

AGREEMENT REGARDING DISCIPLINE OF THE LICENSE  
OF JACK McCROSKEY AS A REGISTERED NURSE

Come now Jack McCroskey, RN, and the State Board of Nursing and enter into this Agreement for the purpose of informally resolving the Complaint against Jack McCroskey, RN, involving his license as a registered nurse.

I.

Jack McCroskey, RN, (hereinafter "licensee") heroby stipulates with the State Board of Nursing to the following facts:

1. The State Board of Nursing is an agency of the State of Missouri created and established pursuant to § 335.021, RSMo 1986, for the purpose of executing and enforcing the provisions of Chapter 335, RSMo, the Nursing Practice Act.

2. The licensee is licensed by the State Board of Nursing as a registered nurse, License No. RN063334. The licensee's Missouri license is current and active.

3. In 1985, the licensee began obtaining controlled substances such as Tylenol #3 and Valium from physicians by falsely indicating a genuine medical need for these drugs.

4. Eventually, the controlled substances which he obtained from physicians did not satisfy the licensee and the licensee began misappropriating fentanyl from the supplier of North Kansas City Hospital where he was working as a Certified Registered Nurse Anesthetist.

5. The licensee administered the fentanyl which he misappropriated to himself while off duty and a few times while on duty.

6. Fentanyl, Valium and Tylenol #3 are controlled substances.

7. The licensee sought inpatient treatment for chemical dependency on July 11, 1988, and completed the inpatient program on July 30, 1988.

8. Cause exists for the Board to take disciplinary action against the licensee pursuant to § 335.066.2(1), (5), (12) and (14), RSMo 1986.

## II.

The licensee is aware of the various rights and privileges afforded by law, including the right of a hearing of the charges against the licensee; the right to appear and be represented by counsel; the right to have all charges against the licensee proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against the licensee; the right to present evidence on the licensee's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the charges pending against the licensee; and the right to a ruling on questions of law by an administrative hearing commissioner. Both parties understand that this Agreement is in lieu of proceedings before the Administrative Hearing Commission. Both parties hereby

expressly waive any and all rights attendant to a hearing before the Administrative Hearing Commission.

In light of the foregoing stipulation of facts, Jack McCroskey, RN, and the State Board of Nursing hereby consent and agree to the following disciplinary action to be imposed against the license of the licensee as a registered nurse. By agreement of the parties, License No. RN063334 of Jack McCroskey, RN, is revoked. Imposition of the Revocation shall be stayed and the licensee shall be placed on probation for a period of two (2) years. The terms of the probation shall be:

1. The licensee shall appear before the Board twice annually at the Board's regular spring and fall meetings or, as designated by the Board, shall meet with a member of the Board's professional staff within a period of four weeks prior to the Board's regular spring and fall meetings.
2. REQUIREMENTS REGARDING EMPLOYMENT:
  - A. The licensee shall cause an evaluation form from his employer to be submitted to the Board four weeks prior to the board's regular spring and fall meetings. The evaluation form shall be completed within a six week period prior to the date it is due. If the licensee ends employment with an employer, the licensee shall, in addition, cause a final evaluation form from that employer to be

submitted to the Board within a six week period following the last day of employment.

- B. The evaluation shall be an evaluation of the licensee's performance on a form prescribed by the Board and shall be addressed to: Missouri State Board of Nursing, P.O. Box 656, Jefferson City, Missouri 65102.
- C. If the licensee is not employed at that time, the licensee shall instead submit an affidavit signed before a notary public stating that he is not employed at that time.
- D. The licensee shall execute any release or provide any other authorization necessary for the Board to obtain records of the licensee's employment during the period covered by this Agreement.
- E. The licensee shall keep the Missouri State Board of Nursing informed of his current place of employment.

3. REQUIREMENTS REGARDING CHEMICAL DEPENDENCY

TREATMENT AND REHABILITATION:

- A. The licensee shall continue treatment for chemical dependency by a chemical dependency professional.
- B. The licensee shall execute a medical release or other appropriate release which shall cover the entire period covered by this Agreement authorizing the Missouri State Board of Nursing to

obtain records of the licensee's treatment for chemical dependency. The licensee shall not take any action to cancel this release and shall take any and all steps necessary to continue the release in effect.

- C. The licensee shall cause a letter of evaluation from the chemical dependency professional to be submitted to the Board four weeks prior to the board's regular spring and fall meetings.
- D. The letter shall include an evaluation of the licensee's current status in the treatment plan and the licensee's current prognosis.
- E. The letter shall be addressed to: Missouri State Board of Nursing, P.O. Box 656, Jefferson City, Missouri 65102.
- F. If the treatment of the licensee is successfully completed during the period covered by this Agreement, the licensee shall cause the chemical dependency professional to submit a letter of evaluation stating that the licensee has successfully completed treatment.
- G. The licensee shall submit evidence of weekly attendance at Alcoholics Anonymous or Narcotics Anonymous meetings to the Board four weeks prior to the Board's regular spring and fall meetings.

- H. The licensee shall not use any controlled substance or other drug for which a prescription is required unless that use of the drug has been prescribed by a person licensed to prescribe such drug and with whom the licensee has a bona fide relationship as a patient. The licensee shall provide the Board with documentation of any such prescription upon request.
4. The licensee shall keep the Missouri State Board of Nursing informed of his current home address and telephone number at all times.
  5. The licensee shall not violate the Nursing Practice Act, Chapter 335, RSMo, and shall not allow his license to lapse.
  6. If the licensee fails to comply with the terms of this Agreement, in any respect, the Board may impose such additional or other discipline which it deems appropriate, including imposition of the Revocation.

WILLIAM L. WEBSTER  
Attorney General

Jack McCroskey, RN  
JACK McCROSKEY, RN

Sara Rittman  
SARA RITTMAN  
Assistant Attorney General

Effective this 22nd day of February, 1980.

STATE BOARD OF NURSING

Florence Stillman, R.N., M.S.N.  
FLORENCE STILLMAN, R.N., M.S.N.  
Executive Director