Monica R. Kehres"), R.N. 387272, P.N. 144996 (CASE #16-5100)

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that upon consideration of the charges stated against **MONICA R. MILLS** in the July 27, 2017 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board find that **MS. MILLS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and that **MS. MILLS's** licenses to practice nursing as a registered nurse and licensed practical nurse be suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and following reinstatement, **MS. MILLS's** licenses to practice nursing as a registered nurse and licensed practical nurse shall be subject to a stayed suspension under the probationary terms and restrictions set forth below for a minimum period of two (2) years including the **Temporary Narcotic and Temporary Practice Restrictions**, set forth below.

### SUSPENSION OF LICENSES

**MS. MILLS's** licenses to practice nursing as a registered nurse and licensed practical nurse are suspended for an indefinite period of time but not less than two (2) years.

The Board may reinstate **MS. MILLS's** licenses to practice nursing as a registered nurse and licensed practical nurse if **MS. MILLS** submits a written request for reinstatement and is determined by the Board or its designee to have complied with the Conditions for Reinstatement.

### CONDITIONS FOR REINSTATEMENT

**MS. MILLS shall:**

1. Be determined, by the Board or its designee, to be able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview and review of the documentation specified in this Order.
2. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

3. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
4. **Within ninety (90) days immediately prior to requesting reinstatement**, submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MILLS**, including a check of Federal Bureau of Investigation (FBI) records, and shall request that BCII submit **MS. MILLS's** criminal records check to the Board. The Board will not consider a request for reinstatement until **MS. MILLS's** completed criminal records check, including the FBI check, is received by the Board.
5. Submit documentation of her full compliance with the requirements imposed by the Summit County Court of Common Pleas in Case Number CR-2016-11-3887.

### **Evaluations**

6. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. MILLS's** expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MILLS's** fitness for duty and safety to practice nursing as a registered nurse and/or licensed practical nurse. This Board approved physician shall provide the Board with complete documentation of **MS. MILLS's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MILLS's** fitness for duty and safety to practice nursing as a registered nurse and/or licensed practical nurse. Prior to the examination, **MS. MILLS** shall provide the Board approved physician with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. MILLS** shall execute releases to permit the Board approved physician performing the comprehensive physical examination, and assessment to obtain any information deemed appropriate and necessary for the assessment. The evaluating physician shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MILLS's** licenses to practice, and stating whether **MS. MILLS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. The Board may utilize the Board approved physician's recommendations and conclusions from the comprehensive physical examination and assessment as a basis for additional terms and restrictions on **MS. MILLS's** licenses.
8. **Within ninety (90) days immediately prior to requesting reinstatement**, at **MS. MILLS's** expense, obtain a chemical dependency

- evaluation by a chemical dependency professional approved by the Board or its designee and, prior to the evaluation, provide the chemical dependency professional with a copy of this Order and the Notice of Immediate Suspension and Opportunity for Hearing. **MS. MILLS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. MILLS's** licenses, and a statement as to whether **MS. MILLS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. Provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MS. MILLS's** licenses.

### ***Monitoring***

10. Abstain completely from 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. MILLS's** history. **MS. MILLS** shall self-administer the prescribed drugs only in the manner prescribed.
11. Abstain completely from the use of alcohol or any products containing alcohol.
12. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, submit, at **MS. MILLS's** expense and on the day selected, blood, breath, hair or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. MILLS'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. MILLS** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Order prior to prescribing for **MS. MILLS**.
- a. ***Prior*** to initiating drug screening:

- i. Provide a copy of this Order to all treating practitioners;
  - ii. Provide to the Board a list of all treating practitioners, including addresses and telephone numbers; and
  - iii. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MILLS**, *and* submit the report directly to the Board.
- b. **After** initiating drug screening, be under a **continuing duty** to:
- i. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - ii. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - iii. 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; and
  - iv. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MILLS** *and* submit the report directly to the Board.

13. **For a minimum, continuous period of two (2) years immediately prior to requesting reinstatement**, 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 provide satisfactory documentation of such attendance to the Board prior to reinstatement.

#### ***Reporting Requirements for Suspension Period***

14. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
15. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
16. Submit any and all information that the Board may request regarding **MS. MILLS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
17. Not submit or cause to be submitted any false, misleading, or deceptive

statements, information, or documentation to the Board.

18. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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19. Verify that the reports and documentation required by this Order are received in the Board office.
20. Inform the Board **within five (5) business days**, in writing, of any change in residential or home address or telephone number.

### **PROBATIONARY PERIOD**

Following reinstatement, the suspension shall be stayed and **MS. MILLS's** licenses shall be subject to Probationary Terms and Restrictions for a minimum period of two (2) years.

### **PROBATIONARY TERMS AND RESTRICTIONS**

**MS. MILLS shall:**

1. Obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. Appear in person for interviews with the Board's designated representative, as requested by the Board or its designee.
3. Submit documentation of her full compliance with the requirements imposed by the Summit County Court of Common Pleas in Case Number CR-2016-11-3887.

***Monitoring***

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

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

**MS. MILLS** shall:

- a. Provide a copy of this Order, prior to initiating treatment, to additional treating practitioners;
  - b. Update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner;
  - c. 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; and
  - d. Cause all treating practitioners to complete a medication prescription report for any and all substances prescribed, administered, or dispensed to **MS. MILLS** and submit the report directly to the Board.
7. 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 provide satisfactory documentation of such attendance to the Board every six (6) months.

***Employment Conditions***

8. **Upon the request of the Board or its designee, prior to working in a position where a license to practice nursing is required**, complete and submit satisfactory documentation of completion of a nurse refresher course or an extensive orientation approved in advance by the Board or its designee.
9. **Prior to accepting employment as a nurse**, each time with every employer, notify the Board, in writing. Any period during which **MS. MILLS** does not work in a position within the State of Ohio for which a

- license to practice nursing is required **shall not count** toward fulfilling the probationary period imposed by this Order.
10. Be under a continuing duty to provide a copy of this Order to any new employer **prior to accepting employment as a nurse**.
  11. Have current employer(s), if working in a position where a license to practice nursing is required, submit written reports regarding job performance **on a quarterly basis beginning within thirty (30) days of working in a position as a nurse**.
  12. Have current employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order, including the date this Order was received.

***Reporting Requirements for Probationary Period***

13. Report to the Board, in writing, any violation of this Order within thirty (30) days of the occurrence of the violation.
14. Sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
15. Submit any and all information that the Board may request regarding **MS. MILLS's** ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
16. Not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
17. 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 sent by email to: [monitoring@nursing.ohio.gov](mailto:monitoring@nursing.ohio.gov) or by mail to:

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

18. Verify that the reports and documentation required by this Order are received in the Board office.
19. 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.

## LICENSE RESTRICTIONS

**In addition to Probationary Terms and Restrictions, MS. MILLS's licenses are subject to the following License Restrictions:**

### Temporary Narcotic Restriction

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

### Temporary Practice Restrictions

**Upon reinstatement, MS. MILLS** shall not practice nursing as a registered nurse or licensed practical nurse (1) in a patient's residence; (2) for staffing agencies or pools; (3) for an individual or group of individuals who directly engage **MS. MILLS** to provide nursing services for fees, compensation, or other consideration or who engage **MS. MILLS** as a volunteer; or (4) as an independent contractor or for *locum tenens* assignments.

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

### FAILURE TO COMPLY

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

Board monitoring, based upon an interview with **MS. MILLS** and review of the reports as required herein.

As indicated above under Employment Conditions, any period during which **MS. MILLS** does not work in a position within the State of Ohio for which a license to practice nursing is required shall not count toward fulfilling the probationary period imposed by this Order.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

### **MISCELLANEOUS COMPLIANCE MOTIONS**

Rogers, Kimberly, P.N. 156591 (CASE #16-0339)

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board dismiss the May 19, 2016 Notice of Opportunity for Hearing that was issued to **MS. ROGERS** in Case No. 16-000339, as directed by the Franklin County Court of Common Pleas in 17CVF-06-5549.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

### **DEFAULT ORDERS**

Kenton, Celia Elizabeth, P.N. 139328 (CASE #16-6930)

**Action:** It was moved by J. Jane McFee, seconded by Lauralee Krabill, that the Board find that **MS. KENTON** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control, and that in accordance with Section 4723.28(G) ORC, **MS. KENTON** has admitted the truth of the allegations set forth in the June 27, 2017 Examination Order issued to **MS. KENTON** and that **MS. KENTON** has an impairment affecting her ability to provide safe nursing care, and that **MS. KENTON's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

### **CONDITIONS FOR REINSTATEMENT**

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

3. **MS. KENTON** shall, at her own expense, submit to a chemical dependency evaluation specifically addressing her ability to safely function in a clinical nursing capacity, by Dr. Michael A. Gureasko, Christ Hospital Medical Office Building, 2123 Auburn Avenue, Suite 310, Cincinnati, Ohio, 45219, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. KENTON** shall notify the Board Monitoring Agent of the appointment date, so that the Monitoring Agent can send the necessary records to the Examiner. **MS. KENTON** shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. KENTON's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. KENTON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. KENTON** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of mental health and/or chemical dependency treatment, or other treatment recommended, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. KENTON** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

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

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

Sellman, Lee Ann, R.N. 326267 (CASE #16-3081)

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board find that **MS. SELLMAN** 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(G) ORC, **MS. SELLMAN** has admitted the truth of the allegations set forth in the January 13, 2017 Examination Order issued to **MS. SELLMAN** and that **MS. SELLMAN** has an impairment affecting her ability to provide safe nursing care, and that **MS. SELLMAN's** license to practice nursing as a registered nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. SELLMAN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. SELLMAN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. SELLMAN** shall, at her own expense, submit to a psychiatric evaluation specifically addressing her ability to safely function in a clinical nursing capacity, by Comprehensive Psychiatric Services, Inc., located at 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. SELLMAN** shall notify the Board Monitoring Agent of the appointment date, so that the Monitoring Agent can send the necessary records to the Examiner. **MS. SELLMAN** shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The

Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. SELLMAN's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. SELLMAN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

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

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

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

Thom, Kathryn Ann, P.N. 102485 (CASE #17-3653)

**Action:** It was moved by J. Jane McFee, seconded by Lauralee Krabill, that the Board find that **MS. THOM** 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(G) ORC, **MS. THOM** has admitted the truth of the allegations set forth in the July 27, 2017 Examination Order issued to **MS. THOM** and that **MS. THOM** has an impairment affecting her ability to provide safe nursing care, and that **MS. THOM's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

#### **CONDITIONS FOR REINSTATEMENT**

1. **MS. THOM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. THOM** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. THOM** shall, at her own expense, submit to a psychiatric evaluation specifically addressing her ability to safely function in a clinical nursing capacity, by Comprehensive Psychiatric Services, Inc., located at 24400 Highpoint Road, Suite 6, Beachwood, Ohio 44122, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. THOM** shall notify the Board Monitoring Agent of the appointment date, so that the Monitoring Agent can send the necessary records to the Examiner. **MS. THOM** shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. THOM's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. THOM** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. THOM** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The

probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of mental health and/or chemical dependency treatment, or other treatment recommended, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. THOM** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

Helmlinger, Angela Marie, P.N. 110679 (CASE #16-2223)

**Action:** It was moved by J. Jane McFee, seconded by Lauralee Krabill, that the Board find that **MS. HELMLINGER** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control, and that in accordance Section 4723.28(G) ORC, **MS. HELMLINGER** has admitted the truth of the allegations set forth in the June 14, 2017 Examination Order issued to **MS. HELMLINGER** and that **MS. HELMLINGER** has an impairment affecting her ability to provide safe nursing care, and that **MS. HELMLINGER's** license to practice nursing as a licensed practical nurse in the State of Ohio be suspended for an indefinite period of time with conditions for reinstatement set forth below:

### **CONDITIONS FOR REINSTATEMENT**

1. **MS. HELMLINGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. HELMLINGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reinstatement.
3. **MS. HELMLINGER** shall, at her own expense, submit to a chemical dependency evaluation specifically addressing her ability to safely function in a clinical nursing capacity, by Dr. Michael A. Gureasko, Christ Hospital Medical Office Building, 2123 Auburn Avenue, Suite 310, Cincinnati, Ohio, 45219, or another examiner approved in advance, in writing, by the Board or its designee (hereinafter "Examiner"). Prior to the evaluation, **MS. HELMLINGER** shall notify the Board Monitoring Agent of the appointment date, so that the Monitoring Agent can send the necessary records to the Examiner. **MS. HELMLINGER** shall execute releases to permit the Examiner to obtain any information deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. HELMLINGER's** practice. The Examiner shall provide an opinion to the Board regarding whether **MS. HELMLINGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
4. **MS. HELMLINGER** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of mental health and/or chemical dependency treatment, or other treatment recommended, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. HELMLINGER** are unable

to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

### **Reporting Requirements of Licensee**

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

This Order shall become effective immediately and is hereby entered upon the Journal of the Board for the 16th day of November 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

### **VOLUNTARY RETIREMENTS**

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

Badenhop, Brenda, P.N. 109208 (CASE #15-3242); Bender, Patricia, P.N. 090984 (CASE #17-1739); Voorhies, Barbara, R.N. 225983 (CASE #17-1509);

Yano, Alanna, P.N. 115870 (CASE #17-4600); Riddle, Robin, R.N. 228136 (CASE #17-2958).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

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

Comstock, Randall, P.N. 141250 (CASE #17-5457)

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that there is clear and convincing evidence that continued practice by **RANDALL COMSTOCK, P.N. 141250** (CASE #17-5457), presents a danger of immediate and serious harm to the public. It was further moved that the Board Summarily Suspend the license of **RANDALL COMSTOCK, P.N. 141250**, and issue a Notice of Opportunity for Hearing for violations of Chapter 4723, ORC, retroactive to the date it was issued on October 13, 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

Ragone, Maria, R.N. 405636 (CASE #17-4780)

**Action:** It was moved by Lauralee Krabill, seconded by Erin Keels, that there is clear and convincing evidence that continued practice by **MARIA RAGONE, R.N. #405636 (CASE #17-4780)**, presents a danger of immediate and serious harm to the public. It was further moved that the Board Summarily Suspend the license of **MARIA RAGONE, R.N. #405636**, and issue a Notice of Opportunity for Hearing for violations of Chapter 4723, ORC., retroactive to the date it was issued on October 19, 2017.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

### **MONITORING**

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

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be released from their Consent Agreement(s):

Sanford, Carla, P.N. 148926 (CASE #15-6480); Varndell, Shelby, R.N. 390114 (CASE #14-3184); Wilson, Amanda, P.N. 159264 (CASE #16-3655); Lundquist III, Glenn, R.N. 423297 (CASE #13-4688); Schaefer, Nicole, R.N. 261251 (CASE #12-0584); Vanpelt, Allison, P.N. 126565 (CASE #16-2425); Nott, Amy, R.N. 407573 (CASE #16-6009); Kumpf, Melissa, R.N. 341088 (CASE #13-2358); Meade, Gail, P.N. 114223 (CASE #16-0357); Marsh, Robin, P.N. 093632 (CASE #15-0764); Sinistro, Celeste, R.N. 165430 (CASE #14-6155); Aicone, Tiffany, P.N. 149934 (CASE #16-1101).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

**RELEASE OF SUSPENSION/PROBATION – EARLY RELEASE**

**Action:** It was moved by Lisa Klenke, seconded by Matthew Carle, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be released early from their Consent Agreement(s):

Cunningham, Jennifer, P.N. 113185 (CASE #14-6495); Kinney, Kelly, R.N. 262479 (CASE #15-1812); Moore, Mary, R.N. 330004 (CASE #13-5766); Stapleton, Devin, R.N. 407976, P.N. 148290 (CASE #15-7590).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

**RELEASE FROM SUSPENSION/PROBATION - PERMANENT PRACTICE RESTRICTIONS REMAIN**

**Action:** It was moved by Barbara Douglas, seconded by Maryam Lyon, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be released from their Consent Agreement(s) with the exception of the permanent practice restriction(s) that will remain in effect:

Weber, Brian, R.N. 333000 (CASE #13-4686); Washington, Angela, R.N. 252986, CNP 09775 (CASE #14-2469); Quinnie, Carolyn, R.N. 175681 (CASE #12-3026).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

**RELEASE FROM SUSPENSION/PROBATION – EARLY RELEASE – PERMANENT PRACTICE RESTRICTIONS REMAIN**

**Action:** It was moved by Maryam Lyon, seconded by Barbara Douglas, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be released early from their Consent Agreement(s) with the exception of the permanent practice restrictions that will remain in effect:

Chandler, Jaimie, R.N. 318124 (CASE #11-4091); Lopez II, Jimmy, P.N. 156254 (CASE #13-6384); Gavalier, Kara, R.N. 261582 (CASE #09-4456); Griffin, Crystal, P.N. 135244 (CASE #09-2155).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

**RELEASE FROM TEMPORARY PRACTICE RESTRICTIONS**

**Action:** It was moved by Joanna Ridgeway, seconded by Janet Arwood, that the following, with the recommendation by Sandra Ranck, Supervising Member for

Disciplinary Matters, be released from the temporary practice restrictions within their Consent Agreement(s):

Whitsel, Danielle, R.N. 308707, CNP 12409 (CASE #11-3185); Anekwe, Ngozichukwu, R.N. 388571 (CASE #12-2748).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

#### **RELEASE FROM TEMPORARY NARCOTIC RESTRICTION**

**Action:** It was moved by Janet Arwood, seconded by Erin Keels, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be released from the temporary narcotic restriction within their Consent Agreement(s):

Zolensky, Jenna, R.N. 372514 (CASE #16-2156); Dagani, Matthew, R.N. 356942 (CASE #16-3522); Hoppes, Tiffany, R.N. 287099 (CASE #10-4713); Puz, Diana, R.N. 424820 (CASE #15-6455); Gronostaj, Jenny, R.N. 363299 (CASE #16-5109); Blommel, Samantha, R.N. 346014 (CASE #15-4547); Hashman, Justin, R.N. 346061, P.N. 125166 (CASE #17-0092).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

#### **REINSTATEMENT REQUEST PER CONDITIONS OF CONSENT AGREEMENT**

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that the following, with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters, be reinstated subject to the probationary terms and restrictions of their Consent Agreement(s):

Porter, Tammy, P.N. 130167 (CASE #17-0762); Storey, Alicia, D.T. 003599 (CASE #17-1886); Kolanko, Lindsay, R.N. 333176 (CASE #16-6223).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

#### **REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER**

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that the following with the recommendation by Sandra Ranck, Supervising Member for Disciplinary Matters be reinstated subject to the probationary terms and restrictions of their Adjudication Order(s):

Denton, Deandra, P.N. 158444 (CASE #15-8206); Hunt, Marsha, P.N. 147634 (CASE #14-4233); Ward, Susan, P.N. 078080 (CASE #14-0291).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

**MOTION TO APPROVE**

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that the Board accept the following approvals made by Sandra Ranck, Supervising Member for Disciplinary Matters:

Giesey, Crystal, R.N. 406292, P.N. 131473 (CASE #16-2955) - Accept Jennifer Ault of Allwell Behavioral to complete the mental health evaluation.

Waid, Candace, R.N. 395694, P.N. 108571 (CASE #16-0608) - Accept a nursing position with Axis Home Healthcare in Wooster, Ohio.

Peake, Carol, R.N. 177151, CNP 09813, CTP 09813 (CASE #12-0637) - Accept the Standard Care Arrangement with collaborating physician Donato Borillo.

Loeffler-Augustine, Christina, R.N. 298049 (CASE #09-4791) - Accept the Clinical Director/Director of Nursing position with CommQuest Alliance Detox and Recovery in Alliance, Ohio.

Bentley, Trudy, P.N. 107027 (CASE #15-0676) - Accept the learning plan submitted by Katherine Sink PhD, RN, CNS.

Stephenson, Kimberlee, R.N. 277061 (CASE #15-0917) - Accept a charge nurse II position with Fresenius Kidney Care in Cleveland, Ohio.

Holman, Tonesia, R.N. 421617, P.N. 139071 (CASE #15-3592) - Approval to accept an Assistant Director of Nursing position with Broadway Care Center in Maple Heights, Ohio.

Lawrence, Charles, R.N. 318418 (CASE #17-1180) - Approval to accept the Clinical Training and Program Coordinator position with The Woods at Parkside in Gahanna, Ohio.

Perry, Kimberly, P.N. 141638 (CASE #16-7287) - Approval to work as a nurse.

Stinson, Theresa, R.N. 285950, P.N. 099438 (CASE #16-4532) - Accept Dr. Scott Yoho to complete the psychiatric comprehensive evaluation.

Owens, Callen, R.N. 355665 (CASE #16-5551) - Accept an RN Nursing Supervisor position with Town Center Community Campus, Main Street Care Center, in Avon Lakes, Ohio.

Webster, Vickie, R.N. 250293 (CASE #13-5643) - Accept a Nurse Supervisor position at HealthSouth Rehabilitation Hospital of Dayton in Dayton, Ohio.

Peretti, Jason, R.N. 337714 (CASE #15-7578) - Approval to work as a nurse.

Shiflet, Elizabeth, R.N. 389368, P.N. 133634 (CASE #17-0393) - Approval to work as a nurse.

Legner, Aimee, P.N. 145538 (CASE #16-1499) - Accept a nursing position with Western Nursing Services in Fort Wright, Kentucky.

Homa, James, R.N. 253436 (CASE #02-0199) - Accept a Nurse Supervisor position with Pleasantview Care Center in Parma, Ohio.

Corbin, Lisa, R.N. 311557 (CASE #07-2955) - Accept an Interim Director of Nursing position at McNaughten Pointe Nursing and Rehabilitation in Columbus, Ohio.

Milner, Jessica, R.N. 404970 (CASE #17-1911) - Accept a staff nurse position at Cleveland Clinic in Warrensville Heights, Ohio.

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

#### **MISCELLANEOUS MONITORING MOTIONS**

**Action:** It was moved by J. Jane McFee, seconded by Patricia Sharpnack, that the Board approve, as recommended by Sandra Ranck, Supervising Member for Disciplinary Matters, the following:

Williams, Sheneda, R.N. 433552 (CASE #15-8463) - To be released from probation in the November 17, 2016 Consent Agreement effective November 17, 2017.

Grindstaff, Cindy, R.N. 358536 (CASE #15-4550) - To be released from probation in the November 17, 2016 Consent Agreement effective November 17, 2017.

Lackey, Kaliah, P.N. 156897 (CASE #16-4792) - To be released from probation in the November 17, 2016 Consent Agreement effective November 17, 2017.

Hice, Lauren, R.N. 366021 (CASE #16-6177) - To be released from the chemical dependency counseling requirement and temporary narcotic restriction in the May 19, 2016 Consent Agreement and January 26, 2017 Addendum to Consent Agreement.

Moodie-Adams, Claudia, R.N. 316369 (CASE #17-2349) - To accept a nursing position at Heartland of Promedica and approve Daniel Meier RN, as the workplace monitor.

Smith, Lisa, P.N. 099099 (CASE #12-3280) - To be reinstated without restrictions based on the evaluator's opinion that nurse is capable of practicing safe nursing care and no monitoring is required.

Naylor, Kathleen, R.N. 368630 (CASE #15-5545) - To be released from the temporary narcotic restriction in the May 18, 2017 Consent Agreement and to approve the education needs assessment and learning plan submitted by Nancy Brown Schott, RN, CNS.

Collene, Crystal, R.N. 372030 (CASE #17-1589) - Approve the education needs assessment and learning plan submitted by Brian Kasson MHS, CRNA.

Orr, Ashley, P.N. 150341 (CASE #15-6138) - Approve the completion of the learning plan submitted by Brian Kasson MHS, CRNA and the requirements in the March 9, 2017 Consent Agreement.

Moore, Michelle, R.N. 411994, P.N. 109532 (CASE #15-3324) - To be released from probation in the November 20, 2015 Consent Agreement effective November 20, 2017.

Barbara Douglas abstained on Colleen Crystal, R.N. 372030 (CASE #17-1589) and Orr, Ashley, P.N. 150341 (CASE #15-6138). Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

### **COMPLETION OF REQUIREMENTS**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board approve prior completion of the Reprimand Consent Agreement terms and restrictions for the following:

Hudson, Teaira, DTI 005296 (CASE #17-2140); Brooks, Michelle, CHW 000874 (CASE #17-3274); Perry, Felecia, P.N. 151002 (CASE #16-5069); Shortridge, Aryn, R.N. 357772, P.N. 124249 (CASE #16-4076); Heuss, Christine, R.N. 336113 (CASE #15-8647); Mulloney, Christopher, R.N. 290124 (CASE #16-4015); Martinez, Christie, R.N. 350186 (CASE #15-0942); Uland, Amanda, R.N. 350509, P.N. 113435 (CASE #16-5031); Blackburn, Sandra, R.N. 335250, CNP 020836 (CASE #15-8449); McKinney, Amber, P.N. 154876 (CASE #16-1702); Reho, Kimberly, R.N. 229647, CNP 14337 (CASE #14-3265); Hayes, Sheena, D.T. 005452 (CASE #17-2557); Snyder, Angela, R.N. 348043, CNP 13831 (CASE #13-7342); Pinkelman, Katherine, R.N. 363947 (CASE #16-5326); Wilson, Carol, R.N. 205188 (CASE #16-0229); Vandyne, Jesse, R.N. 359657 (CASE #17-1552); Sumpter, Kimberly, R.N. 316607 (CASE #16-3090); Burns, Tanessa, R.N. 358276 (CASE #09-3747); Taylor, Bradley, R.N. 319048 (CASE #16-2306); Williams, Darlean, P.N. 086365 (CASE #15-2913); Villamor-Goubeaux, Eva, R.N. 312254, CNP 16047, CTP 16047 (CASE #17-0147); Dunham, Brittany, R.N. 424880, P.N. 150930 (CASE #16-4330); Davis, Kenyetta, P.N. 166278 (CASE #17-2132); Miller, Kristina, R.N. 315947 (CASE #16-3115); Dailey, Kellie, R.N. 317463 (CASE #15-7331); Fegatelli, Gina, R.N.

267776, CNP 10456, CTP 10456 (CASE #16-2587); Collins, Tracey, R.N. 375917 (CASE #14-5417); Igo, Holly, R.N. 328479 (CASE #15-1101).

Motion adopted by a majority vote of the Board members present with Sandra Ranck abstaining.

## **REPORTS TO THE BOARD**

### **Open Forum – Thursday, November 16, 2017 at 10:30 a.m.**

K. Wilhelm appeared at Open Forum and requested to discuss her hearing request in a disciplinary case. President Sharpnack denied the request. There were no other participants for Open Forum.

### **Other Reports**

#### **Summary of Pre-Licensure Nursing Education Programs Annual Reports**

Lisa Emrich reviewed the summary of the nursing education program annual reports for the time period of July 1, 2016, through June 30, 2017. President Sharpnack stated her concern with the number of open faculty positions and the estimate that over 800 faculty positions will be vacated in the next five years. Board members also asked about including additional questions regarding the use of simulation. Board staff will draft questions and review them with the Advisory Group on Nursing Education.

#### **NEALP Report**

L. Emrich reviewed the annual NEALP Report provided by the Ohio Department of Higher Education (ODHE). ODHE, in consultation with the Board, administers the NEALP program.

#### **NEALP Funding Recommendation**

L. Emrich reported that in recent years, the ODHE Chancellor, with the recommendation of the Board, prioritized funding for post-licensure students interested in becoming nursing faculty and students in pre-licensure RN programs. The pre-licensure PN applicants have not been funded based on the nursing workforce projections.

Board members noted a concern about the low number of NEALP funded post-licensure applicants who are pursuing graduate education to become nursing program faculty. L. Emrich stated Board staff will emphasize the availability of NEALP funding at the Nursing Education Workshops presented by the Board and work with ODHE regarding methods of informing graduate nursing education programs about the availability of the funding. She stated ODHE shared this concern.

The Board discussed the Board's recommendation last year and E. Keels suggested the Board make the same recommendation for next school year. The Board agreed by general consensus to recommend NEALP

funding for applicants who are pursuing graduate education to become nursing faculty and then for applicants for RN education programs. It was noted that LPNs are eligible for NEALP assistance if they are pursuing further education to become a RN.

**CPG Recommendation for the Exclusionary Formulary**

**Action:** It was moved by Brenda Boggs, seconded by Lauralee Krabill, that the Board reapprove the May 2017 Exclusionary Formulary as recommended by the Committee on Prescriptive Governance. Motion adopted by unanimous vote of the Board members present.

**Board Committee on Advisory Group Appointments**

**Continuing Education**

**Action:** It was moved by Lauralee Krabill, seconded by J. Jane McFee, that the Board appoint Tahnee Andrew as a member of the Advisory Group on Continuing Education, for a two-year term beginning January 1, 2018. Motion adopted by unanimous vote of the Board members present.

**Dialysis**

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs, that the Board appoint Timothy Thompson as member of the Advisory Group on Dialysis, for a two-year term beginning January 1, 2018. Motion adopted by unanimous vote of the Board members present.

**Nursing Education**

**Action:** It was moved by Lauralee Krabill, seconded by Sandra Ranck, that the Board appoint Sandra Harris, Patricia Schrull, Christina Devlin, Tiffany Kennerk, Sheryl Feeney, Connie Bowler, and Crystal Goods, to the Advisory Group on Nursing Education, for two-year terms beginning January 1, 2018. Motion adopted by unanimous vote of the Board members present.

**GENERAL INFORMATION (FYI)**

The Board reviewed the general information items.

**BOARD GOVERNANCE**

**Nomination of Board Officers**

On November 15, 2017, the following nominations were made:

**President**

**Action:** J. Jane McFee nominated Patricia Sharpnack for the office of President.

**Vice-President**

**Action:** Lauralee Krabill nominated Joanna Ridgeway; Sandra Ranck

nominated Brenda Boggs for the office of Vice-President.

### **Board Supervising Member for Disciplinary Matters**

**Action:** Brenda Boggs nominated Sandra Ranck for Supervising Member for Disciplinary Matters.

### **Election of Board Officers**

On November 16, 2017, the following Board members were elected:

The Board elected Patricia Sharpnack as President, Brenda Boggs as Vice-President, and Sandra Ranck as Supervising Member for Disciplinary Matters.

### **Appointment of Advisory Group Chairs**

#### **Nursing Education**

**Action:** It was moved by J. Jane McFee, seconded by Brenda Boggs, that the Board appoint Patricia Sharpnack as Chair of the Advisory Group on Nursing Education to serve for a term of one year, effective January 1, 2018. Motion adopted by unanimous vote of the Board members present.

#### **Dialysis**

**Action:** It was moved by Matthew Carle, seconded by Lisa Klenke, that the Board appoint Barbara Douglas as Chair of the Advisory Group on Dialysis to serve for a term of one year, effective January 1, 2018. Motion adopted by unanimous vote of the Board members present.

#### **Continuing Education**

**Action:** It was moved by Patricia Sharpnack, seconded by Brenda Boggs, that the Board appoint Lauralee Krabill as Chair of the Advisory Group on Continuing Education to serve for a term of one year, effective January 1, 2018. Motion adopted by unanimous vote of the Board members present.

### **Appointment of Board Hearing Committee**

**Action:** It was moved by Patricia Sharpnack, seconded by Matthew Carle, that the Board appoint Nancy Fellows, Lisa Klenke, and Brenda Boggs, to serve on the Board Hearing Committee, and Lauralee Krabill, Barbara Douglas, and Erin Keels as alternates, all serving for a term of one year, effective February 28, 2018. Motion adopted by unanimous vote of the Board members present. Holly Fischer provided the following dates for the Board Hearing Committee: April 17, 2018, August 7, 2018 and October 2, 2018.

### **Authorization for the Use of Hearing Examiners**

**Action:** It was moved by J. Jane McFee, seconded by Lauralee Krabill, that the Board authorize the use of hearing examiners for hearings during the period of January 1, 2018 through December 31, 2018. Motion adopted by unanimous vote of the Board members present.

**Authorization for the Supervising Member or President to Issue Notices of Immediate Suspension, Automatic Suspension and Orders of Summary Suspension**

**Action:** It was moved by Lauralee Krabill, seconded by Brenda Boggs that the Board authorize the Supervising Member for Disciplinary Matters, or the Board President, to issue notices of immediate suspension, automatic suspension in criminal cases as required by law, and orders of summary suspension for the period of January 1, 2018 through December 31, 2018. Motion adopted by unanimous vote of the Board members present.

**Authorization for the Use of Signature Stamps and Electronic Signatures**

**Action:** It was moved by Brenda Boggs, seconded by J. Jane McFee, that the Board authorize the use of signature stamps and electronic signatures of the Board President, Supervising Member for Disciplinary Matters, and Executive Director, by designated staff for the period of January 1, 2018 through December 31, 2018. Motion adopted by unanimous vote of the Board members present.

**Authorization to Make Editorial Changes to Motions of the Board**

**Action:** It was moved by Sandra Ranck, seconded by Erin Keels, that the Board authorize the Executive Director to make editorial changes to motions for the period of January 1, 2018 through December 31, 2018. Motion adopted by unanimous vote of the Board members present.

**Authorization for Designated Staff to Sign AP and PIIP Agreements**

**Action:** It was moved by Erin Keels, seconded by Janet Arwood, that the Board authorize designated staff of the Alternative Program for Chemical Dependency and the Practice Intervention and Improvement Program to sign program contracts on behalf of the Board for the period of January 1, 2018 through December 31, 2018. Motion adopted by unanimous vote of the Board members present.

**Authorization for the Executive Director to Establish Standards of Employee Conduct**

**Action:** It was moved by Janet Arwood, seconded by Joanna Ridgeway, that the Board authorize the Executive Director to establish standards of conduct for employees of the Board, including reviewing, revising, and/or re-approving existing standards of conduct. Motion adopted by unanimous vote of the Board members present.

**Re-Appointment of Executive Director**

**Action:** It was moved by Patricia Sharpnack, seconded by J. Jane McFee, that the Board re-appoint Betsy Houchen as Executive Director of the Ohio Board of Nursing. Motion adopted by unanimous vote of the Board members present.

**Hotel for 2018 Board Meetings**

Margo Pettis provided information concerning hotel reservations for the 2018 Board meetings and the Board Retreat.

**NCSBN Midyear Meeting**

The NCSBN Midyear Meeting is March 5-7, 2018 in Chicago. The President, Vice President, and Executive Director generally attend. Barbara Douglas, Sandra Ranck and Joanna Ridgeway are interested in attending also. Board staff will request NCSBN Resource Funds to cover the expenses.

**EVALUATION OF MEETING AND ADJOURNMENT**

On Wednesday, November 15, 2017 the meeting adjourned at 2:22 p.m. On Thursday, November 16, 2017, the meeting adjourned at 1:35 p.m.

Patricia A. Sharpnack, DNP, RN  
President



Attest:

Betsy Houchen, RN, MS, JD  
Executive Director

