



OHIO BOARD OF NURSING

MINUTES OF MEETING

REGULAR MEETING OF THE BOARD NOVEMBER 17- 19, 2010

The regular meeting of the Ohio Board of Nursing (Board) was held on November 17-19, 2010 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 17, 2010 at 1:01 p.m., President Bertha Lovelace, convened a public hearing on the proposed amendments to certain Ohio Administrative Rules. On Thursday, November 18, 2010 at 8:31 a.m. President Lovelace called the Board meeting to order. On Friday, November 19, 2010 at 8:33 a.m., President Lovelace called the Board meeting to order. Vice-President Patricia Protopapa read the Board mission each day. President Lovelace recognized nursing students and individuals who were completing a certified medication aide training program, welcomed the gallery, and requested that Board Members introduce themselves.

BOARD MEMBERS

Bertha Lovelace, RN, President
Patricia Protopapa, LPN, Vice-President
Janet Arwood, LPN
Anne Barnett, RN, Board Supervising Member for Disciplinary Matters
Judith Church, RN
Delphenia Gilbert, RN
Maryam Lyon, RN
Johnnie Maier, Consumer Member (absent on Wednesday during public session)
J. Jane McFee, LPN
Melissa Meyer, LPN
Tracy Ruegg, RN (absent on Wednesday during public session)
Roberta Stokes, RN

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, the Board Committee on Advisory Group Appointments convened at 10:00 a.m.; a public rules hearing was held at 1:00 p.m.; Thomas Janecko, RN, and attorney Elizabeth Collis addressed the Board at 1:40 p.m.;

William White, attorney for Angela O'Black, RN, addressed the Board at 2:00 p.m.; and Board deliberations followed. On Thursday, the Board Reception was held at 8:00 a.m.; Executive Session was held at 2:00 p.m.; On Friday, Open Forum was at 10:00 a.m. and Tonae Bolton, MA, CDP, provided a presentation to the Board at 10:30 a.m.

Minutes of September 23-24, 2010 Board Meeting

Action: It was moved by Patricia Protopapa, seconded by Roberta Stokes, that the Board accept the minutes of the September 23-24, 2010 Board meeting as submitted. Motion adopted by unanimous vote of the Board members.

Executive Director Report

Betsy Houchen highlighted the following from the Executive Director report:

- Staff welcomed back Monique Holokai-Kane and congratulated Melissa Malone for 15 years of state service. The Board recognized Diane Helferich, Board investigator, on her retirement and Emily Brown, Supervising Attorney, for her service as she leaves the Board. Congratulations to Janelle Freeman, Board monitoring agent, who will become a Board investigator, replacing Diane.
- Holly Fischer is chairing a work group of a subcommittee of the Ohio State Bar Association's Administrative Law Committee that will be making recommendations regarding the proposed adoption of the Revised Model State Administrative Procedure Act, adopted in July 2010 by the National Conference of Commissioners on Uniform State Laws. The Model Act, if adopted in Ohio, would substantially change Chapter 119., ORC, regarding the procedures for rule making, notices, hearings, adjudications, and appeals of Board orders.
- Board staff held the annual orientation for new nursing education program administrators. Jody Hostetler, Education Regulatory Surveyor, provided a Board update to the Ohio Council of Deans and Directors of Baccalaureate and Higher Nursing Education Programs.

Legislative Report

Tom Dilling reviewed the legislative activity anticipated for the remainder of the year.

Fiscal Report

Kathy King presented the fiscal report and answered questions. Judith Church complimented K. King and the fiscal staff on the continued quality of the fiscal reports. Anne Barnett asked about the Special Issues Fund expenditure. B. Houchen responded the fund is used for Ohio to join the National Forum of Nursing Centers.

Budget Request for Fiscal Years 2012-2013

K. King reported that at the direction of the Office of Budget and Management (OBM), two budget requests were submitted for fiscal years 2012-2013. One request was flat funded, and the other request reflected an extended budget. Johnnie Maier expressed concern about the Board

securing anything above flat funding given the projections for the state budget.

Ohio Occupational Licensing and Regulatory Boards Annual Report for Fiscal Year 2010

The Board reviewed the Ohio Occupational Licensing and Regulatory Boards Annual Report for fiscal year 2010. Annually, the Legislative Service Commission publishes an annual report regarding Ohio's occupational licensing and regulatory boards. The report covers revenues and expenditures, total numbers of active licenses, and staffing.

NEW BUSINESS

Review of Comments for Administrative Rules

H. Fischer reviewed proposed rule revisions based on the Board discussion held during the September Board meeting. She also reviewed and discussed the written comment received from the Ohio Nurses Association (ONA) regarding Rule 4723-9-07, OAC. The Board agreed by general consensus for Board staff to work with ONA and other interested parties and consider revisions in the rule for 2011.

H. Fischer also reported that at the request of the Board, the Committee on Prescriptive Governance (CPG) considered whether APNs should be prohibited from prescribing drugs, in addition to controlled substances, to family members. During its October meeting, the Committee discussed APNs prescribing to family members and did not recommend that additional drugs should be prohibited.

NCSBN Transition to Practice Study

B. Houchen reviewed the materials for the NCSBN Transition to Practice study. As previously reported, the Ohio Organization of Nurse Executives (OONE) convened a meeting of nurse executives, educators, and the Board to discuss interest in applying to become a pilot state for the NCSBN study. The group consensus was to proceed and OONE has secured at least 25 participating hospitals. OONE and the Board are preparing the application and will submit it by the December 15, 2010 deadline. Melissa Meyer asked if there would be compensation for participating hospitals. B. Houchen stated there would be some level of funding provided, and that NCSBN would also fund a state coordinator.

APPROVALS

Nursing Education Programs – Approval of New Programs

College of Mount St. Joseph Master of Nursing Program

Action: It was moved Judith Church, seconded by Tracy Ruegg, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to the College of Mount St. Joseph Master of Nursing Program in Cincinnati. It was further moved that the Program submit progress reports to the Board on or before December 15, 2011 and April 13, 2012. Motion adopted by unanimous vote of the Board members.

ITT Technical Institute, School of Health Sciences, Nursing Program – Norwood

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant conditional approval, in accordance with Rule 4723-5-08, OAC, to ITT Technical Institute, School of Health Sciences, Nursing Program–Norwood. It was further moved that the Program submit progress reports to the Board on or before October 14, 2011, and October 15, 2012. Motion adopted by unanimous vote of the Board members.

Beckfield College Associate Degree Nursing Program

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board grant conditional approval in accordance with Rule 4723-5-08, OAC, to Beckfield College Associate Degree Nursing Program in Cincinnati. It was further moved that the Program submit progress reports on or before January 13, 2012 and March 15, 2013. Motion adopted by unanimous vote of the Board members.

Nursing Education Programs – Determination of Approval Status

Northwest State Community College Practical Nursing Program

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Northwest State Community College Practical Nursing Program in Archbold for a period of five years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

Northwest State Community College Associate Degree Nursing Program

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Northwest State Community College Associate Degree Nursing Program in Archbold for a period of five years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

Brown Mackie College Practical Nursing Program

Action: It was moved by Anne Barnett, seconded by Tracy Ruegg, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Brown Mackie College Practical Nursing Program in Findlay for a period of five years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

Central Ohio Technical College Practical Nursing Program

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Central Ohio Technical College Practical Nursing Program in Newark for a period of five years effective November 18, 2010. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Central Ohio Technical College Associate Degree Nursing Program

Action: It was moved by Janet Arwood, seconded by J. Jane McFee, that the Board place Central Ohio Technical College Associate Degree Nursing Program on provisional approval for one year. The motion was made after fully

considering the survey visit report and the Program's response to the report that demonstrate the Program failed to meet and maintain the requirements established in Rule 4723-5-13 paragraphs (D) and (F)(8)(d), OAC; Rule 4723-5-17 paragraphs (A) and (B), OAC; and Rule 4723-5-21 paragraph (D)(1), OAC. It was further moved that the Program submit progress reports to the Board on or before February 15, 2011; May 17, 2011, and August 16, 2011. Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Fortis College School of Nursing PN Program

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that the Board grant full approval, in accordance with Rule 4723-5-04, OAC, to Fortis College School of Nursing PN Program in Centerville for a period of five years effective November 18, 2010. Motion adopted by majority vote of the Board members with Delphenia Gilbert abstaining.

Felbry College School of Practical Nursing

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board defer its consideration of the June 2010 survey visit report issued to Felbry College School of Practical Nursing and its responses to the report until March 2011 at which time the Board will consider the Program's approval status as required by the March 19, 2010 addendum to the September 25, 2009 Consent Agreement. Motion adopted by unanimous vote of the Board members.

Retroactive Approvals for Licensees and Certificate Holders

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board retroactively ratify, as submitted, the licenses and certificates, including temporary work permits, initially issued by the Board of Nursing September 1, 2010 through October 31, 2010, to the following: registered nurses; licensed practical nurses; certificates of authority to certified registered nurse anesthetists, certified nurse-midwives, certified nurse practitioners, and clinical nurse specialists; all certificates to prescribe (CTP and CTP-externship); Ohio certified dialysis technicians; temporary dialysis technician certificates; community health workers; and certified medication aides, taking into account those licenses and certificates subject to discipline, surrender or non-renewal. Motion adopted by unanimous vote of the Board members.

OBN Approver for Continuing Education

Northwest State Community College

Action: it was moved by Judith Church, seconded by Delphenia Gilbert, that the Board re-approve Northwest State Community College, OBN-008-92, as an approver of continuing education through November 30, 2015 in accordance with Rule 4723-14-10, OAC. Motion adopted by unanimous vote of the Board members.

National Certifying Organizations for APNs

Action: It was moved by Tracy Ruegg, seconded by J. Jane McFee, that the Board approve, for 2011, the following national certifying organizations for certified nurse practitioners, certified nurse-midwives, certified registered nurse

anesthetists, and clinical nurse specialists seeking a certificate of authority to practice in Ohio in accordance with Section 4723.46(A), ORC: American Academy of Nurse Practitioners Certification Program; American Association of Critical-Care Nurses Certification Corporation; American Midwifery Certification Board; American Nurses Credentialing Center; National Board for Certification of Hospice & Palliative Nurses; National Board on Certification and Recertification of Nurse Anesthetists; National Certification Corporation for the Obstetric, Gynecologic & Neonatal Nursing Specialties; Oncology Nursing Certification Corporation; and Pediatric Nursing Certification Board, Incorporated. Motion adopted by unanimous vote of the Board members.

National Certifying Organizations for Dialysis Technicians

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board approve, for 2011, the following national certifying organizations as dialysis technician testing organizations in accordance with Rule 4723-23-10(A), OAC: The Board of Nephrology Examiners Nursing and Technology; and The National Nephrology Certification Organization. Motion adopted by unanimous vote of the Board members.

Requests for Extension of Implementation Dates

Butler Technology and Career Development Schools – RN Diploma

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board approve, in accordance with Rule 4723-5-08, OAC, the change in implementation date of Butler Technology and Career Development Schools RN Diploma Program to July 11, 2011. Motion adopted by unanimous vote of the Board members.

Kaplan Career Institute Associate of Science in Nursing Program

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board approve in accordance with Rule 4723-5-08, OAC, the change in implementation date of Kaplan Career Institute Associate of Science in Nursing Program to June 2011. Motion adopted by unanimous vote of the Board Members.

Dialysis Technician Training Programs

Collins Career Center School of Dialysis

Action: It was moved by Maryam Lyon, seconded by Anne Barnett, that the Board re-approve Collins Career Center school of Dialysis, in accordance with Rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

Centers for Dialysis Care Technician Training Program

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board re-approve the Centers for Dialysis Care Technician Training program, in accordance with Rule 4723-23-07, OAC, as a dialysis technician training program for a period of two years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

Medication Aide Training Program

Quality Care/Cincinnati Home Care Medication Aide Training Program

Action: It was moved by Anne Barnett, seconded by Maryam Lyon, that the Board approve Quality Care/Cincinnati Home Care, in accordance with Rule 4723-27-07, OAC, as a medication aide training program for a period of two years effective November 18, 2010. Motion adopted by unanimous vote of the Board members.

EXECUTIVE SESSION

On Thursday November 18, 2010:

Action: It was moved by Patricia Protopapa that the Board go into Executive Session to discuss the appointment, employment, or compensation of a public employee, and discuss pending or imminent court action with legal counsel. Following Executive Session the Board meeting was adjourned. Motion adopted by roll call vote.

ADJUDICATION AND COMPLIANCE

Thomas Janecko, RN, and his legal representative Elizabeth Collis, Esq., addressed the Board on Wednesday, November 17, 2010, at 1:40 p.m. regarding Mr. Janecko's Hearing Report and Recommendation pending before the Board. Karen Unver, AAG, responded.

William White, Esq., Legal Representative for Angela O'Black, addressed the Board on Wednesday, November 17, 2010, at 2:00 p.m. regarding Ms. O'Black's Hearing Report and Recommendation pending before the Board. Henry Appel, AAG, responded.

Board Actions

On Friday, November 19, 2010, Bertha Lovelace requested that each voting Board member verify that they reviewed in depth all materials by saying "yes" or "no" and that any Board member who had not reviewed the materials refrain from participating in the adjudication of any matter.

NOTICES OF OPPORTUNITY FOR HEARING

On Friday, November 19, 2010, the Board considered the following proposed Notices of Opportunity for Hearing that were reviewed by Board members:

Action: It was moved by J. Jane McFee, seconded by Maryam Lyon, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723. ORC for the following case(s):

Belt, Rachel L., P.N. 130112 (CASE #09-2648); Adkins, Danielle N., R.N. 343044 (CASE #10-2654); Barron, Joy A., R.N. 300600 (CASE #07-1336); Conner, Robin L., P.N. 093057 (CASE #08-2982); Baker, Barbara A., P.N. 128057 (CASE #10-1847); Hargreaves, Carey A., P.N. 122751 (CASE #10-3236); Gibbs, Brian T., R.N. 275709 (CASE #09-5901); Kirby, Lori A., R.N.

endorse (CASE #10-4343); McLaughlin, Jaime, R.N. 318124 (CASE #09-6845); Pope, Lisa D., R.N. 258208 (CASE #09-1608); Wahl, Julie M., R.N. 250517 (CASE #09-5070); Wannemacher, Shannon, R.N. 295919 (CASE #10-3071); Witter, Gail J., P.N. 075317 (CASE #10-2073); Podgorski, Nicole, P.N. 115899 (CASE #10-3381); Scalf, Dawn M., P.N. 095241 (CASE #09-5889); Tuttle, Bobbie J., MAC 00104 (CASE #10-0793); Love, Amarava D., P.N. 109727 (CASE #10-3629); Martinez, Scott A., R.N. 331077 (CASE #08-0007); Martin, Amanda K., P.N. 124685 (CASE #10-1557); Moore, Paula J., R.N. 289297 (CASE #10-2628); Henley, Sherin A., P.N. 134210 (CASE #10-1285); Daniels, Laura K., R.N. 353182 (CASE #10-1871); Bowling, Tara L., P.N. 086159 (CASE #09-5134); Burkey, Brandi M., P.N. 100775 (CASE #10-2042); Ceschan, Lisa J., P.N. 122419 (CASE #09-5856); Chester, Angel M., P.N. 100909 (CASE #10-2524); Clelland, Carol J., P.N. 098151 (CASE #09-5197); Iler, Kelly, P.N. 115498 (CASE #09-4605); Michell, Leslie, R.N. 353449 (CASE #10-2230); Gedraitis, Joanne C., R.N. 267372 (CASE #10-4547); Orr, Octavia D., P.N. 137160 (CASE #10-3631); Parker, Victoria, R.N. 239668 (CASE #10-3383); Raitz, Nicole M., P.N. 125116 (CASE #09-5321); Parenteau, Marsha K., R.N. 214798 (CASE #10-4548); Smith, Michelle, P.N. 125669 (CASE #10-2267); Hudimac, Tammy K., R.N. 282787 (CASE #10-2651); Ballard-Harris, Lakeia H., P.N. 117742, R.N. 349245 (CASE #10-0862); Bess, Nakia M., R.N. 301612 (CASE #09-0955); Colyer, Michelle N., P.N. 123249 (CASE #10-1497); Costello, Joy L., P.N. 111149 (CASE #10-3665); Gemma, Christopher J., P.N. 120932 (CASE #10-4541); Pagniano, Judith E., P.N. 097110 (CASE #10-4165); Jackson, Douglas A., R.N. 329819 (CASE #10-3860); Williams, Latanya D., R.N. 347911 (CASE #09-5852); Perrin, Denise, R.N. 210581 (CASE #10-3408); Ortega, Ronald J., P.N. 088774 (CASE #08-0132); Kraft, Robyn L., R.N. 311443 (CASE #10-3261); Johnson, Anita D., D.T. 01370 (CASE #10-3024); Deel, Mindy, R.N. 318950 (CASE #10-4637); Brynaert, Rhonda M., P.N. 104217 (CASE #10-2151); Hammond, Tony R., P.N. 117435 (CASE #10-4940); Kelly, Stephen M., R.N. 320867 (CASE #10-0979); Deluca, Lynda A., R.N. 190336 (CASE #10-0215); Williams, Michelle L., R.N. 254358 (CASE #10-1759); and Clayton, Beverly C., R.N. 207605 (CASE #09-4548).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2010 Board Meeting.

IMMEDIATE SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Wyrostek, Kimberly S., R.N. 312450 (CASE #10-1988); Rickett, April S., R.N. 342773 (CASE #10-2924); Lunney, Melody A., R.N. 332867 (CASE #10-2765); Keene, Darlene J., R.N. 289456 (CASE #10-1330); Gresh, Joann, P.N. 126952

(CASE #10-3078); Appel, Amanda E., P.N. 134390 (CASE #10-0447); Whitlock, Lamar S., R.N. 299228 (CASE #09-5808); Verhoff, Samuel H., R.N. 322306 (CASE #10-1214); Zwayer, David M., R.N. 270495 (CASE #10-1094); Trenchik, Gina J., R.N. 307851 (CASE #10-0093); Swanson, Brenda, P.N. 107365 (CASE #10-0715); Knoll, Billie, P.N. 115941 (CASE #09-1951); Mullen, Karen E., R.N. 259485 (CASE #10-4663); Templin, Amy M., R.N. 293424 (CASE #10-4587); Bradbury, Jaclyn P., R.N. 333321 (CASE #09-3666); Balogh, Dina M., P.N. 122620 (CASE #10-0 141); Gerbich, Midge, P.N. 105087 (CASE #10-4836); Cameron, Amber, P.N. 131066 (CASE #09-5841); and McCanna, Denise, R.N. 311857 (CASE #10-0346).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2010 Board Meeting.

POST IMMEDIATE SUSPENSION NOTICE AND OPPORTUNITY FOR HEARING

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that the Board issue a Notice of Opportunity for Hearing for violations of Chapter 4723 ORC, for the following case(s):

Painter, Tara A., R.N. 312190 (CASE #10-3935); Kleinhenz, Jill R., R.N. 335723 (CASE #10-0554); and McCarthur-Dawson, Dora M., R.N. 263255 (CASE #10-4342).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

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

Complete copies of the Post Immediate Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2010 Board Meeting.

AUTOMATIC SUSPENSIONS AND NOTICE FOR OPPORTUNITY

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

Brodeur, Dion W., R.N. 324461 (CASE #09-5623); Pirtle, Christine, R.N. 181010 (CASE #10-3852); Randleman, Tierra L., P.N. 130760 (CASE #10-

3872); Grooms, Vernisha A., P.N. 139957 (CASE #10-3222); Crayton, Sharon M., P.N. 094930 (CASE #10-4138); Rike, Brittany A., P.N. 138353 (CASE #10-4302); Becker, Allan K., R.N. 240244 (CASE #10-4581); Beyl, Linda M., P.N. 101162 (CASE #10-4128); Green, Tracy M., R.N. 329199 (CASE #10-4556); Zavala, Shelley L., R.N. 331395 (CASE #10-4394); Wheeler, April D., P.N. 106625 (CASE #10-3397); Alley, Lisa M., P.N. 111133 (CASE #10-4293); Brown, Divon, P.N. 140419 (CASE #10-4580); Groll, Roberta M., R.N. 256967 (CASE #10-3930); and Walker, Tavette Z., P.N. 089712 (CASE #10-3854).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Automatic Suspensions and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2010 Board Meeting.

TEMPORARY SUSPENSIONS AND NOTICE OF OPPORTUNITY

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that the Board issue a Notice of Temporary Suspension and Opportunity for Hearing for violations of Chapter 4723. ORC for the following:

Edwards, Suzanne L., R.N. 285648 (CASE #10-3504).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

A complete copy of the Temporary Suspension and Notices of Opportunity for Hearing shall be maintained in the exhibit book for the November 2010 Board Meeting.

SURRENDERS

Permanent Voluntary Surrender

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board accept the Permanent Voluntary Surrender of License for the following case(s):

Turner, Bobbi J., R.N. 322061 (CASE #10-2909); Puckett, Shelley M., R.N. 325354 (CASE #08-3072); Reinke, Patrick, P.N. 110714 (CASE #10-2878); Mabrey, Geneva, P.N. 097734 (CASE #10-4600); and Stanley, Michael A., P.N. 127069 (CASE #08-3393).

Motion adopted majority vote of the Board members with Anne Barnett abstaining.

Complete copies of the Permanent Voluntary Surrenders shall be maintained in the exhibit book for the November 2010 Board Meeting.

VOLUNTARY RETIREMENTS

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept the Permanent Voluntary Retirement from the practice of nursing for the following:

Lewandowski, Barbara, R.N. 199122 (CASE #10-0229) and Stollar, Joy E., P.N. 040249 (CASE #10-1058).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Complete Copies of the Voluntary Retirements shall be maintained in the exhibit book for the November 2010 Board Meeting.

CONSENT AGREEMENTS

On Friday, November 19, 2010, the Board considered the terms of the following proposed consent agreements that were reviewed by Board members.

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, 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):

Andrix, Eileen C., P.N. 126155 (CASE #08-3114); Stansell, Catherine M., R.N. 275777 (CASE #08-2105); Terrell, Marilyn J., R.N. NCLEX (CASE #10-1196); Vonier, Ronda L., R.N. 261952 (CASE #10-2769); Benadum, Carrie, R.N. 346285 (CASE #09-5844); Jackson, Latrica D., P.N. 139954 (CASE #10-3648); McDannold, Scott D., R.N. 229284 (CASE #09-4063); Resor, William K., P.N. 108281 (CASE #07-0513); Willis, Jacquelyn A., P.N. 115999 (CASE #06-0115); Yates, Ashley L., P.N. 121615 (CASE #09-5625); Wardrop, Patricia J., R.N. 258431 (CASE #10-0231); Wagner, Debra L., R.N. 259145 (CASE #09-4776); Voorhees, Ann E., R.N. 317850 (CASE #10-4430); Valentine, Vicki L., R.N. 257459 (CASE #10-4431); Tindor, Andrew F., P.N. 100767 (CASE #10-4028); Otieno, Susan A., P.N. NCLEX (CASE #10-3212); Odle, Britt A., P.N. NCLEX (CASE #10-4098); Jones, Brandy R., R.N. endorse (CASE #10-3893); Matt, Alexandra N., P.N. NCLEX (CASE #10-4364); Ferrell, Britni D., P.N. NCLEX (CASE #09-6528); McDavid, Connie J., R.N. 316326 (CASE #10-2537); Boal, Kristen M., R.N. 330680 (CASE #10-4350); Williams, Monica L., R.N. NCLEX, P.N. 121106 (CASE #10-3474); Bahns, Todd A., R.N. 283692 (CASE #10-1466); Dimaline, Marsha R., R.N. 247485 (CASE #10-4296); Abner, Joshua B., P.N. 104807 (CASE #09-5835); Baker, Keisha L., P.N. 118626 (CASE #10-0627); Baker, Roxanne, R.N. 277277 (CASE #09-5712); Brown, Edwina, P.N. 039716 (CASE #09-5253); Cimilluca, Karen S., R.N. 165554, N.A. 03757 (CASE #09-5480); Eyster, Tonya, P.N. 111398 (CASE #09-6010); Gordon, Jodi L., R.N. 311931 (CASE #10-0376); Hill, Tonya C., P.N. 107837 (CASE #10-4255); Lamatrice, Mark E., P.N. NCLEX (CASE #10-3423); Long, Nicole L.,

P.N. NCLEX (CASE #10-3491); Mann, Tammy S., P.N. 113571 (CASE #10-1264); Marusic, Dennis M., R.N. NCLEX (CASE #10-3211); Nooney, Julia A., R.N. 275164 (CASE #10-1322); Oney, Tara M., P.N. 103398 (CASE #10-1256); Pickens, Nicole L., P.N. NCLEX (CASE #10-3895); Rayford, Alisa K., R.N. 328191 (CASE #08-1673); Bert, Renee L., R.N. 265667 (CASE #09-2321); Eldridge, Joan, P.N. 109590 (CASE #10-4778); Smith, Jonas L., P.N. 111793 (CASE #09-6284); Strayer, Jenny F., R.N. 210407 (CASE #09-3653); West, Rhonda M., P.N. NCLEX (CASE #10-3689); Clark, Amanda M., R.N. 349436 (CASE #09-3993); Tillman, Pamela F., P.N. 045107 (CASE #10-3387); Clark, Ryan A., C.H.W. applicant (CASE #10-4216); Roberson, LaShanta S., R.N. NCLEX (CASE #10-4103); Veddern, Alexandra M., P.N. NCLEX (CASE #10-4108); Williams, Melody R., P.N. NCLEX (CASE #10-4063); Piscola, Lisa A., R.N. 217152 (CASE #09-5001); Wells, Diane K., R.N. 236777 (CASE #10-4402); Kepperling, Robert R., P.N. NCLEX (CASE #10-1700); Eshenbaugh, Kimberly J., P.N. NCLEX (CASE #10-4285); Greene, Angela M., P.N. 110879 (CASE #10-4310); Prange, Heather L., R.N. endorse (CASE #10-4694); Hilditch, Daniel P., P.N. 122454 (CASE #10-4261); and Rese, Nicole L., R.N. 266794 (CASE #10-4168).

Anne Barnett abstained from voting on all cases. Bertha Lovelace abstained on Williams, Monica L., R.N. NCLEX, P.N. 121106 (CASE #10-3474) and Rese, Nicole L., R.N. 266794 (CASE #10-4168) only. Patricia Protopapa abstained on Rese, Nicole L., R.N. 266794 (CASE #10-4168) only. Janet Arwood voted no on the following cases only: Brown, Edwina, P.N. 039716 (CASE #09-5253) and Oney, Tara M., P.N. 103398 (CASE #10-1256). Judith Church voted no on the following cases only: Jackson, Latrica D., P.N. 139954 (CASE #10-3648); Baker, Roxanne, R.N. 277277 (CASE #09-5712); Brown, Edwina, P.N. 039716 (CASE #09-5253); Bert, Renee L., R.N. 265667 (CASE #09-2321); Piscola, Lisa A., R.N. 217152 (CASE #09-5001); Wells, Diane K., R.N. 236777 (CASE #10-4402); and Eshenbaugh, Kimberly J., P.N. NCLEX (CASE #10-4285). Maryam Lyon voted no on the following cases only: Yates, Ashley L., P.N. 121615 (CASE #09-5625) and Ferrell, Britni D., P.N. NCLEX (CASE #09-6528). Patricia Protopapa voted no on Stansell, Catherine M., R.N. 275777 (CASE #08-2105) only. Tracy Ruegg voted no on the following cases only: Stansell, Catherine M., R.N. 275777 (CASE #08-2105); Jackson, Latrica D., P.N. 139954 (CASE #10-3648); Baker, Roxanne, R.N. 277277 (CASE #09-5712); Brown, Edwina, P.N. 039716 (CASE #09-5253); Piscola, Lisa A., R.N. 217152 (CASE #09-5001); Wells, Diane K., R.N. 236777 (CASE #10-4402); Eshenbaugh, Kimberly J., P.N. NCLEX (CASE #10-4285); and Greene, Angela M., P.N. 110879 (CASE #10-4310). Roberta Stokes voted no on the following cases only: Terrell, Marilyn J., R.N. NCLEX (CASE #10-1196); Jackson, Latrica D., P.N. 139954 (CASE #10-3648); Resor, William K., P.N. 108281 (CASE #07-0513); Willis, Jacquelyn A., P.N. 115999 (CASE #06-0115); Yates, Ashley L., P.N. 121615 (CASE #09-5625); Wardrop, Patricia J., R.N. 258431 (CASE #10-0231); Wagner, Debra L., R.N. 259145 (CASE #09-4776); Odle, Britt A., P.N. NCLEX (CASE #10-4098); Jones, Brandy R., R.N. endorse (CASE #10-3893); Ferrell, Britni D., P.N. NCLEX (CASE #09-6528); McDavid, Connie J., R.N. 316326 (CASE #10-2537); Abner, Joshua B., P.N. 104807 (CASE #09-5835);

and Pickens, Nicole L., P.N. NCLEX (CASE #10-3895).

Motion adopted by majority vote of the Board members.

Complete copies of the Consent Agreements shall be maintained in the exhibit book for the November 2010 Board Meeting.

HEARING EXAMINER REPORT AND RECOMMENDATION

Wheeler, Teri L., R.N. 287893 (CASE #08-3845)

Action: It was moved by Judith Church, seconded by Patricia Protopapa, that the Board accept all of the Findings of Fact and Conclusions of the Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **TERI LYNN WHEELER's** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, with eligibility for reinstatement in 2013, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WHEELER'S** license shall be subject to a stayed suspension during the probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

The rationale for the modification is **MS. WHEELER'S** history of multiple disciplinary actions taken by the Board, and continued issues with substance abuse. The Board has determined that in order to protect the public, a period of suspension with monitoring is required prior to **MS. WHEELER'S** returning to practice.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. WHEELER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. WHEELER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to seeking reinstatement by the Board, MS. WHEELER** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. WHEELER**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. WHEELER's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. WHEELER** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to

the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

5. **Prior to seeking reinstatement by the Board, MS. WHEELER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: eight (8) hours of Chemical Dependency and eight (8) hours of Professionalism.

Monitoring

6. **MS. WHEELER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WHEELER's** history. **MS. WHEELER** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. WHEELER** shall abstain completely from the use of alcohol.
8. **Prior to seeking reinstatement by the Board, MS. WHEELER** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WHEELER** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WHEELER** 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. WHEELER's** license, and a statement as to whether **MS. WHEELER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MS. WHEELER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. WHEELER's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WHEELER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. WHEELER'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. WHEELER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WHEELER's** history.
11. Within thirty (30) days prior to **MS. WHEELER** initiating drug screening, **MS. WHEELER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. WHEELER**.
 12. After initiating drug screening, **MS. WHEELER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. WHEELER** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 13. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. WHEELER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WHEELER** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
 14. **Prior to seeking reinstatement by the Board, MS. WHEELER** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. WHEELER** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. WHEELER's** license, and a statement as to whether **MS. WHEELER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 15. **MS. WHEELER** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the

psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. WHEELER'S** license and certificate of authority.

Reporting Requirements of MS. WHEELER

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

DURATION

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

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

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

Monitoring

3. **MS. WHEELER** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WHEELER's** history. **MS. WHEELER** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. WHEELER** shall abstain completely from the use of alcohol.
5. **During the probationary period, MS. WHEELER** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WHEELER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WHEELER's** history.
6. **During the probationary period, MS. WHEELER** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WHEELER** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. WHEELER** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. WHEELER** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. WHEELER** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any

and all substances prescribed, administered, or dispensed to **MS. WHEELER** throughout the duration of this Order.

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

Employment Conditions

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

Reporting Requirements of MS. WHEELER

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

by this Order are received in the Board office.

18. **MS. WHEELER** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.
19. Prior to working as a nurse, **MS. WHEELER** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

MS. WHEELER shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

The stay of **MS. WHEELER's** suspension shall be lifted and **MS. WHEELER's** license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. WHEELER** has

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett a-abstaining.

Goolsby, Tonya M., P.N. 117368 (CASE #09-3617)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation and ORDERED that **TONYA MARIE GOOLSBY's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TONYA MARIE GOOLSBY** to surrender the frameable wall certificate for her licensed practical nurse license, P.N. #117368, immediately.

The rationale for the modification is **MS. GOOLSBY's** history with the Board including a 2004 felony conviction for forgery and a prior Consent Agreement, and an additional criminal violation based upon a guilty plea to felony Possession of Drugs in 2009, where the underlying acts involved cultivation of drugs in a residence that was occupied by **MS. GOOLSBY**. Based upon these factors the Board has determined that **MS. GOOLSBY's** practice would pose a threat to public safety.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett Delphenia Gilbert abstaining.

Janecko, Thomas J., P.N. 081457 (CASE #09-1517)

Action: It was moved by Roberta Stokes, seconded by Tracy Ruegg, that the Board accept all of the Findings of Fact and Conclusions of the Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **THOMAS JOHN JANECKO's** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than two (2) years from the effective date of this Order, with the conditions for reinstatement set forth below, and that following reinstatement, **MR. JANECKO'S** license shall be subject to a stayed suspension during the probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Narcotic and Permanent Practice Restrictions set forth below.

The rationale for the modification is that **MR. JANECKO** signed out controlled substances for patients but actually administered Tylenol when Tylenol and another controlled substance were ordered. The patients were particularly vulnerable in that **MR. JANECKO** worked on a HIV/AIDs unit, and these patients have an increased need for pain relief. The Board has determined that a longer suspension and permanent narcotic and practice restrictions are necessary in order to protect the public.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

5. **MR. JANECKO** shall abstain completely from the use of alcohol.
6. **Prior to seeking reinstatement by the Board, MR. JANECKO** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. JANECKO** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MR. JANECKO** 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. JANECKO's** license, and a statement as to whether **MR. JANECKO** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
7. **MR. JANECKO** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. JANECKO's** license.
8. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. JANECKO** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. JANECKO's** initiation of drug screening, refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. JANECKO** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JANECKO's** history.
9. Within thirty (30) days prior to **MR. JANECKO** initiating drug screening, **MR. JANECKO** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. JANECKO**.

10. After initiating drug screening, **MR. JANECKO** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. JANECKO** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MR. JANECKO** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. JANECKO** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MR. JANECKO

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

DURATION

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

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

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

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

Monitoring

3. **MR. JANECKO** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JANECKO's** history. **MR. JANECKO** shall self-administer prescribed drugs only in the manner prescribed.
4. **MR. JANECKO** shall abstain completely from the use of alcohol.
5. **During the probationary period, MR. JANECKO** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. JANECKO** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JANECKO's** history.
6. **During the probationary period, MR. JANECKO** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. JANECKO** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MR. JANECKO** shall provide a copy of this Order to all treating practitioners

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

Employment Conditions

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

Reporting Requirements of MR. JANECKO

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

O'Black, Angela M., R.N. 240150 (CASE #09-2743)

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that the Board admit the supplemental information submitted by the Assistant Attorney General on October 21, 2010, and that the Board accept all of the Findings of Fact and Conclusions of the Law, and modify the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **ANGELA M. O'BLACK'S** license to practice nursing as a registered nurse in the State of Ohio is hereby suspended for an indefinite period of time, but not less than one (1) year, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. O'BLACK'S** license shall be subject to a stayed suspension during the probationary terms, conditions, and limitations for a minimum period of three (3) years and the Permanent Practice Restrictions set forth below.

The rationale for the modification decreasing the suspension period is that **MS. O'BLACK** has no history of problems with her nursing practice and no prior criminal activity.

The rationale for the modification requiring a psychiatric evaluation is to evaluate **MS. O'BLACK'S** questionable judgment in this case and the likelihood for reoccurrence that could lead to other violations of the law.

Further, the Board has determined that a probationary monitoring period is necessary to protect the public.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Monitoring

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

O'BLACK's license.

Reporting Requirements of MS. O'BLACK

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

DURATION

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

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

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

2. **MS. O'BLACK** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.

Employment Conditions

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

Reporting Requirements of MS. O'BLACK

5. **MS. O'BLACK** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. O'BLACK** 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. O'BLACK** 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. O'BLACK** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. O'BLACK** shall submit the reports and documentation required by this Order or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. O'BLACK** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. O'BLACK** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in

residential or home address or telephone number.

12. If requested by the Board or its designee, prior to working as a nurse, **MS. O'BLACK** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

Permanent Practice Restrictions

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

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

MS. O'BLACK shall not be involved in financial activities or supervise financial activities.

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board member with Anne Barnett abstaining.

Copeland, Leslie A., R.N. 299888, N.A. 06863 (CASE #09-0510 and #08-0802)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board accept all of the Findings of Fact and Conclusions of the Law, and modified the Recommendation in the Hearing Examiner's Report and Recommendation and ORDERED that **LESLIE ANN COPELAND'S** license to practice nursing as a registered nurse and certificate of authority to practice as a clinical nurse specialist in the State of Ohio are hereby suspended for an indefinite period of time, but not less than six (6) months, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. COPELAND'S** license and certificate of authority shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years.

The rationale for the modifications is the following:

The Board has determined that a period of suspension, a psychiatric evaluation, additional continuing education hours, and additional monitoring terms are required to protect the public. **MS. COPELAND** failed to take responsibility for her actions and disregarded the law. As an advanced practice nurse, **MS. COPELAND** has increased responsibilities and expectations in her practice.

Further rationale for a psychiatric evaluation prior to returning to practice is that **MS. COPELAND** has displayed a pattern of poor judgment in managing her professional credentialing and that **MS. COPELAND'S** thinking in this matter was confused and her testimony was misleading. It is unclear whether this is a result of deliberate inattention or an underlying cognitive issue.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to seeking reinstatement by the Board, MS. COPELAND** shall pay the fine of one thousand dollars (\$1,000.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to seeking reinstatement by the Board, MS. COPELAND** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: ten (10) hours of Ohio Nursing Law and Rules; eight (8) hours of Ethics; and eight (8) hours of Professionalism.

Monitoring

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

Reporting Requirements of MS. COPELAND

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

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

DURATION

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

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

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

Employment Conditions

3. Prior to accepting employment as a nurse, each time with every employer, **MS. COPELAND** shall notify the Board.
4. **MS. COPELAND** shall have her employer(s), if working in a position

where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. COPELAND** shall provide her employer(s) with a copy of this Order and Notices of Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notices of Opportunity for Hearing, including the date they were received. Further, **MS. COPELAND** is under a continuing duty to provide a copy of this Order and Notices of Opportunity for Hearing to any new employer prior to accepting employment.

Quarterly Reports from Collaborating Physician(s)

5. **MS. COPELAND** shall have her collaborating physician(s) submit written reports regarding job performance on a quarterly basis. **MS. COPELAND** shall provide her collaborating physician(s) with a copy of this Order and the Notices of Opportunity for Hearing and shall have her collaborating physician(s) send documentation to the Board, along with the first collaborating physician report, of receipt of a copy of this Order and Notices of Opportunity for Hearing, including the date they were received. Further, **MS. COPELAND** is under a continuing duty to provide a copy of this Order and Notices of Opportunity for Hearing to any new collaborating physician prior to entering into a collaborating relationship.

Reporting Requirements of MS. COPELAND

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

by this Order are received in the Board office.

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

13. If requested by the Board or its designee, prior to working as a nurse, **MS. COPELAND** shall complete a nurse refresher course or extensive orientation approved in advance by the Board.

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

BOARD HEARING COMMITTEE

Pottinger, Danny R., R.N. 269625 (CASE #09-2530)

Action: It was moved by Janet Arwood, seconded by Melissa Meyer, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation.

Upon this Report and Recommendation and upon the approval and confirmation by vote of the Board on the above date, the following ORDER is hereby entered on the Journal of the Ohio Board of Nursing for the above date.

The Ohio Board of Nursing hereby ORDERS that:

DANNY RAY POTTINGER'S license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DANNY RAY POTTINGER** to surrender the frameable wall certificate for his registered nurse license, R.N. 269625, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, J. Jane McFee, and Patricia Protopapa abstaining.

Hendren, Jaimie, P.N. 109848 (CASE #09-3838)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, aht the Board accept all of the Findings of Fact, Conclusions of the Board Hearing Committee, and the Recommendation in the Board Hearing Committee's Report and Recommendation and ORDERED that **JAIMIE RAE HENDREN'S** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby suspended for an indefinite period of time, with the conditions for reinstatement set forth below, and that following reinstatement, **MS. HENDREN** shall be subject to probationary terms, conditions, and limitations for a minimum period of two (2) years and the Temporary Narcotic and Temporary Practice Restrictions set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

4. **Prior to seeking reinstatement by the Board, MS. HENDREN** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

5. **MS. HENDREN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENDREN's** history. **MS. HENDREN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. HENDREN** shall abstain completely from the use of alcohol.
7. **Prior to seeking reinstatement by the Board, MS. HENDREN** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HENDREN** shall provide the chemical dependency professional with a copy of this Order and Notice of Immediate Suspension and Opportunity for Hearing. Further, **MS. HENDREN** 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. HENDREN's** license, and a statement as to whether **MS. HENDREN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. HENDREN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. HENDREN's** license.
9. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. HENDREN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HENDREN'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. HENDREN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENDREN's** history.
10. Within thirty (30) days prior to **MS. HENDREN** initiating drug screening, **MS. HENDREN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. HENDREN**.
 11. After initiating drug screening, **MS. HENDREN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. HENDREN** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 12. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. HENDREN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HENDREN** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. HENDREN

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

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

DURATION

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

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

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

Monitoring

3. **MS. HENDREN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENDREN's** history. **MS. HENDREN** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. HENDREN** shall abstain completely from the use of alcohol.
5. **During the probationary period, MS. HENDREN** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC.

This screening shall require a daily call-in process. The specimens submitted by **MS. HENDREN** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HENDREN's** history.

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. HENDREN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. HENDREN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. HENDREN** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. HENDREN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. HENDREN** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. HENDREN

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, J. Jane McFee, and Patricia Protopapa abstaining.

Wagner, Justin P., R.N. 319925 (CASE #09-4969)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation, and ORDERED that **JUSTIN P. WAGNER'S** license to practice nursing as a registered nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JUSTIN P. WAGNER** to surrender the frameable wall certificate for his registered nurse license, R.N. #319925, immediately.

The rationale for the modification is the following:

MR. WAGNER has a history of discipline in Florida and Ohio, issues with use of alcohol and drugs, and has failed to comply with the conditions of his 2009 probationary Consent Agreement including drug screens, support group meeting attendance, and a mental health treatment plan. The Board has determined that **MR. WAGNER'S** practice would be a threat to public safety.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, J. Jane McFee, and Patricia Protopapa abstaining.

Otis, Tyhesha A., P.N. 102478 (CASE #09-3423)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board accept all of the Findings of Fact and Conclusions of the Board Hearing Committee, and modify the Recommendation in the Board Hearing Committee's Report and Recommendation and ORDERED that **TYHESHA A. OTIS'** license to practice nursing as a licensed practical nurse in the State of Ohio is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TYHESHA A. OTIS** to surrender the frameable wall certificate for her licensed practical nurse license, P.N. #102478, immediately.

The rationale for the modification is the following:

MS. OTIS has a pattern of continued use of alcohol, additional violation criminal actions, and failed to comply with her 2005 Consent Agreement with the Board. The Board has determined that **MS. OTIS'S** practice would be a threat to public safety.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett, Bertha Lovelace, Johnnie Maier, and Patricia Protopapa abstaining.

NO REQUEST FOR HEARING

Codner, Monica C., R.N. 288202 (CASE #10-1875)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **MONICA C. CODNER** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CODNER** 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. The Ohio Board of Nursing ORDERS that **MS. CODNER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MONICA C. CODNER** to surrender her frameable wall certificate for her registered nurse license, R.N. #288202, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Street, Stanley, D.T. 00002 (CASE #10-2360)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **STANLEY STREET** in the June 8, 2010 Notice of Immediate Suspension and Opportunity for Hearing, and the July 30, 2010 Notice of Opportunity for Hearing ("the Notices"), and evidence supporting the charges, the Board finds that **MR. STREET** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices. The Ohio Board of Nursing ORDERS that **MR. STREET'S** certificate to practice as a dialysis technician is hereby **PERMANENTLY REVOKED**.

The Board further Orders **STANLEY STREET** to surrender his frameable wall certificate to practice as a dialysis technician, DT #00002, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett and Maryam Lyon abstaining.

Fent, Sarah E., P.N. 137517 (CASE #10-1388)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **SARAH ELAINE FENT** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. FENT** 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. The Ohio Board of Nursing ORDERS that **MS. FENT'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **SARAH ELAINE FENT** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #137517, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Moss, Marsha L., R.N. 274505 (CASE #10-0948)

Action: It was moved by Delphenia Gilbert, seconded by Roberta Stokes, that upon consideration of the charges stated against **MARSHA L. MOSS** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOSS** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Automatic Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MOSS's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOSS** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

Monitoring

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

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

9. Within thirty (30) days prior to **MS. MOSS** initiating drug screening, **MS. MOSS** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. MOSS**.
10. After initiating drug screening, **MS. MOSS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. MOSS** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
11. **For a minimum, continuous period of six (6) months immediately prior to seeking reinstatement, MS. MOSS** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. MOSS** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.

Reporting Requirements of MS. MOSS

12. **MS. MOSS** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
13. **MS. MOSS** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
14. **MS. MOSS** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
15. **MS. MOSS** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
16. **MS. MOSS** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17

South High Street, Suite 400, Columbus, OH 43215-7410.

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

18. **MS. MOSS** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

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

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. MOSS** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. MOSS** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. MOSS** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. MOSS** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. MOSS** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. MOSS

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

Temporary Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Dent, Angela D., P.N. 113754 (CASE #10-1070)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that upon consideration of the charges stated against **ANGELA DEE DENT** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DENT** 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. The Ohio Board of Nursing ORDERS that **MS. DENT'S** license to

practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ANGELA DEE DENT** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #113754, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Kvochick, William E., P.N. 107755 (CASE #09-3584)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **WILLIAM KVOCHICK** in the May 21, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. KVOCHICK** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. KVOCHICK'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **WILLIAM KVOCHICK** to surrender his frameable wall certificate for his licensed practical nurse license, P.N. #107755, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Ellis, Terrell, P.N. 124123 (CASE #09-6254)

Action: It was moved by J. Jane McFee, seconded by Johnnie Maier, that upon consideration of the charges stated against **TERRELL ELLIS** in the March 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ELLIS** 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. The Ohio Board of Nursing ORDERS that **MS. ELLIS'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TERRELL ELLIS** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #124123, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Hipshire, Micheal L., R.N. 219322 (CASE #10-1381)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **MICHEAL LOWELL HIPSHIRE** in the May 21, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. HIPSHIRE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MR. HIPSHIRE'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **MICHEAL LOWELL HIPSHIRE** to surrender his frameable wall certificate for his registered nurse license, R.N. #219322, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Wright, Nancy E., R.N. 259947 (CASE #09-3185)

Action: It was moved by Delphenia Gilbert, seconded by Patricia Protopapa, that upon consideration of the charges stated against **NANCY EILEEN WRIGHT** in the May 21, 2010 Notice of Immediate Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WRIGHT** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Immediate Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. WRIGHT's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WRIGHT** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years **Temporary Narcotic** and **Temporary Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

Monitoring

5. **MS. WRIGHT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history. **MS. WRIGHT** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. WRIGHT** shall abstain completely from the use of alcohol.
7. **Prior to seeking reinstatement by the Board, MS. WRIGHT** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. WRIGHT** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MS. WRIGHT** 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. WRIGHT's** license, and a statement as to whether **MS. WRIGHT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. WRIGHT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and

conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. WRIGHT's** license.

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

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

Reporting Requirements of MS. WRIGHT

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

DURATION

The Board may only alter the indefinite suspension imposed if: (1) **MS. WRIGHT** submits a written request for reinstatement; (2) the Board determines that **MS. WRIGHT** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. WRIGHT** is able to practice according to acceptable

and prevailing standards of safe nursing care based upon an interview with **MS. WRIGHT** and review of the documentation specified in this Order.

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

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

Monitoring

3. **MS. WRIGHT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history. **MS. WRIGHT** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. WRIGHT** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. WRIGHT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. WRIGHT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. WRIGHT's** history.
6. **MS. WRIGHT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. WRIGHT** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. WRIGHT** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. WRIGHT** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of

- treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. WRIGHT** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. WRIGHT** throughout the duration of this Order.
 9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. WRIGHT** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. WRIGHT

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

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

Temporary Narcotic Restriction

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

Temporary Practice Restrictions

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

MS. WRIGHT 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. WRIGHT's suspension shall be lifted and MS. WRIGHT's license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that MS. WRIGHT has violated or

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Gratzmiller, Dennis A., R.N. 166083 (CASE #10-0044)

Action: It was moved by Melissa Meyer, seconded by Janet Arwood, that upon consideration of the charges stated against **DENNIS A. GRATZMILLER** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. GRATZMILLER** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. GRATZMILLER's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.

4. **Prior to seeking reinstatement by the Board, MR. GRATZMILLER** shall submit documentation of his successful completion of all terms of his 2009 Proposed Consent Agreement and Order with the West Virginia Board of Examiners of Registered Professional Nurses, effective December 14, 2009.

Monitoring

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

Reporting Requirements of MR. GRATZMILLER

7. **MR. GRATZMILLER** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
8. **MR. GRATZMILLER** shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
9. **MR. GRATZMILLER** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
10. **MR. GRATZMILLER** shall submit the reports and documentation required

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

11. **MR. GRATZMILLER** 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.
12. **MR. GRATZMILLER** shall verify that the reports and documentation required by this Order are received in the Board office.
13. **MR. GRATZMILLER** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Cresce, Jocyle, P.N. endorse (CASE #10-1629)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **JOCYLE CRESCE** in the July 30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. CRESCE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. CRESCE'S** application for licensure by endorsement to practice nursing as a licensed practical nurse is hereby **PERMANENTLY DENIED**.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Johnson, III, Eugene D., P.N. 120620 (CASE #09-2492)

Action: It was moved, by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **EUGENE D. JOHNSON III** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. 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 the Ohio Board of Nursing ORDERS that **MR. JOHNSON's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below, and that following reinstatement, **MR. JOHNSON** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Temporary Narcotic and Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. JOHNSON** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. JOHNSON** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MR. JOHNSON** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. JOHNSON**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. JOHNSON's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MR. JOHNSON** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **Prior to seeking reinstatement by the Board, MR. JOHNSON** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: eight (8) hours of Chemical Dependency.

Monitoring

6. **MR. JOHNSON** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JOHNSON's** history. **MR. JOHNSON** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MR. JOHNSON** shall abstain completely from the use of alcohol.
8. **Prior to seeking reinstatement by the Board, MR. JOHNSON** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. JOHNSON** shall provide the chemical dependency professional with a copy of this Order and Notice of Opportunity for Hearing. Further, **MR. 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 **MR. JOHNSON's** license, and a statement as to whether **MR. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
9. **MR. JOHNSON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. JOHNSON's** license.
10. **For a minimum, continuous period of two (2) years immediately prior to seeking reinstatement, MR. JOHNSON** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. JOHNSON'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. JOHNSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JOHNSON's** history.
11. Within thirty (30) days prior to **MR. JOHNSON** initiating drug screening, **MR. JOHNSON** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all

treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. JOHNSON**.

12. After initiating drug screening, **MR. JOHNSON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MR. JOHNSON** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of two (2) years immediately prior to seeking reinstatement, MR. 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 **MR. JOHNSON** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. **Prior to seeking reinstatement by the Board, MR. JOHNSON** shall, at his own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MR. JOHNSON** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. JOHNSON's** license, and a statement as to whether **MR. JOHNSON** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
15. **MR. JOHNSON** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. JOHNSON's** license.

Reporting Requirements of MR. JOHNSON

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

prevailing standards of safe nursing practice.

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

DURATION

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

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

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

Monitoring

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

drugs only in the manner prescribed.

4. **MR. JOHNSON** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. JOHNSON** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. JOHNSON** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. JOHNSON's** history.
6. **MR. 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 **MR. JOHNSON** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MR. JOHNSON** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. JOHNSON** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. JOHNSON** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. JOHNSON** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. JOHNSON** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MR. JOHNSON** shall notify the Board.
11. **MR. JOHNSON** shall have his employer(s), if working in a position where

a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. JOHNSON** shall provide his employer(s) with a copy of this Order and Notice of Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Opportunity for Hearing, including the date they were received. Further, **MR. JOHNSON** is under a continuing duty to provide a copy of this Order and Notice of Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. JOHNSON

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

Temporary Narcotic Restriction

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

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

Permanent Practice Restrictions

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

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

FAILURE TO COMPLY

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Arnold, Corrine K., P.N. 131980 (CASE #10-2249)

Action: It was moved by Roberta Stokes, seconded by Melissa Meyer, that upon consideration of the charges stated against **CORRINE K. ARNOLD** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ARNOLD** 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. The Ohio Board of Nursing ORDERS that **MS. ARNOLD'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CORRINE K. ARNOLD** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #131980, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Moore, Kristina L., P.N. 093299 (CASE #09-3836)

Action: It was moved by Melissa Meyer, seconded by Janet Arwood, that upon consideration of the charges stated against **KRISTINA LEE MOORE** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOORE** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. MOORE's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time but not less than six (6) months with the conditions for reinstatement set forth below, and that following reinstatement, **MS. MOORE** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years, with **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

2. **MS. MOORE** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MS. MOORE** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. MOORE**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. MOORE's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. MOORE** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: sixteen (16) hours of Documentation, eight (8) hours of Ethics, and five (5) hours of Transcribing Orders.

Monitoring

5. **Prior to seeking reinstatement by the Board, MS. MOORE** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. MOORE'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. MOORE's** comprehensive physical examination and with a comprehensive assessment regarding **MS. MOORE's** fitness for duty and safety to practice nursing as a licensed practical nurse. Prior to the examination, **MS. MOORE** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. MOORE** 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. MOORE's** license to practice, and stating whether **MS. MOORE** 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 physician examination and assessment as a basis for additional terms, conditions, and limitations on **MS. MOORE's** license.

Reporting Requirements of MS. MOORE

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

DURATION

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

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

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

Employment Conditions

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

Reporting Requirements of MS. MOORE

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Kennedy, Ashley, MAC 00035 (CASE #10-2361)

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that upon consideration of the charges stated against **ASHLEY C. KENNEDY** in the July

30, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KENNEDY** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Ohio Board of Nursing ORDERS that **MS. KENNEDY'S** certificate to administer medications as a certified medication aide is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ASHLEY C. KENNEDY** to surrender her frameable wall certificate for her certificate to administer medications as a certified medication aide, MA-C #00035, immediately.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Swinderman, Tamela M., P.N. 091562 (CASE #10-0644)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **TAMELA M. SWINDERMAN** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. SWINDERMAN** 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. The Ohio Board of Nursing ORDERS that **MS. SWINDERMAN'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **TAMELA M. SWINDERMAN** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #091562, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Kidd, Robert J., R.N. 284386 (CASE #10-0385)

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that upon consideration of the charges stated against **ROBERT JOSEPH KIDD** in the March 19, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. KIDD** 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. The Ohio Board of Nursing ORDERS that **MR. KIDD'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **ROBERT JOSEPH KIDD** to surrender his frameable wall certificate for his registered nurse license, R.N. #284386, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Moonda, Donna J., R.N. 177462 (CASE #10-2877)

Action: It was moved by Patricia Protopapa, seconded by Judith Church, that upon consideration of the charges stated against **DONNA JOYCE MOONDA** in the July 30, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. MOONDA** 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. The Ohio Board of Nursing ORDERS that **MS. MOONDA'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **DONNA JOYCE MOONDA** to surrender her frameable wall certificate for her registered nurse license, R.N. #177462, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Graham, Amber R., R.N. 307800 (CASE #08-3858)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **AMBER R. (DOTSON) GRAHAM** in the October 27, 2009 Notice of Immediate Suspension and Opportunity for Hearing, and the November 20, 2009 Notice of Opportunity for Hearing ("the Notices"), and evidence supporting the charges, the Board finds that **MS. GRAHAM** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notices, and the Ohio Board of Nursing ORDERS that **MS. GRAHAM's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than five (5) years with the conditions for reinstatement set forth below,

and that following reinstatement, **MS. GRAHAM** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. GRAHAM** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. GRAHAM** shall appear in person for interviews before the full Board or its designated representative as requested by the Board.
3. **Prior to seeking reinstatement by the Board, MS. GRAHAM** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. GRAHAM**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. GRAHAM's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. GRAHAM** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: eight (8) hours of Chemical Dependency.

Monitoring

5. **MS. GRAHAM** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRAHAM's** history. **MS. GRAHAM** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MS. GRAHAM** shall abstain completely from the use of alcohol.
7. **Prior to seeking reinstatement by the Board, MS. GRAHAM** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. GRAHAM** shall provide the chemical dependency professional with a copy of this Order and the Notices. Further, **MS. GRAHAM** 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. GRAHAM's** license, and a statement as to whether **MS. GRAHAM** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. GRAHAM** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. GRAHAM's** license.
 9. **For a minimum, continuous period of two (2) years immediately prior to seeking reinstatement, MS. GRAHAM** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. GRAHAM'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. GRAHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRAHAM's** history.
 10. Within thirty (30) days prior to **MS. GRAHAM** initiating drug screening, **MS. GRAHAM** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. GRAHAM**.
 11. After initiating drug screening, **MS. GRAHAM** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. GRAHAM** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
 12. **For a minimum, continuous period of two (2) years immediately prior to seeking reinstatement, MS. GRAHAM** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. GRAHAM** shall provide satisfactory documentation of such attendance to the Board

prior to reinstatement.

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

Reporting Requirements of MS. GRAHAM

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

21. **MS. GRAHAM** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

3. **MS. GRAHAM** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRAHAM's** history. **MS. GRAHAM** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. GRAHAM** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. GRAHAM** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. GRAHAM** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. GRAHAM's** history.
6. **MS. GRAHAM** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a

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

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. GRAHAM** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. GRAHAM** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. GRAHAM** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. GRAHAM** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. GRAHAM** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

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

Reporting Requirements of MS. GRAHAM

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the board members with Janet Arwood and Anne Barnett abstaining.

Alamilla, Gina, P.N. 111212 (CASE #10-0611)

Action: It was moved by J. Jane Mcfee, seconded by Johnnie Maier, that upon consideration of the charges stated against **GINA L. ALAMILLA** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. ALAMILLA** 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. The Ohio Board of Nursing ORDERS that **MS. ALAMILLA'S** license to practice nursing as a licensed practical nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **GINA L. ALAMILLA** to surrender her frameable wall certificate for her licensed practical nurse license, P.N. #111212, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Wilburn, Lori A., MAC 00009 (CASE #09-6221)

Action: It was moved by Roberta Stokes, seconded by Maryam Lyon, that upon consideration of the charges stated against **LORI ANN WILBURN** in the May 21, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WILBURN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code (“ORC”) Chapter 4723, as stated in the Notice of Opportunity for Hearing. The Board notes that Rule 4723-27-09(B)(8), Ohio Administrative Code, sets forth the same basis for sanctions as Section 4723.28(B)(8), ORC. The Ohio Board of Nursing ORDERS that **MS. WILBURN’S** certificate to administer medications as a certified medication aide is hereby **PERMANENTLY REVOKED**.

The Board further Orders **LORI ANN WILBURN** to surrender her frameable wall certificate for her certificate to administer medications as a certified medication aide, MA-C #00009, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Grassman, Jacqualin L., R.N. 190815 (CASE #10-1157)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **JACQUALIN L. GRASSMAN** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. GRASSMAN** 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. The Ohio Board of Nursing ORDERS that **MS. GRASSMAN’S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **JACQUALIN L. GRASSMAN** to surrender her frameable wall certificate for her registered nurse license, R.N. #190815, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Kaffenberger, Cathy L., R.N. 292875 (CASE #10-1225)

Action: It was moved by Roberta Stokes, seconded by J. Jane McFee, that upon consideration of the charges stated against **CATHY LYNN KAFFENBERGER** in the May 21, 2010 Notice of Automatic Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KAFFENBERGER** 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. The Ohio Board of Nursing ORDERS that **MS. KAFFENBERGER'S** license to practice nursing as a registered nurse is hereby **PERMANENTLY REVOKED**.

The Board further Orders **CATHY LYNN KAFFENBERGER** to surrender her frameable wall certificate for her registered nurse license, R.N. #292875, immediately.

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Whited, Wendolyn F., R.N. 245048 (CASE #09-3313)

Action: It was moved by Maryam Lyon, seconded by J. Jane McFee, that upon consideration of the charges stated against **WENDOLYN FELICE WHITED** in the March 19, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. WHITED** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. WHITED's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MS. WHITED** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of two (2) years and the **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

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

Educational Needs Assessment and Learning Plan

4. **Prior to seeking reinstatement by the Board, MS. WHITED** shall establish contact with a nursing educator approved by the Board who has no less than a master's degree and who is affiliated with a nursing educational program and **MS. WHITED** shall have the educator provide the Board with a written report of an assessment of **MS. WHITED**, which identifies **MS. WHITED's** knowledge/practice deficiencies and remedial educational needs. Prior to the assessment, **MS. WHITED** shall provide the nursing educator with a copy of this Order and the Notice of Opportunity for Hearing and shall submit to any nursing skills or knowledge assessments required by the educator. **MS. WHITED** 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. WHITED's** employer(s), former employers, and Board staff. Following the assessment, **MS. WHITED** shall have the educator provide the Board with a copy of a learning plan developed by the educator for **MS. WHITED** and shall obtain approval of the learning plan by the Board or its designee. The learning plan shall identify specific remediation that **MS. WHITED** 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. WHITED** shall complete such learning plan. Prior to seeking reinstatement by the Board, **MS. WHITED** shall successfully complete and submit satisfactory documentation of successful completion of the learning plan within the time frame specified in the learning plan. After **MS. WHITED** has successfully completed the learning plan and prior to seeking reinstatement by the Board, the educator shall provide the Board with an assessment and any recommendations for additional remedial education and/or restrictions that should be placed on **MS. WHITED's** license to practice. Furthermore, the educator shall provide to the Board a written opinion stating whether **MS. WHITED** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care. **MS. WHITED** shall be responsible for all costs associated with meeting this requirement.
5. The Board may utilize the educator's recommendations and conclusions from the assessment as a basis for additional terms, conditions, and

limitations on **MS. WHITED's** license.

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

Reporting Requirements of MS. WHITED

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

DURATION

The Board may only alter the indefinite suspension imposed if: (1) **MS. WHITED** submits a written request for reinstatement; (2) the Board determines that **MS. WHITED** has complied with all conditions of reinstatement; and (3) the

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

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

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

Employment Conditions

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

Reporting Requirements of MS. WHITED

5. **MS. WHITED** shall sign releases of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
6. **MS. WHITED** 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. WHITED** 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. WHITED** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.

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

Permanent Practice Restrictions

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

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Jones, Patricia A., R.N. 231545 (CASE #09-6291)

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that upon consideration of the charges stated against **PATRICIA ANN JONES** in the May 4, 2010 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. JONES** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. JONES's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than two (2) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. JONES** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

date of this Order: eight (8) hours of Professionalism, eight (8) hours of Ethics, ten (10) hours of Law and Rules, and eight (8) hours of Chemical Dependency.

Monitoring

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

JONES's history.

10. Within thirty (30) days prior to **MS. JONES** initiating drug screening, **MS. JONES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. JONES**.
11. After initiating drug screening, **MS. JONES** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. JONES** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
12. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. JONES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JONES** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
13. **Prior to seeking reinstatement by the Board, MS. JONES** shall, at her own expense, obtain a psychiatric evaluation from a Board approved psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. JONES** shall provide the psychiatrist with a copy of this Order and Notice of Opportunity for Hearing and shall execute releases to permit the psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MS. JONES's** license, and a statement as to whether **MS. JONES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
14. **MS. JONES** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. JONES's** license.
15. **Prior to seeking reinstatement by the Board, MS. JONES** shall, at her own expense, obtain a comprehensive physical examination by a Board

approved physician for the purposes of evaluating **MS. JONES'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. JONES's** comprehensive physical examination and with a comprehensive assessment regarding **MS. JONES's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. JONES** shall provide the Board approved physician with a copy of this Order and the Notice of Opportunity for Hearing. Further, **MS. JONES** 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. JONES's** license to practice, and stating whether **MS. JONES** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

Reporting Requirements of MS. JONES

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

DURATION

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

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

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

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

Monitoring

3. **MS. JONES** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history. **MS. JONES** shall self-administer prescribed drugs only in the manner prescribed.
4. **MS. JONES** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. JONES** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. JONES** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. JONES's** history.
6. **MS. JONES** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. JONES** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. JONES** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including

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

Employment Conditions

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

Reporting Requirements of MS. JONES

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

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

Permanent Narcotic Restriction

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

Permanent Practice Restrictions

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

MS. JONES 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. JONES's suspension shall be lifted and MS. JONES's license to practice nursing as a registered nurse will be automatically

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Dasilva (Fitzmaurice), Morgan E., R.N. 310417 (CASE #10-0567)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **MORGAN E. DASILVA** in the March 19, 2010 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. DASILVA** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MS. DASILVA's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than three (3) years with the conditions for reinstatement set forth below, and that following reinstatement, **MS. DASILVA** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

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

3. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. DASILVA**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. DASILVA's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: eight (8) hours of Professionalism, eight (8) hours of Ethics, ten (10) hours of Law and Rules, and eight (8) hours of Chemical Dependency.
5. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board. Payment shall be mailed to the attention of the Compliance, Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

Monitoring

6. **MS. DASILVA** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DASILVA's** history. **MS. DASILVA** shall self-administer the prescribed drugs only in the manner prescribed.
7. **MS. DASILVA** shall abstain completely from the use of alcohol.
8. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. DASILVA** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. DASILVA** 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. DASILVA's** license, and a statement as to whether **MS. DASILVA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

9. **MS. DASILVA** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DASILVA's** license.
10. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. DASILVA** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. DASILVA'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. DASILVA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DASILVA's** history.
11. Within thirty (30) days prior to **MS. DASILVA** initiating drug screening, **MS. DASILVA** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. DASILVA**.
12. After initiating drug screening, **MS. DASILVA** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner. Further, **MS. DASILVA** shall notify the Board of any and all medication(s) or prescription(s) received within twenty-four (24) hours of release from hospitalization or medical treatment.
13. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MS. DASILVA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. DASILVA** shall provide satisfactory documentation of such attendance to the Board prior to reinstatement.
14. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall, at her own expense, obtain a psychiatric evaluation from a Board approved

- psychiatrist and shall provide the Board with complete documentation of such evaluation. Prior to the evaluation, **MS. DASILVA** shall provide the psychiatrist with a copy of this Order and Notice of Temporary 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. DASILVA's** license, and a statement as to whether **MS. DASILVA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
15. **MS. DASILVA** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. DASILVA's** license.
16. **Prior to seeking reinstatement by the Board, MS. DASILVA** shall, at her own expense, obtain a comprehensive physical examination by a Board approved physician for the purposes of evaluating **MS. DASILVA'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. DASILVA's** comprehensive physical examination and with a comprehensive assessment regarding **MS. DASILVA's** fitness for duty and safety to practice nursing as a registered nurse. Prior to the examination, **MS. DASILVA** shall provide the Board approved physician with a copy of this Order and the Notice of Temporary Suspension and Opportunity for Hearing. Further, **MS. DASILVA** 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. DASILVA's** license to practice, and stating whether **MS. DASILVA** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

Reporting Requirements of MS. DASILVA

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

19. **MS. DASILVA** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. **MS. DASILVA** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
21. **MS. DASILVA** 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.
22. **MS. DASILVA** shall verify that the reports and documentation required by this Order are received in the Board office.
23. **MS. DASILVA** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

DURATION

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

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

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

Monitoring

3. **MS. DASILVA** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DASILVA's** history. **MS. DASILVA** shall self-administer prescribed drugs only in the manner prescribed.

4. **MS. DASILVA** shall abstain completely from the use of alcohol.
5. During the probationary period, **MS. DASILVA** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. DASILVA** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. DASILVA's** history.
6. **MS. DASILVA** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. DASILVA** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MS. DASILVA** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. DASILVA** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MS. DASILVA** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. DASILVA** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. DASILVA** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MS. DASILVA** shall notify the Board.
11. **MS. DASILVA** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MS. DASILVA** shall provide her

employer(s) with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing and shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing, including the date they were received. Further, **MS. DASILVA** is under a continuing duty to provide a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MS. DASILVA

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

Permanent Narcotic Restriction

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

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

Bowden, Mark E., R.N. 247035 (CASE #10-1553)

Action: It was moved by Judith Church, seconded by J. Jane McFee, that upon consideration of the charges stated against **MARK EDWARD BOWDEN** in the July 30, 2010 Notice of Temporary Suspension and Opportunity for Hearing and evidence supporting the charges, the Board finds that **MR. BOWDEN** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Temporary Suspension and Opportunity for Hearing, and the Ohio Board of Nursing ORDERS that **MR. BOWDEN's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time but not less than one (1) year with the conditions for reinstatement set forth below, and that following reinstatement, **MR. BOWDEN** shall be subject to a stayed suspension under the probationary terms, conditions, and limitations set forth below for a minimum period of three (3) years and the **Permanent Narcotic** and **Permanent Practice Restrictions** set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MR. BOWDEN** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MR. BOWDEN** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to seeking reinstatement by the Board, MR. BOWDEN** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. BOWDEN**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. BOWDEN's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to seeking reinstatement by the Board, MR. BOWDEN** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education taken subsequent to the effective date of this Order: eight (8) hours of Chemical Dependency.

Monitoring

5. **MR. BOWDEN** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR.**

- BOWDEN's** history. **MR. BOWDEN** shall self-administer the prescribed drugs only in the manner prescribed.
6. **MR. BOWDEN** shall abstain completely from the use of alcohol.
 7. **Prior to seeking reinstatement by the Board, MR. BOWDEN** shall, at his own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. BOWDEN** shall provide the chemical dependency professional with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing. Further, **MR. BOWDEN** 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. BOWDEN's** license, and a statement as to whether **MR. BOWDEN** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
 8. **MR. BOWDEN** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MR. BOWDEN's** license.
 9. **For a minimum, continuous period of one (1) year immediately prior to seeking reinstatement, MR. BOWDEN** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MR. BOWDEN'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. BOWDEN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. BOWDEN's** history.
 10. Within thirty (30) days prior to **MR. BOWDEN** initiating drug screening, **MR. BOWDEN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers and cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or

dispensed to **MR. BOWDEN**.

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

Reporting Requirements of MR. BOWDEN

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

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

DURATION

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

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

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

Monitoring

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

4. **MR. BOWDEN** shall abstain completely from the use of alcohol.
5. During the probationary period, **MR. BOWDEN** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. BOWDEN** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of **MR. BOWDEN's** history.
6. **MR. BOWDEN** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MR. BOWDEN** shall provide satisfactory documentation of such attendance to the Board every six (6) months.

Treating Practitioners and Reporting

7. Within sixty (60) days of the execution of the probationary period, **MR. BOWDEN** shall provide a copy of this Order to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. BOWDEN** shall be under a continuing duty to provide a copy of this Order, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
8. **MR. BOWDEN** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MR. BOWDEN** throughout the duration of this Order.
9. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MR. BOWDEN** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

10. Prior to accepting employment as a nurse, each time with every employer, **MR. BOWDEN** shall notify the Board.
11. **MR. BOWDEN** shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis. **MR. BOWDEN** shall provide his

employer(s) with a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing and shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing, including the date they were received. Further, **MR. BOWDEN** is under a continuing duty to provide a copy of this Order and Notice of Temporary Suspension and Opportunity for Hearing to any new employer prior to accepting employment.

Reporting Requirements of MR. BOWDEN

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

Permanent Narcotic Restriction

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

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

Permanent Practice Restrictions

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

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

This ORDER shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

DEFAULT ORDER

Bentz, Misty E., P.N. NCLEX (CASE #10-1111)

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board find that **Misty E. Bentz**, PN Exam applicant, failed to submit to an examination and the Board has not received information that the failure to submit to an examination was due to circumstances beyond her control.

In accordance with Section 4723.28(G) ORC, the failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations, unless the failure is due to circumstances beyond the individual's control and a default and final order may be entered without the taking of testimony or presentation of evidence. The Board finds that **MS. BENTZ** has failed to submit to an examination when directed, and that the failure was not due to circumstances beyond her control. Section 4723.28(B)(16) provides that the Board can deny a license for violation of Chapter 4723 or any rules adopted under that chapter.

In accordance with Section 4723.28(B)(16) and Section 4723.28(G) ORC, the Ohio Board of Nursing finds that that **MS. BENTZ** has admitted the truth of the allegations set forth in the June 22, 2010 Examination Order issued to **MS. BENTZ** and that **MS. BENTZ** is impaired. The Board ORDERS that **MS. BENTZ's** application for licensure to practice nursing as a licensed practical nurse in the State of Ohio is hereby denied, for an indefinite period of time with conditions for reapplication for initial licensure set forth below:

CONDITIONS FOR REAPPLICATION FOR INITIAL LICENSURE

1. **MS. BENTZ** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. BENTZ** shall appear in person for interviews before the full Board or its designated representative as requested by the Board and prior to reapplication.
3. **MS. BENTZ** shall, at her own expense, submit to a chemical dependency examination, specifically addressing her ability to function in a clinical nursing capacity, by Dr. Richard Whitney, Shepherd Hill Addiction Services (hereinafter "Shepherd Hill") located at 200 Messimer Drive, Newark, Ohio 43055, or by another licensed physician specializing in addiction medicine approved in advance by the Board or its designee. Prior to the evaluation, **MS. BENTZ** shall provide the Examiner with a copy of this Order and the June 22, 2010 Examination Order, and shall execute releases to permit the Examiner to obtain any information

deemed appropriate and necessary for the evaluation. The Examiner shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, and any restrictions that should be placed on **MS. BENTZ's** practice. The Examiner shall provide a written opinion to the Board regarding whether **MS. BENTZ** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

4. **MS. BENTZ may submit a new application for licensure to practice nursing as a licensed practical nurse by examination following the Board's receipt of the Examiner's written opinion. Upon re-applying, and meeting all the requirements for licensure, MS. BENTZ** may be authorized to take the NCLEX-PN. Prior to the Board authorizing **MS. BENTZ** to take the NCLEX, **MS. BENTZ** shall enter into a Consent Agreement with the Board for probationary terms, conditions, limitations, and restrictions determined by the Board for a minimum period of time determined by the Board. The probationary terms, conditions, limitations, and restrictions determined by the Board shall include, but not be limited to, completion or continuation of chemical dependency or other treatment or evaluation recommended by the Examiner, and/or restrictions specified by the Examiner, as set forth in paragraph 3., above. If the Board and **MS. BENTZ** are unable to agree to terms, conditions, limitations, and restrictions in a Consent Agreement, the terms, conditions, limitations, and restrictions shall be determined after a hearing is held.

Reporting Requirements of MS. BENTZ

5. **MS. BENTZ** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. BENTZ** 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. BENTZ** 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. BENTZ** 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. BENTZ** 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. BENTZ** shall verify that the reports and documentation required by this Order are received in the Board office.

11. **MS. BENTZ** shall inform the Board within three (3) business days, in writing, of any change in address and/or telephone number.

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

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

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

This Order shall become effective immediately upon the date of mailing indicated on the attached Certificate of Service and is hereby entered upon the Journal of the Board for the 19th day of November, 2010.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

MONITORING

LIFTS OF SUSPENSION/PROBATION

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their consent agreements or adjudication orders:

Shearer, Denaya J., P.N. 114826 (CASE #04-1215); McArthur, Kenneth W., R.N. 349862 (CASE #08-4791); Gosnell, Cindy S., R.N. 279503, P.N. 091967 (CASE #03-0555); Griessmann, Scott, R.N. 349858, P.N. 117248 (CASE #08-4627); Brown, Margo E., P.N. 136318 (CASE #09-2158); Mountain, Kyia M., R.N. 349863 (CASE #09-0563); Kelly, Erica E., R.N. 354695 (CASE #09-2344);

Jackson, Kathy, R.N. 190176 (CASE #07-1297); Cunningham, Jasmine A., R.N. 354693 (CASE #09-0589); Anderson, Lakisha R., P.N. 136317 (CASE #09-2414); Patyk, Joseph D., R.N. 285792 (CASE #09-0848); Stiles, Angela I., R.N. 243877 (CASE #07-1833); Seifert, Laura M., R.N. 346033 (CASE #09-4373); and Orr, Kathy A., R.N. 285786 (CASE #06-2771).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

LIFTS OF SUSPENSION/PROBATION – EARLY RELEASE

Action: It was moved by Melissa Meyer, seconded by J. Jane McFee that the following, having met the terms and conditions of their consent agreement with the Board, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from their consent agreements or adjudication orders:

McNeal, Suzanne R., R.N. 240662 (CASE #06-2605); Ross, Ebony P., R.N. 349865 (CASE #09-0564); Tefera, Henok, R.N. 348869 (CASE #07-2209); and Webb, Lindsey N., P.N. 136333 (CASE #08-0658).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

LIFT OF TEMPORARY NARCOTIC RESTRICTION

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from their temporary narcotic restrictions within their respective consent agreements or adjudication orders:

Davis, La Dawn R., R.N. 260437 (CASE #09-5593); Hubbard, Kathy R., P.N. 092765 (CASE #08-0544); Seymour, Lisa A., R.N. 210198, P.N. 076298 (CASE #09-2746); Prell, Audrey Jo, R.N. 209605, NP 05099, RX 05099 (CASE #08-0027); Gill, Debra D., R.N. 264270 (CASE #10-1560); Stephens, Jennifer L., R.N. 312431 (CASE #09-1752); and Aponte, Marilyn, P.N. 109396 (CASE #07-0683).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

LIFT SUSPENSION/PROBATION ONLY – PERMANENT PRACTICE RESTRICTION(S) REMAIN – EARLY RELEASE

Action: it was moved by J. Jane McFee, seconded by Johnnie Maier, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released early from the terms and conditions of their

Consent Agreement with the exception of the permanent practice restriction(s) that will remain in effect:

Bardney, Kristina M., P.N. 126148 (CASE #06-2554); and McGranahan, Jennifer L., R.N. 299842 (CASE #08-0585).

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

REINSTATEMENT REQUEST PER CONDITIONS OF ADJUDICATION ORDER

Action: It was moved by Tracy Ruegg, seconded by Janet Arwood, that the following, with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, having met the requirements for reinstatement contained within their Adjudication Orders with the Board be reinstated subject to the terms and conditions of probation contained within their Adjudication Orders:

Filiaggi, Kathleen, R.N. 277298 (CASE #09-4431)

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

MOTION TO APPROVE

Action: it was moved by Melissa Meyer, seconded by J. Jane McFee, that the Board accept the following approval made by Anne Barnett, Board Supervising Member for Disciplinary Matters:

Flood, Thomas J., R.N. 345846, P.N. 124229 (CASE #07-2337) – Approval to accept supervisory position at Franklin Plaza

McGrady, Dawn R., R.N. 291264 (CASE #08-3347) – Approval to accept employment at Compassions training and Awareness Center, teaching state tested nursing assistants and home health aides in the classroom only, with no clinical component.

Peugh, Christopher, R.N. 302645 (CASE #09-4792) – Approval to accept a nursing position at Home Care Network, specifically providing services only to the foster home owned by Brenda Kennedy.

Carroll, Clista L., R.N. 329975 (CASE #09-3757) – License reinstatement in October 2010 subject to the probationary terms contained within the January 2010 Consent Agreement.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

LIFT EMPLOYMENT RESTRICTION ONLY

Action: It was moved by J. Jane McFee, seconded by Melissa Meyer, that Corbin, Lisa M., R.N. 311557 (CASE #07-2955), with the recommendation by Anne Barnett, Supervising Member for Disciplinary Matters, be released from the employment restriction within the respective Consent Agreement, specific to the Registered Nurse Position for Lifesaver Health Care LLC.

Motion adopted by majority vote of the Board members with Anne Barnett abstaining.

REPORTS TO THE BOARD

Open Forum, Friday November 19, 2010

There were no participants for Open Forum.

Board Presentation

Tonae Bolton, MA, CDP, Director of Professional Development at The Diversity Center of Northeast Ohio, Inc., provided a presentation on the importance of cultural competency in health care and nursing education.

Advisory Group Reports

Nursing Education

J. Church, Chair of the Advisory Group on Nursing Education, reported on the October 7, 2010 meeting. The discussion focused on the Robert Wood Johnson Foundation (RWJF) and the Institute of Medicine (IOM) Future of Nursing Report. She summarized the four key messages of the report and noted the eight recommendations. The Advisory Group discussed considering requirements for nursing certification within five years of initial licensure and having a goal that 80% of Ohio nurses would attain a baccalaureate in nursing degree by 2020.

IOM Future of Nursing Report

The Board received three documents: the IOM Report Brief that includes the four key messages; the IOM Summary that includes the eight recommendations; and the NCSBN Model act and rules for APRNs, as referenced in the report.

J. Church reported that in 2008, the IOM launched a two-year initiative to assess and transform the nursing profession. The IOM appointed the Committee on the RWJF Initiative on the Future of Nursing to produce a report that would make recommendations for an action-oriented blueprint for the future of nursing.

The IOM released the report on October 5, 2010 noting that nurses' roles, responsibilities, and education should change significantly to meet the increased demand for care that will be created by health

care reform and to advance improvements in America's increasingly complex health system.

Ohio Nursing Collaborative 2015

B. Houchen reported that on October 7, 2010, Doris Edwards, Dean Emerita, Capital University School of Nursing, met with the Advisory Group on Nursing Education and with B. Houchen to discuss the work of the "Yellow Team" regarding nursing education. The Yellow Team's Nursing Collaborative 2015 Yellow Team Research Paper was distributed to the Board. The Yellow Team indicated that the research report and related documents are works in progress and that they are in the process of securing buy-in from the four Nursing 2015 organizations.

The Advisory Group on Nursing Education discussed the work of the Yellow Team and is planning future discussions as work of the Yellow Team progresses.

The Board agreed that the Yellow Team research paper and the IOM/RWJF Future of Nursing Report would be topics for additional discussion at the Board Retreat.

Continuing Education

D. Gilbert, Chair of the Advisory Group on Continuing Education reported on the October 15, 2010 meeting. The Advisory Group members discussed the importance of cultural competency in health care, and noted that many employers require this type of training in their employment setting. The Advisory Group recognized Pamela Dickerson, a member of the Advisory Group, who received the 2010 ANCC President's Award. This award recognizes exceptional leaders who have partnered with the ANCC President to advance its mission, vision and strategic goals. The Board congratulated P. Dickerson on the award. OBN Approver Health Alliance changed their name to UC Health.

Committee on Prescriptive Governance (CPG)

T. Ruegg reported on the October 18, 2010 CPG meeting which she chaired. The Committee members discussed the formulary and stated they prefer a database system, but realize funding may not be available. Board staff included a request for funding in its extended budget request, but due to the status of the state budget, it is uncertain whether this type of request would be funded. Erin Keels was elected Committee Chair for 2011. As discussed under New Business, the Committee did not recommend that the proposed rule language prohibit APNs from prescribing drugs other than controlled substances to family members.

Dialysis

M. Meyer, Chair of the Advisory Group on Dialysis, reported on the October 19, 2010 meeting. A representative from the Ohio Department of Health discussed the survey process and findings for dialysis centers.

Board Committee Report – Advisory Group Appointments

Continuing Education

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board appoint the following members to the Advisory Group on Continuing Education, for terms beginning January 1, 2011 and ending December 31, 2012: Pamela Dickerson, Susan Copeland, Sandra Swanson, Terry Pope, and Marjory Vogt. Motion adopted by unanimous vote of the Board members.

Dialysis

Action: It was moved Melissa Meyer, seconded by Roberta Stokes, that the Board appoint the following members to the Advisory Group on Dialysis, for terms beginning January 1, 2011 and ending December 31, 2012: Debra Broadnax and Jeffrey Masenheimer. Motion adopted by unanimous vote of the Board members.

Nursing Education

Action: It was moved by Melissa Meyer, seconded by Judith Church, that the Board appoint the following members to the Advisory Group on Nursing Education, for terms beginning January 1, 2011 and ending December 31, 2012: Sharon Carmichael, Michelle Dumpe, Kathy Keister, Holly Price, Amber Essman, Janet Boeckman, and Ruth Gosnell. Motion adopted by unanimous vote of the Board members.

Other Reports

NEALP Report

H. Fischer reviewed the NEALP report. She noted that in 2012 the Chancellor of the Ohio Board of Regents (OBR) would have discretion regarding funding allocations for graduate nursing programs, pre-licensure registered nurse programs, and pre-licensure practical nurse programs, and that OBR will consider the Board's recommendations regarding the allocation of funds. J. McFee asked if licensed practical nurses could receive funding to attend pre-licensure registered nurse education programs. H. Fischer noted that these individuals are eligible for NEALP funding.

Nursing Education – Summary of Annual Reports

Lisa Emrich reviewed the Summary of the Nursing Education Program Annual Reports. Board members commented on the wide variation of clinical hours. It was noted that the administrative rules for education programs will be reviewed for possible amendments in 2011 and due to

the number of potential changes, the Board may want to begin discussion and obtain public comment as soon as possible.

Action: It was moved by Judith Church, seconded by Anne Barnett, that discussion on this topic be extended by 15 minutes. Motion adopted by unanimous vote of the Board members.

After discussion, the Board agreed by general consensus to establish a Board Committee on the Nursing Education Rules. J. Church, D. Gilbert, J. McFee, M. Meyer, and R. Stokes volunteered to be members of the Committee. Board staff, including the Education Regulatory Surveyors, will assist the Committee. The Committee will meet on January 20, from 11:30 to 1:30. Staff will prepare a list of areas for discussion.

NEGP – Fourth Quarter Report

The Board reviewed the fourth quarter report for the Nurse Education Grant Program (NEGP).

GENERAL INFORMATION (FYI)

The Board reviewed the general information items and had no questions.

BOARD GOVERNANCE

Nomination of Board Officers

President

Action: It was moved by Maryam Lyon, seconded by Anne Barnett, to nominate Bertha Lovelace for the office of President.

Vice-President

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, to nominate Patricia Protopapa for the office of Vice-President.

Board Supervising Member for Disciplinary Matters

Action: It was moved by J. Jane McFee, seconded by Anne Barnett, to nominate Judith Church for Board Supervising Member for Disciplinary Matters.

Election of Board Officers

The Board elected Bertha Lovelace as President, Patricia Protopapa as Vice-President, and Judith Church as Board Supervising Member for Disciplinary Matters.

Appointment of Education Liaison

Action: It was moved by J. Jane McFee, seconded by Janet Arwood, that the Board appoint Melissa Meyer as the Nursing Education Program Board Liaison

to Board staff for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Appointment of Advisory Group Chairs

Nursing Education

Action: It was moved by Anne Barnett, seconded by Delphenia Gilbert, that the Board appoint Judith Church as Chair of the Advisory Group on Nursing Education for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Dialysis

Action: It was moved by Roberta Stokes, seconded by J. Jane McFee, that the Board appoint Maryam Lyon as Chair of the Advisory Group on Dialysis for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Continuing Education

Action: It was moved by Judith Church, seconded by Johnnie Maier, that the Board appoint Delphenia Gilbert as Chair of the Advisory Group on Continuing Education for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Appointment of Board Hearing Committee

Action: It was moved by Judith Church, seconded by Delphenia Gilbert, that the Board appoint the President, Vice-President, and Consumer Member to serve on the Board Hearing Committee, and that J. Jane McFee and Tracy Ruegg serve as alternates, all serving for a term of one year, effective March 1, 2011. Motion adopted by unanimous vote of the Board members.

Authorization for the Use of Hearing Examiners

Action: It was moved by J. Jane McFee, seconded by Judith Church, that the Board authorize the use of hearing examiners for hearings for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Authorization for the Board Supervising Member or President to Issue Notices of Immediate Suspension

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, that the Board authorize the Board Supervising Member for Disciplinary Matters, or the Board President to issue notices of immediate suspension for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Authorization for the Use of Signature Stamps and Electronic Signatures

Action: It was moved by Judith Church, seconded by Tracy Ruegg, that the Board authorize the use of signature stamps or electronic signatures of the President, Supervising Member Disciplinary Matters, and Executive Director, by

designated staff for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Authorization to Make Editorial Changes to Motions of the Board

Action: It was moved by Tracy Ruegg, seconded by Judith Church, that the Board authorize the Executive Director to make editorial changes to motions of the Board for the period of January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Authorization for Designated Staff to Sign AP and PIIP Agreements

Action: It was moved by Delphenia Gilbert, seconded by Judith Church, that the Board authorize designated staff of the Alternative Program and the PIIP program to sign program contracts on behalf of the Board for the period beginning January 1, 2011 through December 31, 2011. Motion adopted by unanimous vote of the Board members.

Authorization for the Executive Director to Establish Standards of Employee Conduct

Action: It was moved by Melissa Meyer, seconded by Maryam Lyon, 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.

Re-Appointment of Executive Director

Action: It was moved by Patricia Protopapa, seconded by Johnnie Maier, 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.

Designation of Hospitality Chair

The Board designated Janet Arwood as Hospitality Chair.

Hotel Accommodations for 2011

Joseph Kirk reviewed the instructions for making hotel accommodations at the Doubletree Guest Suites for 2011 and answered questions. Board members are responsible for making and cancelling, as necessary, their hotel reservations for the 2011 scheduled Board meetings.

EVALUATION OF MEETING AND ADJOURNMENT

J. Church complimented L. Emrich and the Education Regulatory Surveyors on their work with nursing education programs. She stated that as the Education Board Liaison, she has appreciated their thoroughness in collecting and reporting information.

The Board thanked A. Barnett and recognized her work as the Board Supervising Member for Disciplinary Matters over the last two years. J. Church stated she is

honored to become the Supervising Member in 2011 and thanked A. Barnett for her effectiveness and leadership. B. Lovelace and P. Protopapa thanked Board members for their support in re-electing them as President and Vice-President respectively.

The meeting adjourned on Friday, November 19, 2010 at 12:30 p.m.

Bertha Lovelace, RN, CRNA
President

Handwritten signature of Bertha M. Lovelace in cursive script.

Attest:

Betsy Houchen, RN, MS, JD
Executive Director

Handwritten signature of Betsy J. Houchen in cursive script.