

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
August 6, 2013, AND September 10, 2013**

The Eligibility and Disciplinary Committee (Committee) convened on August 6, 2013 and September 10, 2013. This report collectively summarizes the matters and decisions made at the time of the meeting¹.

Petitioners for Licensure

The Committee did not receive any requests regarding Petitioners for Licensure.

Petitioners for an Exception to a Previous Board Order

The Committee considered twenty-one (21) petitions for an exception to a previous board order:

1. Petitioner requested an Exception to a previous Board Order dated September 14, 2010, requesting that he be issued an unencumbered license. Petitioner had completed his misdemeanor assault probation and demonstrated mitigation. It was the Committee's decision to **Grant** the request.
2. Petitioner requested an Exception to a previous Board Order dated February 14, 2012, requesting that she be released from the supervision requirement and be able to work for a nurse registry, temporary nurse agency, hospice or home health agency. It was the Committee's decision to **Deny** the request. The Order issued February 14, 2012, stands.
3. Petitioner requested an Exception to a previous Board Order dated November 12, 2012, requesting that the findings of fact in her Board Order be changed. Petitioner had agreed to the wording in the findings of fact. It was the Committee's decision to **Deny** the request. The Order issued November 12, 2012, stands.
4. Petitioner requested an Exception to a previous Board Order dated March 20, 2012, requesting that she be able to work for multiple employers. It was the Committee's decision to **Grant** the request for multiple employers with the following conditions: Petitioner shall only be allowed to work for two specific employers under the current stipulations and Petitioner must submit the name of any potential second employer to Executive Director Katherine Thomas for prior approval.

¹ This report should be reviewed in order to keep apprised of issues and decisions so that the Board may remain consistent with precedent.

5. Petitioner requested an Exception to a previous Board Order dated December 10, 2010, requesting that he be allowed to complete his Board Order while working as an Registered Nurse, instead of as an Advanced Practice Nurse. It was the Committee's decision to **Grant** the request with the following conditions: Petitioner shall notify present/future employers of the board order; shall submit notification of employment; and shall provide employer reports; Petitioner shall have direct supervision for the first year of employment and indirect supervision for the final year of employment. Credit will be given for two quarters of direct patient care completed at his present employer. Petitioner must keep his APRN authorization in Inactive status during the duration of the order.
6. Petitioner requested an Exception to a previous Board Order dated March 20, 2012, requesting that she be allowed to work in critical care and perform contract work. Petitioner had not completed any work stipulations. It was the Committee's decision to **Deny** the request.
7. Petitioner requested an exception to a previous Board Order dated February 13, 2007, requesting that her enforced suspension be lifted. It was the Committee's decision to **Grant** the request with the following conditions: Petitioner's license will be placed on probation for three years, subject to the stipulations in the previous Board Order.
8. Petitioner requested an Exception to a previous Board Order dated November 8, 2011, requesting that he be issued an unencumbered license. Petitioner provided several letters of reference and completed all required courses. It was the Committee's decision to **Grant** the request.
9. Petitioner requested an Exception to a previous Board Order dated October 27, 2011, requesting an unencumbered license. Petitioner expressed desire to work as a Family Nurse Practitioner. Petitioner completed required courses but no other mitigating factors were provided. It was the Committee's decision to **Deny** the request. The Order issued October 27, 2011, stands.
10. Petitioner requested an exception to a previous Board Order dated November 13, 2012, requesting that she have her limited license lifted and be allowed to provide direct patient care. It was the Committee's decision to **Grant** the request with the following conditions: Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. Petitioner shall notify present/future employers of the board order; shall submit notification of employment; and shall provide employer reports; Petitioner shall have indirect supervision for one year of employment. Petitioner shall provide therapy reports.
11. Petitioner requested an Exception to a previous Board Order dated August 9, 2011, requesting an unencumbered license. Petitioner completed the required Jurisprudence and Ethics course. Other than age of incident, no other mitigating factors provided. It was the Committee's decision to **Deny** the request. The Order issued August 9, 2011, stands.

12. Petitioner requested an Exception to a previous Board Order dated February 12, 2013, requesting that he be released from the order. It was the Committee's decision to **Deny** the request. The Order issued February 12, 2013, stands.
13. Petitioner requested an Exception to a previous Board Order dated September 13, 2011, requesting that the findings of fact be modified, the stipulation requiring supervision be removed and that the National Databank listing be modified. It was the Committee's decision to **Deny** the request. The Order issued September 13, 2011, stands.
14. Petitioner requested an Exception to a previous Board Order dated September 14, 2010, requesting that she have her limited license lifted and that she be allowed to practice direct patient care. It was the Committee's decision to **Grant** the request with the following conditions: Petitioner must complete a refresher course, Petitioner shall notify present/future employers of the board order; shall submit notification of employment; and Petitioner shall have direct supervision for the first year of employment and provide quarterly reports.
15. Petitioner requested an Exception to a previous Board Order dated September 13, 2011, requesting that she be allowed to fulfill the Order without doing direct patient care due to health issues and she be allowed to have her compact privileges returned. It was the Committee's decision to **Deny** the requests, however, the Committee granted Petitioner a Limited License.
16. Petitioner requested an Exception to a previous Board Order dated January 17, 2013, requesting that the majority of her stipulations be removed. Petitioner indicated she only signed her order to be able to continue to practice, however, she believes the stipulations have limited her employment opportunities. It was the Committee's decision to **Deny** the request. The Order issued January 17, 2013, stands.
17. Petitioner requested an Exception to a previous Board Order dated December 18, 2012, requesting that the supervision stipulation be removed. Petitioner did not attend the meeting. It was the Committee's decision to **Deny** the request. The Order issued December 18, 2012, stands.
18. Petitioner requested an Exception to a previous Board Order dated July 8, 2010, requesting that he be issued an unencumbered license. It was the Committee's decision to **Deny** the request, however, the Committee modified the existing order to allow for supervision by a physician or registered nurse.
19. Petitioner requested an Exception to a previous Board Order dated June 8, 2010, requesting that she be issued an unencumbered license. Petitioner indicated in a letter to the Board that she would accept a decision from the Board made without her presence at the meeting. Due to the inability to discuss the request with Petitioner, it was the Committee's decision to **Deny** the request. The Order issued June 8, 2010, stands.

20. Petitioner requested an Exception to a previous Board Order dated June 14, 2011, requesting that he be issued a limited license. It was the Committee's decision to **Deny** the request, however, the Committee modified the existing order to allow for supervision by a physician or registered nurse.
21. Petitioner requested an Exception to a previous Board Order dated June 14, 2011, requesting that she be allowed to work for multiple employers, and to not be supervised. Petitioner completed the required courses and paid her fine. No other mitigating factors were provided. It was the Committee's decision to **Deny** the request. The Order issued June 14, 2011, stands.

Motions for Rehearing

The Committee considered two (2) motions for rehearing:

1. Movant filed an untimely Motion for Rehearing in this matter. Movant states she learned of revocation on May 28, 2013. Movant states she moved from address used by staff in 2011. No explanation given for why address was not changed. Movant denies Demerol use or misappropriation as were alleged in the Formal Charges. Movant did not provide information sufficient to comply with Board Rule 213.16(j); therefore, it was the Committee's decision to **Deny** the motion.
2. Movant filed a timely Motion for Rehearing this matter. Movant claims she failed to submit a change of address because she was living in a women's shelter, recovering from physical abuse. Movant admits to pleading guilty to criminal charges because she was addicted to drugs, but not in possession of marijuana. Movant admits to being addicted and answering 'No' on application. It was the Committee's decision to **Grant** the motion, as the Movant provided information sufficient to comply with Board Rule 213.16(j).

Orders Ratified:

One hundred fifty-two (152) disciplinary agreed orders were approved.

Twenty (20) reinstatement agreed orders were approved.

Twenty-five (25) eligibility agreed orders were approved.

One hundred six (106) default revocation orders were approved.

Three (3) deferred disciplinary action agreed orders were approved.