

Certified True Copy

By *[Signature]*
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

February 10, 2016

Lisa Michelle Trusler
1758 Burgundy Road
Encinitas, CA 92025

CERTIFIED MAIL
DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0001-111949

DATE 2/10/16

Dear Ms. Trusler:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered February 10, 2016. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

RECEIVED

FEB 11 2016

VA BD OF NURSING

Enclosures
Case # 171932

Sincerely,

[Signature]

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

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: LISA MICHELLE TRUSLER, R.N.
 License No.: 0001-111949**

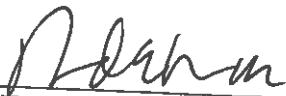
ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the California Board of Nursing accepted the voluntary surrender, in lieu of further disciplinary action, from Lisa Michelle Trusler, R.N., of her license to practice nursing in the State of California by a Decision and Order which was effective on February 2, 2016. A certified copy of the Decision and Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Lisa Michelle Trusler, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Lisa Michelle Trusler, R.N., will be recorded as suspended. Should Ms. Trusler seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, 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 and copying upon request.



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

ENTERED: 2/10/16



COMMONWEALTH of VIRGINIA

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

David E. Brown, D.C.
Director

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Decision and Order which was effective on February 2, 2016, regarding Lisa Michelle Trusler, R.N., is a true copy of the records received from the State of California Board of Nursing.

David E. Brown, D.C.

Date: 2/10/16

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING

Louise R. Bailey, M.Ed., RN
Louise R. Bailey, M. Ed., RN
Executive Officer



BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke
Probation Against:

LISA MICHELLE TRUSLER

Case No. 2014-1459

Registered Nurse License No. 95042991

Respondent.

DECISION AND ORDER

Pursuant to Title 16 of the California Code of Regulations, section 1403, the attached Stipulated Settlement is hereby adopted by the Board of Registered Nursing as its Decision and Order in the above-entitled matter.

This Decision shall become effective on February 2, 2016.

IT IS SO ORDERED this 2nd day of February 2016.

Louise R. Bailey
for Louise R. Bailey, M.Ed., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California



1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 MANUEL ARAMBULA
Deputy Attorney General
4 State Bar No. 289718
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2098
7 Facsimile: (619) 645-2061
Attorneys for Complainant
8

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke
12 Probation Against:
13 **LISA MICHELLE TRUSLER**
14 **1092 Willowbrooke Court**
Virginia Beach, VA 23464
15 **Registered Nurse License No. 95042991**
16 **Respondent.**
17

Case No. 2014-1459

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

- 21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
22 Registered Nursing. She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Manuel
24 Arambula, Deputy Attorney General.
- 25 2. Lisa Michelle Trusler (Respondent) is representing herself in this proceeding and has
26 chosen not to exercise her right to be represented by counsel.
- 27 3. On or about September 9, 2014, the Board of Registered Nursing issued Registered
28 Nurse License No. 95042991 to Lisa Michelle Trusler (Respondent). The Registered Nurse

1 License was in full force and effect at all times relevant to the charges brought in Petition to
2 Revoke Probation No. 2014-1459 and will expire on January 31, 2016, unless renewed.

3
4 JURISDICTION

4 4. Petition to Revoke Probation No. 2014-1459 was filed before the Board of Registered
5 Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent.
6 The Petition to Revoke Probation and all other statutorily required documents were properly
7 served on Respondent on November 19, 2015. Respondent timely filed her Notice of Defense
8 contesting the Petition to Revoke Probation. A copy of Petition to Revoke Probation No. 2014-
9 1459 is attached as Exhibit A and incorporated by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations in Petition
12 to Revoke Probation No. 2014-1459. Respondent also has carefully read, and understands the
13 effects of this Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Petition to Revoke Probation; the right to be
16 represented by counsel, at her own expense; the right to confront and cross-examine the witnesses
17 against her; the right to present evidence and to testify on her own behalf; the right to the issuance
18 of subpoenas to compel the attendance of witnesses and the production of documents; the right to
19 reconsideration and court review of an adverse decision; and all other rights accorded by the
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in Petition to
25 Revoke Probation No. 2014-1459, agrees that cause exists for discipline and hereby surrenders
26 her Registered Nurse License No. 95042991 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation she enables the Board to issue
28 an order accepting the surrender of her Registered Nurse License without further process.

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RESERVATION

10. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

///

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 95042991, issued to Respondent Lisa Michelle Trusler, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.

2. Respondent shall lose all rights and privileges as a Registered Nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If she ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Petition to Revoke Probation No. 2014-1459 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Petition to Revoke Probation, No. 2014-1459 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

6. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 12/30/15 Lisa M. Trusler
LISA MICHELLE TRUSLER
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 12/30/2015 Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General
Manuel Arambula
MANUEL ARAMBULA
Deputy Attorney General
Attorneys for Complainant.

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Exhibit A

Petition to Revoke Probation No. 2014-1459

1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 MANUEL ARAMBULA
Deputy Attorney General
4 State Bar No. 289718
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2098
7 Facsimile: (619) 645-2061
Attorneys for Complainant
8

9
10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Petition to Revoke
13 Probation Against,

Case No. 2014-1459

14 **LISA MICHELLE TRUSLER**
1758 Burgundy Road
15 Encinitas, CA 92024

PETITION TO REVOKE PROBATION

16 Registered Nurse License No. 95042991

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Petition to Revoke
22 Probation solely in her official capacity as the Executive Officer of the Board of Registered
23 Nursing, Department of Consumer Affairs.

24 2. On September 9, 2014, the Board of Registered Nursing issued Registered Nurse
25 License Number 95042991 to Lisa Michelle Trusler (Respondent). The Registered Nurse
26 License was in effect at all times relevant to the charges brought herein and will expire on
27 January 31, 2016, unless renewed.

28 ///

1 3. In a disciplinary action entitled "In the Matter of the Statement of Issues Against
2 Lisa Michelle Trusler," Case No. 2014-1459, the Board of Registered Nursing, issued a decision,
3 effective September 8, 2014, in which Respondent's Registered Nurse License was revoked.
4 However, the revocation was stayed and Respondent's Registered Nurse License was placed on
5 probation for a period of three years with certain terms and conditions. A copy of that decision is
6 attached as Exhibit A and is incorporated by reference.

7 **JURISDICTION**

8 4. This Petition to Revoke Probation is brought before the Board under the authority
9 of the following laws. All section references are to the Business and Professions Code (Code)
10 unless otherwise indicated.

11 5. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
12 any licensee, including a licensee holding a temporary or an inactive license, for any reason
13 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

14 6. Section 2764 of the Code provides, in pertinent part, that the expiration of a
15 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
16 against the licensee or to render a decision imposing discipline on the license.

17 7. This Petition to Revoke Probation is brought pursuant to Condition 11 of the
18 Disciplinary Order that adopted the decision in Case No. 2014-1459, referenced in paragraph 3,
19 above, which states:

20 **Violation of Probation.**

21 If Respondent violates the conditions of her probation, the Board after
22 giving Respondent notice and an opportunity to be heard, may set aside the stay
23 order and impose the stayed discipline (revocation/suspension) of Respondent's
24 license.

25 If during the period of probation, an accusation or petition to revoke
26 probation has been filed against Respondent's license or the Attorney General's
27 Office has been requested to prepare an accusation or petition to revoke probation
28 against Respondent's license, the probationary period shall automatically be
extended and shall not expire until the accusation or petition has been acted upon
by the Board.

///

1 **FIRST CAUSE TO REVOKE PROBATION**

2 (Comply with the Board's Probation Program)

3 8. At all times after the effective date of Respondent's probation, Condition 2 stated:

4 Respondent shall fully comply with the conditions of the Probation
5 Program established by the Board and cooperate with representatives of the Board
6 in its monitoring and investigation of the Respondent's compliance with the
7 Board's Probation Program. Respondent shall inform the Board in writing within
8 no more than 15 days of any address change and shall at all times maintain an
9 active, current license status with the Board, including during any period of
10 suspension.

11 Upon successful completion of probation, Respondent's license shall be
12 fully restored.

13 9. Respondent's probation is subject to revocation because she failed to fully comply
14 with Probation Condition 2, referenced above. The facts and circumstances regarding this
15 violation are more fully described in the Second and Third Causes to Revoke Probation, below,
16 which are incorporated herein by reference.

17 **SECOND CAUSE TO REVOKE PROBATION**

18 (Report in Person)

19 10. At all times after the effective date of Respondent's probation, Condition 3 stated:

20 Respondent, during the period of probation, shall appear in person at
21 interviews/meetings as directed by the Board or its designated representatives.

22 11. Respondent's probation is subject to revocation because she failed to comply with
23 Probation Condition 3, referenced above. The facts and circumstances regarding this violation
24 are that Respondent failed to appear at a meeting as directed by the Board or its designated
25 representative on October 6, 2015.

26 **THIRD CAUSE TO REVOKE PROBATION**

27 (Submit Written Reports)

28 12. At all times after the effective date of Respondent's probation, Condition 5 stated:

Respondent, during the period of probation, shall submit or cause to be
submitted such written reports/declarations and verification of actions under
penalty of perjury, as required by the Board. These reports/declarations shall
contain statements relative to Respondent's compliance with all the conditions of

1 the Board's Probation Program. Respondent shall immediately execute all release
2 of information forms as may be required by the Board or its representatives.

3 Respondent shall provide a copy of this Decision to the nursing regulatory
4 agency in every state and territory in which she has a registered nurse license.

5 13. Respondent's probation is subject to revocation because she failed to comply with
6 Probation Condition 5, referenced above. The facts and circumstances regarding this violation
7 are that Respondent failed to submit to the Board her Quarterly Reports for the 2nd and 3rd
8 quarters of 2015 as required by the Board. The Quarterly Reports were to be dated and post
9 marked no later than July 7 and October 7, 2015, however, no Quarterly Report was ever
10 received.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking the probation that was granted by the Board of Registered Nursing in
15 Case No. 2014-1459 and imposing the disciplinary order that was stayed thereby revoking
16 Registered Nurse License No. 95042991 issued to Lisa Michelle Trusler;

17 2. Revoking or suspending Registered Nurse License No. 95042991, issued to Lisa
18 Michelle Trusler; and

19 3. Taking such other and further action as deemed necessary and proper.
20
21

22 DATED: November 19, 2015

23 *Louise R. Bailey*
24 LOUISE R. BAILEY, M.ED., RN
25 Executive Officer
26 Board of Registered Nursing
27 Department of Consumer Affairs
28 State of California
Complainant

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Exhibit A

Decision and Order

Board of Registered Nursing Case No. 2014-1459

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

LISA MICHELLE TRUSLER

Registered Nurse License Applicant

Respondent

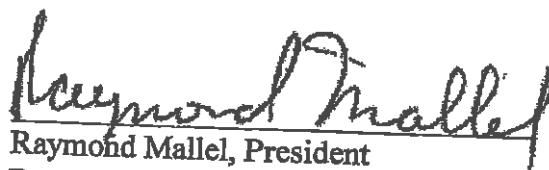
Case No. 2014-1459

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on September 8, 2014.

IT IS SO ORDERED August 8, 2014.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
Supervising Deputy Attorney General
3 MANUEL ARAMBULA
Deputy Attorney General
4 State Bar No. 289718
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2098
7 Facsimile: (619) 645-2061
Attorneys for Complainant
8

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues
12 Against:

13 **LISA MICHELLE TRUSLER**

14
15 Respondent

Case No. 2014-1459

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17 In the interest of a prompt and speedy settlement of this matter, consistent with the public
18 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer
19 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
20 which will be submitted to the Board for approval and adoption as the final disposition of the
21 Statement of Issues.

22 PARTIES

- 23 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
24 of Registered Nursing. She brought this action solely in her official capacity and is represented in
25 this matter by Kamala D. Harris, Attorney General of the State of California, by Manuel
26 Arambula, Deputy Attorney General.
- 27 2. Respondent Lisa Michelle Trusler ("Respondent") is representing herself in this
28 proceeding and has chosen not to exercise her right to be represented by counsel.

1
2 3. On or about October 21, 2013, Respondent filed an application dated October 21,
3 2013, with the Board of Registered Nursing to obtain a Registered Nurse License.

4 JURISDICTION

5 4. Statement of Issues No. 2014-1459 was filed before the Board of Registered Nursing
6 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
7 Statement of Issues and all other statutorily required documents were properly served on
8 Respondent on May 28, 2014.

9 5. A copy of Statement of Issues No. 2014-1459 is attached as exhibit A and
10 incorporated herein by reference.

11 ADVISEMENT AND WAIVERS

12 6. Respondent has carefully read, and understands the charges and allegations in
13 Statement of Issues No. 2014-1459. Respondent has also carefully read, and understands the
14 effects of this Stipulated Settlement and Disciplinary Order.

15 7. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Statement of Issues; the right to be represented by
17 counsel at her own expense; the right to confront and cross-examine the witnesses against her; the
18 right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas
19 to compel the attendance of witnesses and the production of documents; the right to
20 reconsideration and court review of an adverse decision; and all other rights accorded by the
21 California Administrative Procedure Act and other applicable laws.

22 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation in Statement of
26 Issues No. 2014-1459.

27 10. Respondent agrees that her Registered Nurse License is subject to denial and she
28 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

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RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

1
2 **DISCIPLINARY ORDER**

3 **IT IS HEREBY ORDERED**

4 The application of Respondent Lisa Michelle Trusler for licensure is hereby granted
5 and a license shall be issued to Respondent upon successful completion of all licensing
6 requirements. Said license shall immediately be revoked, the order of revocation stayed and
7 Respondent placed on probation for a period of three (3) years on the following conditions:

8 **Severability Clause.** Each condition of probation contained herein is a separate and
9 distinct condition. If any condition of this Order, or any application thereof, is declared
10 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
11 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
12 and enforceable to the fullest extent permitted by law.

13 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and
14 detailed account of any and all violations of law shall be reported by Respondent to the Board in
15 writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with
16 this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within
17 45 days of the effective date of the decision, unless previously submitted as part of the licensure
18 application process.

19 **Criminal Court Orders:** If Respondent is under criminal court orders, including
20 probation or parole, and the order is violated, this shall be deemed a violation of these probation
21 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

22 2. **Comply with the Board's Probation Program.** Respondent shall fully comply with
23 the conditions of the Probation Program established by the Board and cooperate with
24 representatives of the Board in its monitoring and investigation of the Respondent's compliance
25 with the Board's Probation Program. Respondent shall inform the Board in writing within no
26 more than 15 days of any address change and shall at all times maintain an active, current license
27 status with the Board, including during any period of suspension.

28 Upon successful completion of probation, Respondent's license shall be fully restored.

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1 3. **Report in Person.** Respondent, during the period of probation, shall appear in
2 person at interviews/meetings as directed by the Board or its designated representatives.

3 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
4 practice as a registered nurse outside of California shall not apply toward a reduction of this
5 probation time period. Respondent's probation is tolled, if and when she resides outside of
6 California. Respondent must provide written notice to the Board within 15 days of any change of
7 residency or practice outside the state, and within 30 days prior to re-establishing residency or
8 returning to practice in this state.

9 Respondent shall provide a list of all states and territories where she has ever been licensed
10 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
11 information regarding the status of each license and any changes in such license status during the
12 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
13 license during the term of probation.

14 5. **Submit Written Reports.** Respondent, during the period of probation, shall submit
15 or cause to be submitted such written reports/declarations and verification of actions under
16 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
17 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
18 Respondent shall immediately execute all release of information forms as may be required by the
19 Board or its representatives.

20 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
21 state and territory in which she has a registered nurse license.

22 6. **Function as a Registered Nurse.** Respondent, during the period of probation, shall
23 engage in the practice of registered nursing in California for a minimum of 24 hours per week for
24 6 consecutive months or as determined by the Board.

25 For purposes of compliance with the section, "engage in the practice of registered nursing"
26 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
27 non-direct patient care position that requires licensure as a registered nurse.

28 ///

1 The Board may require that advanced practice nurses engage in advanced practice nursing
2 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

3 If Respondent has not complied with this condition during the probationary term, and
4 Respondent has presented sufficient documentation of her good faith efforts to comply with this
5 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
6 extension of Respondent's probation period up to one year without further hearing in order to
7 comply with this condition. During the one year extension, all original conditions of probation
8 shall apply.

9 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain
10 prior approval from the Board before commencing or continuing any employment, paid or
11 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
12 performance evaluations and other employment related reports as a registered nurse upon request
13 of the Board.

14 Respondent shall provide a copy of this Decision to her employer and immediate
15 supervisors prior to commencement of any nursing or other health care related employment.

16 In addition to the above, Respondent shall notify the Board in writing within seventy-two
17 (72) hours after she obtains any nursing or other health care related employment. Respondent
18 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
19 separated, regardless of cause, from any nursing, or other health care related employment with a
20 full explanation of the circumstances surrounding the termination or separation.

21 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding
22 Respondent's level of supervision and/or collaboration before commencing or continuing any
23 employment as a registered nurse, or education and training that includes patient care.

24 Respondents shall practice only under the direct supervision of a registered nurse in good
25 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
26 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
27 approved.

28 ///

1 Respondent's level of supervision and/or collaboration may include, but is not limited to the
2 following:

3 (a) Maximum - The individual providing supervision and/or collaboration is present in
4 the patient care area or in any other work setting at all times.

5 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
6 care unit or in any other work setting at least half the hours Respondent works.

7 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
8 person communication with Respondent at least twice during each shift worked.

9 (d) Home Health Care - If Respondent is approved to work in the home health care
10 setting, the individual providing supervision and/or collaboration shall have person-to-person
11 communication with Respondent as required by the Board each work day. Respondent shall
12 maintain telephone or other telecommunication contact with the individual providing supervision
13 and/or collaboration as required by the Board during each work day. The individual providing
14 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
15 patients' homes visited by Respondent with or without Respondent present.

16 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any
17 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,
18 or for an in-house nursing pool.

19 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
20 registered nursing supervision and other protections for home visits have been approved by the
21 Board. Respondent shall not work in any other registered nursing occupation where home visits
22 are required.

23 Respondent shall not work in any health care setting as a supervisor of registered nurses.
24 The Board may additionally restrict Respondent from supervising licensed vocational nurses
25 and/or unlicensed assistive personnel on a case-by-case basis.

26 Respondent shall not work as a faculty member in an approved school of nursing or as an
27 instructor in a Board approved continuing education program.

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1 Respondent shall work only on a regularly assigned, identified and predetermined
2 worksite(s) and shall not work in a float capacity.

3 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
4 request documentation to determine whether there should be restrictions on the hours of work.

5 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
6 successfully complete a course(s) relevant to the practice of registered nursing no later than six
7 months prior to the end of her probationary term.

8 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
9 Respondent shall submit to the Board the original transcripts or certificates of completion for the
10 above required course(s). The Board shall return the original documents to Respondent after
11 photocopying them for its records.

12 11. **Violation of Probation.** If Respondent violates the conditions of her probation, the
13 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order
14 and impose the stayed discipline (revocation/suspension) of Respondent's license.

15 If during the period of probation, an accusation or petition to revoke probation has been
16 filed against Respondent's license or the Attorney General's Office has been requested to prepare
17 an accusation or petition to revoke probation against Respondent's license, the probationary
18 period shall automatically be extended and shall not expire until the accusation or petition has
19 been acted upon by the Board.

20 12. **License Surrender.** During Respondent's term of probation, if she ceases practicing
21 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,
22 Respondent may surrender her license to the Board. The Board reserves the right to evaluate
23 Respondent's request and to exercise its discretion whether to grant the request, or to take any
24 other action deemed appropriate and reasonable under the circumstances, without further hearing.
25 Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be
26 subject to the conditions of probation.

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1 Surrender of Respondent's license shall be considered a disciplinary action and shall
2 become a part of Respondent's license history with the Board. A registered nurse whose license
3 has been surrendered may petition the Board for reinstatement no sooner than the following
4 minimum periods from the effective date of the disciplinary decision:

5 (1) Two years for reinstatement of a license that was surrendered for any reason other
6 than a mental or physical illness; or

7 (2) One year for a license surrendered for a mental or physical illness.

8 13. **Physical Examination.** Within 45 days of the effective date of this Decision,
9 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
10 assistant, who is approved by the Board before the assessment is performed, submit an
11 assessment of the Respondent's physical condition and capability to perform the duties of a
12 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
13 medically determined, a recommended treatment program will be instituted and followed by the
14 Respondent with the physician, nurse practitioner, or physician assistant providing written reports
15 to the Board on forms provided by the Board.

16 If Respondent is determined to be unable to practice safely as a registered nurse, the
17 licensed physician, nurse practitioner, or physician assistant making this determination shall
18 immediately notify the Board and Respondent by telephone, and the Board shall request that the
19 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall
20 immediately cease practice and shall not resume practice until notified by the Board. During this
21 period of suspension, Respondent shall not engage in any practice for which a license issued by
22 the Board is required until the Board has notified Respondent that a medical determination
23 permits Respondent to resume practice. This period of suspension will not apply to the reduction
24 of this probationary time period.

25 If Respondent fails to have the above assessment submitted to the Board within the 45-day
26 requirement, Respondent shall immediately cease practice and shall not resume practice until
27 notified by the Board. This period of suspension will not apply to the reduction of this
28 probationary time period. The Board may waive or postpone this suspension only if significant,

1 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
2 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
3 Only one such waiver or extension may be permitted.

4 **14. Mental Health Examination.** Respondent shall, within 45 days of the effective date
5 of this Decision, have a mental health examination including psychological testing as appropriate
6 to determine her capability to perform the duties of a registered nurse. The examination will be
7 performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by
8 the Board. The examining mental health practitioner will submit a written report of that
9 assessment and recommendations to the Board. All costs are the responsibility of Respondent.
10 Recommendations for treatment, therapy or counseling made as a result of the mental health
11 examination will be instituted and followed by Respondent.

12 If Respondent is determined to be unable to practice safely as a registered nurse, the
13 licensed mental health care practitioner making this determination shall immediately notify the
14 Board and Respondent by telephone, and the Board shall request that the Attorney General's
15 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
16 practice and may not resume practice until notified by the Board. During this period of
17 suspension, Respondent shall not engage in any practice for which a license issued by the Board
18 is required, until the Board has notified Respondent that a mental health determination permits
19 Respondent to resume practice. This period of suspension will not apply to the reduction of this
20 probationary time period.

21 If Respondent fails to have the above assessment submitted to the Board within the 45-day
22 requirement, Respondent shall immediately cease practice and shall not resume practice until
23 notified by the Board. This period of suspension will not apply to the reduction of this
24 probationary time period. The Board may waive or postpone this suspension only if significant,
25 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
26 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
27 Only one such waiver or extension may be permitted.

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1 15. **Rule-Out Substance Abuse Assessment.** If the examiner conducting the physical
2 and/or mental health examination determines that the Respondent is dependent upon drugs or
3 alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or alcohol
4 dependence in remission), that might reasonably affect the safe practice of nursing, then the
5 Respondent must further comply with the following additional terms and conditions of probation:

6 A. **Participate in Treatment/Rehabilitation Program for Chemical**
7 **Dependence.** Respondent, at her expense, shall successfully complete during the
8 probationary period or shall have successfully completed prior to commencement
9 of probation a Board-approved treatment/rehabilitation program of at least six
10 months duration. As required, reports shall be submitted by the program on forms
11 provided by the Board. If Respondent has not completed a Board-approved
12 treatment/rehabilitation program prior to commencement of probation,
13 Respondent, within 45 days from the effective date of the decision, shall be
14 enrolled in a program. If a program is not successfully completed within the first
15 nine months of probation, the Board shall consider Respondent in violation of
16 probation.

17 Based on Board recommendation, each week Respondent shall be required
18 to attend at least one, but no more than five 12-step recovery meetings or
19 equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse
20 support group as approved and directed by the Board. If a nurse support group is
21 not available, an additional 12-step meeting or equivalent shall be added.
22 Respondent shall submit dated and signed documentation confirming such
23 attendance to the Board during the entire period of probation. Respondent shall
24 continue with the recovery plan recommended by the treatment/rehabilitation
25 program or a licensed mental health examiner and/or other ongoing recovery
26 groups.

27 B. **Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent
28 shall completely abstain from the possession, injection or consumption by any

1 route of all controlled substances and all psychotropic (mood altering) drugs,
2 including alcohol, except when the same are ordered by a health care professional
3 legally authorized to do so as part of documented medical treatment. Respondent
4 shall have sent to the Board, in writing and within fourteen (14) days, by the
5 prescribing health professional, a report identifying the medication, dosage, the
6 date the medication was prescribed, the Respondent's prognosis, the date the
7 medication will no longer be required, and the effect on the recovery plan, if
8 appropriate.

9 Respondent shall identify for the Board a single physician, nurse
10 practitioner or physician assistant who shall be aware of Respondent's history of
11 substance abuse and will coordinate and monitor any prescriptions for Respondent
12 for dangerous drugs, controlled substances or mood-altering drugs. The
13 coordinating physician, nurse practitioner, or physician assistant shall report to the
14 Board on a quarterly basis Respondent's compliance with this condition. If any
15 substances considered addictive have been prescribed, the report shall identify a
16 program for the time limited use of any such substances.

17 The Board may require the single coordinating physician, nurse
18 practitioner, or physician assistant to be a specialist in addictive medicine, or to
19 consult with a specialist in addictive medicine.

20 **C. Submit to Tests and Samples.** Respondent, at her expense, shall participate
21 in a random, biological fluid testing or a drug screening program which the Board
22 approves. The length of time and frequency will be subject to approval by the
23 Board. Respondent is responsible for keeping the Board informed of Respondent's
24 current telephone number at all times. Respondent shall also ensure that messages
25 may be left at the telephone number when she is not available and ensure that
26 reports are submitted directly by the testing agency to the Board, as directed. Any
27 confirmed positive finding shall be reported immediately to the Board by the
28 program and Respondent shall be considered in violation of probation.

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In addition, Respondent, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If Respondent has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend Respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

If Respondent fails to participate in a random, biological fluid testing or drug screening program within the specified time frame, Respondent shall immediately cease practice and shall not resume practice until notified by the Board. After taking into account documented evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may suspend Respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

D. Therapy or Counseling Program. Respondent, at her expense, shall participate in an on-going counseling program until such time as the Board releases her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: June 11, 2014 Lisa Michelle Trusler
LISA MICHELLE TRUSLER
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing.

Dated: 6/16/2014

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General

Manuel Arambula
MANUEL ARAMBULA
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 2014-1459

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA SCHNEIDER
Supervising Deputy Attorney General
3 MANUEL ARAMBULA
Deputy Attorney General
4 State Bar No. 289718
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2098
7 Facsimile: (619) 645-2061
Attorneys for Complainant
8

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues
Against:

Case No. 2014-1459

13 **LISA MICHELLE TRUSLER**

STATEMENT OF ISSUES

14 **Registered Nurse License Applicant**

15 **Respondent.**

16
17 Complainant alleges:
18

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., R.N. (Complainant) brings this Statement of Issues solely in
21 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about October 21, 2013, the Board of Registered Nursing received an
24 application for a Registered Nurse License from Lisa Michelle Trusler (Respondent). On or
25 about October 21, 2013, Lisa Michelle Trusler certified under penalty of perjury to the
26 truthfulness of all statements, answers, and representations in the application. The Board denied
27 the application on March 18, 2014.

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JURISDICTION

3. This Statement of Issues is brought before the Board of Registered Nursing, Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2736 of the Code provides, in pertinent part, that the Board may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of the Code.

STATUTORY PROVISIONS

5. Section 480 of the Code states:

(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

....

6. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

As used in this section, "license" includes "certificate," "permit," "authority," and "registration."

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7. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....
(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

....
(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

....
8. Section 2762 of the Code states:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

....
(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

....
9. Section 2765 of the Code states:

A plea or verdict of guilty or a conviction following a plea of *nolo contendere* made to a charge substantially related to the qualifications, functions and duties of a registered nurse is deemed to be a conviction within the meaning of this article. The board may order the license or certificate suspended or revoked, or may decline to issue a license or certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code

1 allowing such person to withdraw his or her plea of guilty and to enter a plea of
2 not guilty, or setting aside the verdict of guilty, or dismissing the accusation,
3 information or indictment.

4 **REGULATORY PROVISIONS**

5 10. California Code of Regulations, title 16, section 1444 states:

6 A conviction or act shall be considered to be substantially related to the
7 qualifications, functions or duties of a registered nurse if to a substantial degree it
8 evidences the present or potential unfitness of a registered nurse to practice in a
9 manner consistent with the public health, safety, or welfare. Such convictions or
10 acts shall include but not be limited to the following:

11 (a) Assaultive or abusive conduct including, but not limited to, those
12 violations listed in subdivision (d) of Penal Code Section 11160.

13 (b) Failure to comply with any mandatory reporting requirements.

14 (c) Theft, dishonesty, fraud, or deceit.

15 (d) Any conviction or act subject to an order of registration pursuant to
16 Section 290 of the Penal Code.

17 11. California Code of Regulations, title 16, section 1445 states:

18 (a) When considering the denial of a license under Section 480 of the code,
19 the board, in evaluating the rehabilitation of the applicant and his/her present
20 eligibility for a license will consider the following criteria:

21 (1) The nature and severity of the act(s) or crime(s) under consideration as
22 grounds for denial.

23 (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s)
24 under consideration as grounds for denial which also could be considered as grounds
25 for denial under Section 480 of the code.

26 (3) The time that has elapsed since commission of the act(s) or crime(s)
27 referred to in subdivision (1) or (2).

28 (4) The extent to which the applicant has complied with any terms of parole,
probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

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FIRST CAUSE FOR DENIAL OF APPLICATION

(2002 Criminal Conviction for DUI occurring on December 1, 2001)

12. Respondent's application is subject to denial under sections 2761, subsection (f), and 480, subsection (a)(1), of the Code in that she was convicted of a crime that is substantially related to the qualifications, duties, and functions of a registered nurse. The circumstances are as follows:

a. In or about 2002, in a criminal proceeding entitled *The Commonwealth of Virginia v. Lisa Trusler*, Respondent was convicted on her plea of guilty under Virginia Penal Code Section 18.2-266, driving under the influence of alcohol, a misdemeanor.

b. As a result of her conviction, Respondent was fined.

c. The circumstances that led to the conviction are that on or about December 1, 2001, Respondent attended a friend's celebration at a restaurant/bar where she drank alcoholic beverages and drove home afterward. Soon after leaving the establishment, Respondent was pulled over by the Virginia Beach Police officer and was administered a portable breathalyzer exam, which was above the legal limit of .08 blood alcohol concentration. Respondent was convicted on her plea of guilty under Virginia Penal Code Section 18.2-266.

SECOND CAUSE FOR DENIAL OF APPLICATION

(Dangerous Use of Alcohol)

13. Respondent's application is subject to denial under sections 2762, subsection (b), of the Code for unprofessional conduct in that on or about December 1, 2001, Respondent used alcoholic beverages to an extent or in a manner that was dangerous and injurious to herself and the public when she operated a motor vehicle while significantly impaired by alcohol, as detailed in paragraph 12 above.

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2 **THIRD CAUSE FOR DENIAL OF APPLICATION**

3 **(Alcohol Related Conviction)**

4 14. Respondent's application is subject to denial under section 2762, subsection (c), of
5 the Code for unprofessional conduct in that in or about 2002, Respondent was convicted of an
6 alcohol-related offense, as detailed in paragraph 12, above.

7
8 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

9 **(Out of State Discipline)**

10 15. Respondent's application is subject to denial under section 2761, subsection (a)(4), in
11 that her Virginia registered nurse license, number 0001-111949, was subjected to discipline on
12 three separate occasions. The circumstances are as follows:

13 a. On or about January 12, 1991, Respondent entered into a Consent
14 Agreement with the Virginia Board of Nursing in an administrative proceeding entitled *In Re*
15 *Lisa M. Trusler, R.N.* After a Special Conference held under sections 54.1-110 and 54.1-3010 of
16 the Code of Virginia (1950), Respondent signed a Consent Order which made findings of fact,
17 which found that Respondent had engaged in violations of the nursing practices of the state of
18 Virginia involving incomplete charting, medication administration problems, diversion of
19 medications, and the unauthorized use of medication. As a result of these stipulated Findings of
20 Fact, the Virginia Nursing Board concluded that Respondent had violated sections 54.1-3007(2)
21 and (5) of the Code of Virginia (1950), as amended as section 4.1B (3) of the Board of Nursing
22 Regulations. On January 12, 1991, the Virginia Board of Nursing placed Respondent on
23 indefinite probation, under certain terms and conditions. Under these terms and conditions,
24 Respondent would be able to apply for the termination of her probation no sooner than January
25 12, 1993. Further, Respondent would also be required to work for two years as a registered nurse,
26 a term also beginning January 12, 1991.

27 b. On or about November 14, 1994, Respondent was brought before a panel
28 of the Virginia Board of Nursing in a formal administrative hearing. The proceeding was titled

1 *Re Lisa M. Trusler, R.N. Order.* At this hearing, evidence was presented and findings of fact
2 were made. The basis for this administrative hearing was alleged violations of the consent order
3 that Respondent entered into on January 12, 1991 and referenced in paragraph 15(a). The
4 conclusions of law entered in this matter established that Respondent violated six terms of her
5 indefinite probation. As a result of these violations, the Virginia Board of Nursing continued
6 Respondent's indefinite probation, from which she would be able to petition for termination after
7 no less than two years of employment as a registered nurse from the date of the order, November
8 17, 1994.

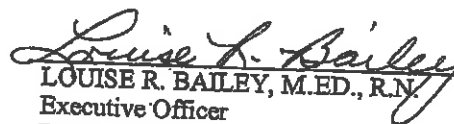
9 c. On or about April 22, 1997, Respondent was brought before a Special
10 Conference Committee of the Virginia Board of Nursing in a formal administrative hearing on the
11 application of Respondent for early termination of her indefinite probation. The proceeding was
12 titled *In re Lisa M. Trusler, R.N.*, at which hearing findings of fact were made. Respondent's
13 application for early termination was heard, as well as alleged violations of the order that
14 Respondent entered into on November 17, 1994, referenced in paragraph 15(b) above. The
15 conclusions of law entered in this matter found that Respondent violated three terms of her
16 indefinite probation. As a result, the Special Conference Committee denied Respondent's request
17 for early termination and continued her indefinite probation.

18
19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
21 and that following the hearing, the Board of Registered Nursing issue a decision:

- 22 1. Denying the application of Lisa Michelle Trusler for a Registered Nurse License;
23 2. Taking such other and further action as deemed necessary and proper.

24 DATED: MAY 23, 2014

25 
26 LOUISE R. BAILEY, M.ED., R.N.
27 Executive Officer
28 Board of Registered Nursing
State of California
Complainant

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