

Certified True Copy

By A. Fowler
Virginia Board of Nursing



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

August 5, 2016

Shannon Michelle Stenger, R.N.
141 Arbordale Ln.
Painesville, OH 44077

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 8/5/16

RE: License Number: 0001-255393
Case Number: 175108

Dear Ms. Stenger:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered August 4, 2016. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse in Virginia unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Anne Joseph

Anne Joseph, Deputy Director
Administrative Proceedings Division

cc: Jay Douglas, Executive Director, Board of Nursing
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: SHANNON MICHELLE STENGER, R.N.
License Number: 0001-255393
Case Number: 175108

ORDER OF MANDATORY SUSPENSION

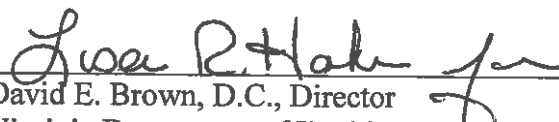
In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Shannon Michelle Stenger, R.N. to practice as a registered nurse in the State of Ohio was suspended by consent agreement with the Ohio Board of Nursing. A certified copy of the Consent Agreement is attached hereto as Commonwealth Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Shannon Michelle Stenger, R.N. to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Shannon Michelle Stenger, R.N. will be recorded as suspended and no longer current and valid. Should Shannon Michelle Stenger, R.N. seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

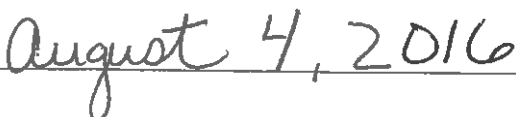
This Order shall be applicable to Ms. Stenger's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:



August 4, 2016

CERTIFICATION OF DUPLICATE RECORDS

On behalf of, David E. Brown, D.C., Director of the Department of Health Professions, I, Lisa R. Hahn, Chief Deputy Director, hereby certify that the attached Consent Agreement entered July 21, 2016, regarding Shannon Stenger, R.N. is a true copy of the records received from the Ohio Board of Nursing.



Lisa R. Hahn

Date: 8/4/16



Ohio Board of Nursing

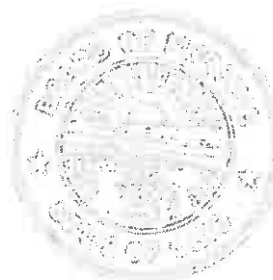
www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

I certify that the attached records are a true copy of Ohio Board of Nursing disciplinary records.

Betsy J. Houchen

Betsy Houchen, R.N., M.S., J.D.
Executive Director





Ohio Board of Nursing

www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

CONSENT AGREEMENT BETWEEN SHANNON MICHELLE STENGER, R.N., D.T. AND OHIO BOARD OF NURSING

This Consent Agreement is entered into by and between **SHANNON MICHELLE STENGER, R.N., D.T. (MS. STENGER)** and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723. of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend, or place restrictions on any license issued by the Board; reprimand or otherwise discipline a licensee; or impose a fine of five hundred dollars (\$500.00) or less per violation. Section 4723.28(B)(19), ORC, authorizes the Board to discipline a licensee for failure to practice in accordance with acceptable and prevailing standards of safe nursing care. Section 4723.28(B)(20), ORC, authorizes the Board to discipline a licensee for, in the case of a registered nurse, engaging in activities that exceed the practice of nursing as a registered nurse. Section 4723.28(B)(16), ORC, authorizes the Board to discipline a licensee for violation of Chapter 4723, ORC, or any rules adopted under it. Specifically, Rule 4723-4-06(E), Ohio Administrative Code, states that a licensed nurse shall, in a complete, accurate, and timely manner, report and document nursing assessments or observations, the care provided by the nurse for the patient, and the patient's response to that care. Rule 4723-4-06(H), Ohio Administrative Code, states that a licensed nurse shall implement measures to promote a safe environment for each patient.
- B. **MS. STENGER** was initially licensed to practice nursing as a registered nurse in the State of Ohio, RN-379064, in March 2012. **MS. STENGER's** license to practice as a registered nurse is active. **MS.**

STENGER was initially certified to practice as a dialysis technician in the State of Ohio, DT-02481, in July 2007. **MS. STENGER's** certificate to practice as a dialysis technician became inactive on April 10, 2013. **MS. STENGER** also holds licenses to practice as a registered nurse in California, Connecticut, Delaware, New York, Pennsylvania, and Virginia.

C. **MS. STENGER** knowingly and voluntarily admits the following:

1. On or about March 10, 2015, while employed as a nurse at Cleveland Clinic in Cleveland, Ohio, **MS. STENGER** administered Fentanyl to Patient #1, despite documenting a pain score of "0" for the patient. The physician order was for Fentanyl to be administered only if there was a pain score of 4 or higher.
2. On or about March 10, 2015, **MS. STENGER** documented administration of Hydromorphone (Dilaudid) to Patient #2 without a corresponding withdrawal of the medication from the automated medication dispensing system.
3. On or about March 31, 2015 at 10:19pm, **MS. STENGER** administered Fentanyl to Patient #3, despite a documented pain score of "0" at 10:15pm on the patient's paper record. The physician's order for Fentanyl called for it be administered only if there was a pain score of 4 or higher. In addition, **MS. STENGER** documented a pain score of "10/10" on Patient #3 at 10:30pm in the patient's electronic medical record.
4. On or about March 31, 2015, **MS. STENGER** administered 50mcg of Fentanyl to Patient #4 at 5:20pm and again at 5:28pm. The physician's order was to administer 0.5 mcg/kg/dose for moderate pain (4-6) and 1.0 mcg/kg/dose for severe pain (7-10). Patient #4 weighed 60kg. **MS. STENGER** documented a pain score of "7" for Patient #4 at 5:09, so the Fentanyl dosage should have been 60mcg. **MS. STENGER** documented another pain score of "4" at 5:15pm, so the Fentanyl dosage should have been 30mcg. In addition, **MS. STENGER** documented in Patient #4's electronic medical record pain scores of "7/10" at 5:09pm, "7/10" at 5:20pm, and "4/10" at 5:28pm.

D. **MS. STENGER** was investigated by the Cleveland Clinic and was cleared to return to work.

E. In an interview with a Compliance Agent on November 16, 2015, **MS. STENGER** stated that her charting was "sub-par" due to stress in her

personal life, including her own medical issues. **MS. STENGER** stated that she gave medication in a range of the physician's order based upon prior training and now knew she must give the exact dose.

- F. In an undated letter to the Board, **MS. STENGER** wrote that she does not have a drug problem and has never diverted drugs. **MS. STENGER** attached a letter from a licensed independent chemical dependency counselor regarding a chemical dependency evaluation that **MS. STENGER** underwent through the Cleveland Clinic on May 4, 2015. The counselor concluded that there was no evidence of substance misuse by **MS. STENGER** at the time of the evaluation.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **MS. STENGER** knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations, **MS. STENGER's** license to practice nursing as a registered nurse and certificate to practice as a dialysis technician shall be suspended indefinitely. Such suspension shall be stayed, subject to the following PROBATIONARY terms, conditions, and limitations for a minimum period of three (3) years:

1. **MS. STENGER** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
2. **MS. STENGER** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **MS. STENGER** agrees that she will submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. STENGER**, including a check of Federal Bureau of Investigation (FBI) records, and shall request BCII to submit **MS. STENGER's** criminal records check reports to the Board. **MS. STENGER's** completed criminal records check, including the FBI check, must be received by the Board within six (6) months following the effective date of the Consent Agreement.

Educational Requirement

4. Within six (6) months of the effective date of this Consent Agreement, **MS. STENGER** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or another comparable course approved in advance by the Board or its designee, taken subsequent to the effective date of this Consent Agreement: five (5) hours of Substance Use Disorders; four (4) hours of Professional Accountability & Legal Liability;

four (4) hours of Disciplinary Actions; and two (2) hours of Ohio Law and Rules.

Monitoring

5. **MS. STENGER** 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 received a complete copy of this Consent Agreement prior to prescribing for **MS. STENGER**. **MS. STENGER** shall self-administer the prescribed drugs only in the manner prescribed.
6. **Within forty-five (45) days of the effective date of this Consent Agreement and continuing throughout the probationary period, MS. STENGER** shall submit, at her expense and on the day selected, blood, breath, hair, or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. STENGER'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. STENGER** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has received a complete copy of this Consent Agreement prior to prescribing for **MS. STENGER**.
 - a. Prior to **MS. STENGER** initiating drug screening, **MS. STENGER** shall provide a copy of this Consent Agreement 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. STENGER**.
 - b. After initiating drug screening, **MS. STENGER** shall be under a continuing duty to provide a copy of this Consent Agreement, 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. STENGER** 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.
7. **Upon request of the Board or its designee and within sixty (60) days of that request, MS. STENGER** shall, at her 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. STENGER** shall provide the chemical dependency professional with a copy of this Consent Agreement. Further, **MS. STENGER** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The 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. STENGER's** license to practice and/or certificate to practice, and stating whether **MS. STENGER** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

8. **If a chemical dependency evaluation is requested, MS. STENGER 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, MS. STENGER agrees that the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on MS. STENGER's license and that the terms, conditions, and limitations may be incorporated in an addendum to this Consent Agreement.**

Employment Conditions

9. **MS. STENGER shall notify the Board, in writing, of the name and address of any current employer within thirty (30) days following the effective date of this Consent Agreement, or any new employer prior to accepting nursing employment.**
10. **MS. STENGER, within fifteen (15) days of the effective date of the Consent Agreement, if working in a position in which a nursing license or dialysis technician certificate is required, shall provide her employer(s) with a copy of this Consent Agreement. Further, MS. STENGER is under a continuing duty to provide a copy of this Consent Agreement to any new employer prior to accepting nursing employment. MS. STENGER 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 beginning within thirty (30) days of the effective date of this Consent Agreement or beginning within thirty (30) days of working in a nursing position. MS. STENGER shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Consent Agreement, including the date Consent Agreement was received.**

Reporting Requirements

11. **MS. STENGER** shall report to the Board, in writing, any violation of this Consent Agreement within thirty (30) days of the occurrence of the violation.
12. **MS. STENGER** shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
13. **MS. STENGER** 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 and dialysis technician practice.
14. **MS. STENGER** 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. STENGER** shall submit the reports and documentation required by this Consent Agreement on forms specified by the Board. All reporting and communications required by this Consent Agreement shall be made to the Compliance Unit of the Board.
16. **MS. STENGER** shall submit the reports and documentation required by this Consent Agreement 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. STENGER** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office.
18. **MS. STENGER** 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.

Nursing Refresher Course

Upon the request of the Board or its designee, **MS. STENGER** shall complete and submit satisfactory documentation of completion of nurse refresher courses or an extensive orientation to be approved in advance by the Board, or its designee.

Temporary Practice Restrictions

Unless otherwise approved in advance, in writing, by the Board or its designee, **MS. STENGER** shall not practice nursing as a registered nurse or practice as a certified dialysis technician (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. STENGER** to provide nursing services for fees, compensation, or other consideration or who engage **MS. STENGER** as a volunteer.

Unless otherwise approved in advance, in writing, by the Board or its designee, **MS. STENGER** 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

MS. STENGER agrees that her license to practice nursing as a registered nurse and her certification to practice as a certified dialysis technician will be automatically suspended if it appears to the Board that **MS. STENGER** has violated or breached any terms or conditions of the Consent Agreement. Following the automatic suspension, the Board shall notify **MS. STENGER** via certified mail of the specific nature of the charges and automatic suspension of her license. **MS. STENGER** may request a hearing regarding the charges.

The above described terms and conditions shall constitute "restrictions placed on a license" for purposes of Section 4723.28(B), ORC. If, in the discretion of the Board, **MS. STENGER** appears to have violated or breached any terms or conditions of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

DURATION/ MODIFICATION OF TERMS

The terms, limitations, and conditions, of this Consent Agreement may be modified or terminated, in writing, at any time upon the agreement of both **MS. STENGER** and the Board.

The Board may only alter the probationary period imposed by this Consent Agreement if: (1) the Board determines that **MS. STENGER** has complied with all aspects of this Consent Agreement; and (2) the Board determines that **MS. STENGER** is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with **MS. STENGER** and review of the reports as required herein. Any period during which **MS. STENGER** does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

MS. STENGER acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

Shannon Michelle Stenger, R.N., D.T.
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MS. STENGER waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

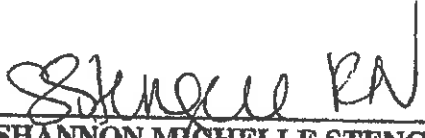
MS. STENGER waives any and all claims or causes of action she may have against the Board, and its members, officers, employees and/or agents arising out of matters, which are the subject of this Consent Agreement.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

This Consent Agreement is not an adjudication order as discussed in Chapter 119, ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119, ORC.

EFFECTIVE DATE

MS. STENGER understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.



SHANNON MICHELLE STENGER, R.N., D.T.

7.7.16
DATE



MARYAM W. LYON, M.S.N., R.N.
President, Ohio Board of Nursing

7/21/16
DATE