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MAY 06 2010



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VIA FIRST CLASS MAIL  
DATE: 5/5/10

**VA BD OF NURSING**  
**COMMONWEALTH of VIRGINIA**

Dianne L. Reynolds-Cane, M.D.  
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

May 5, 2010

Nicole Renee Todd Hirt  
443 Union Street  
Columbus, OH 44408

**CERTIFIED MAIL**

RE: License No.: 0001-217328

Dear Ms. Hirt:

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 May 5, 2010. 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 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.

Sincerely,

A handwritten signature in cursive script that reads "Dianne L. Reynolds-Cane".

Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

Enclosures  
Case # 131779

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: NICOLE RENEE TODD HIRT, R.N.  
License No.: 0001-217328**

**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Nicole Renee Todd Hirt, R.N., to practice nursing in the State of Ohio was suspended by a Consent Agreement entered March 19, 2010. A certified copy of the Consent Agreement (with attachment) 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 Nicole Renee Todd Hirt, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Nicole Renee Todd Hirt, R.N., will be recorded as suspended and no longer current. Should Ms. Hirt 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.



\_\_\_\_\_  
Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

ENTERED: \_\_\_\_\_

5-5-10



# COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
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

## CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Consent Agreement (with attachment) entered March 19, 2010, regarding Nicole Renee Todd Hirt, R.N., is a true copy of the records received from the Ohio Board of Nursing.

A handwritten signature in cursive script, reading "D L Reynolds-Cane MD", written over a horizontal line.

Dianne L. Reynolds-Cane, M.D.

Date: 5-5-10



# Ohio Board of Nursing

www.nursing.ohio.gov

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

## CONSENT AGREEMENT BETWEEN NICOLE RENEE HIRT, R.N. AND OHIO BOARD OF NURSING

This Consent Agreement is entered into by and between **NICOLE RENEE HIRT, R.N. (MS. HIRT)** 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.

**MS. HIRT** voluntarily enters into this Consent Agreement being fully informed of her rights under Chapter 119, ORC, including the right to representation by legal counsel and the right to a formal adjudicative hearing on the issues considered herein.

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.

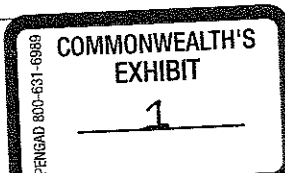
### BASIS FOR ACTION

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). Section 4723.28(B)(8), ORC, authorizes the Board to discipline a licensee for self-administering or otherwise taking into the body any dangerous drug, as defined in Section 4729.01, ORC, in any way not in accordance with a legal, valid prescription issued for that individual. 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 (OAC), 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 client, and the client's response to that care. Rule 4723-4-06(F), OAC, states that a licensed nurse shall, in an accurate and timely manner, report to the appropriate practitioner errors in or deviations from the current valid order. Rule 4723-4-06(H), OAC, states that a licensed nurse shall implement measures to promote a safe environment for each client.

CERTIFIED TO BE A TRUE COPY

*Jana Bowman* 4/23/10  
OHIO BOARD OF NURSING



- B. **MS. HIRT** was initially licensed in the State of Ohio in 1999 as a registered nurse, RN-286598. **MS. HIRT's** license lapsed on September 1, 2009.
- C. **MS. HIRT** also holds active licenses as a registered nurse in the States of Pennsylvania (initially in 2008), Florida (2008), and Virginia (2009), and in the District of Columbia (2009). **MS. HIRT** is currently working as a nurse in Virginia.
- D. **MS. HIRT** knowingly and voluntarily admits to the factual and legal allegations set forth in the Notice of Opportunity for Hearing dated July 24, 2009 (July 2009 Notice), a copy of which is attached hereto and incorporated herein.
- E. In her personal statement, **MS. HIRT** states that she had a legal prescription for Vicodin at the time of her positive screen, referenced in the notice. **MS. HIRT** failed to provide any explanation for her positive Demerol and Morphine screen. **MS. HIRT** states she was divorced in 2008 and admits that she allowed her personal issues to interfere with her nursing practice.

#### **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. HIRT** knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations:

#### **SUSPENSION OF LICENSE**

1. **MS. HIRT's** license to practice nursing as a registered nurse is hereby suspended for an indefinite period of time, until at least December 1, 2010. **MS. HIRT may submit a written request for reinstatement after December 1, 2010, if the conditions for reinstatement have been satisfied.**

#### **CONDITIONS FOR REINSTATEMENT**

2. **MS. HIRT** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. **MS. HIRT** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
4. **Within six (6) months prior to requesting reinstatement, MS. HIRT** agrees that she will submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. HIRT**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. HIRT's** criminal records check reports to the Board. **MS. HIRT** agrees that a

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

5. **Prior to requesting reinstatement, MS. HIRT** shall provide the Board with written documentation that she notified the Pennsylvania, Florida, Virginia, and District of Columbia Boards of Nursing of this Consent Agreement and the July 2009 Notice.
6. **Prior to reinstatement, MS. HIRT** shall enter into a Consent Agreement with the Board for probationary terms, conditions, and limitations determined by the Board for a minimum period of three (3) years following reinstatement.

#### **Psychiatric Evaluation**

7. **Upon the request of the Board or its designee and within sixty (60) days of that request, MS. HIRT** shall, at her own expense, obtain a comprehensive evaluation by a psychiatrist who is approved in advance by the Board. **MS. HIRT** shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MS. HIRT** shall provide the evaluating psychiatrist with a copy of this Consent Agreement and the July 2009 Notice. Further, **MS. HIRT** shall execute releases to permit the evaluating psychiatrist to obtain any information deemed appropriate and necessary for the evaluation. The psychiatrist shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions to be placed on **MS. HIRT's** license to practice, and stating whether **MS. HIRT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
8. **MS. HIRT** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the psychiatrist described above until released. Further, **MS. HIRT** agrees that the Board may utilize the psychiatrist's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. HIRT's** license and that the terms, conditions, and limitations may be incorporated in an addendum to this Consent Agreement.

#### **Monitoring of Rehabilitation and Treatment**

9. **MS. HIRT** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HIRT's** history of chemical dependency and recovery status. **MS. HIRT** shall self-administer the prescribed drugs only in the manner prescribed.
  10. **MS. HIRT** shall abstain completely from the use of alcohol.
  11. **Within three (3) months immediately prior to requesting reinstatement, MS. HIRT** shall, at her own expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with
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complete documentation of this evaluation. Prior to the evaluation, **MS. HIRT** shall provide the chemical dependency professional with a copy of this Consent Agreement and the July 2009 Notice. Further, **MS. HIRT** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions to be placed on **MS. HIRT's** license to practice, and stating whether **MS. HIRT** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.

12. **MS. HIRT** 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. HIRT** 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. HIRT's** license and that the terms, conditions, and limitations may be incorporated in an addendum to this Consent Agreement.
  13. **For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, MS. HIRT** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program, and **MS. HIRT** shall provide satisfactory documentation of such attendance to the Board prior to requesting reinstatement.
  14. **For a minimum, continuous period of nine (9) months immediately prior to requesting reinstatement, MS. HIRT** shall submit, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Upon and after **MS. HIRT'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. HIRT** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. HIRT's** history of chemical dependency and recovery status.
    - a. Within thirty (30) days prior to **MS. HIRT** initiating drug screening, **MS. HIRT** shall provide a copy of this Consent Agreement and the July 2009 Notice, 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. HIRT**.
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- b. After initiating drug screening, **MS. HIRT** shall be under a continuing duty to provide a copy of this Consent Agreement and the July 2009 Notice 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. HIRT** 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.

#### **Reporting Requirements of Licensee**

15. **MS. HIRT** shall report to the Board, in writing, any violation of this Consent Agreement within thirty (30) days of the occurrence of the violation.
16. **MS. HIRT** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
17. **MS. HIRT** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
18. **MS. HIRT** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
19. **MS. HIRT** 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.
20. **MS. HIRT** shall submit the reports and documentation required by this Consent Agreement to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
21. **MS. HIRT** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office.
22. **MS. HIRT** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

#### **Nursing Refresher Course or Orientation**

Upon the request of the Board or its designee, **MS. HIRT** shall, prior to working in a position where a nursing license is required, complete and submit satisfactory documentation of completion of a nursing refresher course or an extensive orientation approved in advance by the Board or its designee.

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**Temporary Narcotic Restrictions**

**MS. HIRT** shall not administer, have access to, or possess (except as prescribed for **MS. HIRT**'s use by another so authorized by law who has full knowledge of **MS. HIRT**'s history of chemical dependency and recovery status) any narcotics, other controlled substances, or mood altering drugs for a minimum period of **Twelve (12) MONTHS** in which **MS. HIRT** is working in a position that requires a nursing license. At any time after the twelve-month period previously described, **MS. HIRT** may submit a written request to the Board to have this restriction re-evaluated. In addition, **MS. HIRT** shall not count narcotics or possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MS. HIRT** shall not call in or order prescriptions or prescription refills.

**Permanent Practice Restrictions**

**MS. HIRT** further knowingly and voluntarily agrees with the Board to the following **PERMANENT LICENSURE RESTRICTIONS**:

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

Unless otherwise approved in advance by the Board or its designee, **MS. HIRT** shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include, but are not limited to, the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

**FAILURE TO COMPLY**

The 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. HIRT** 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.

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**DURATION / MODIFICATION OF TERMS**

The terms, limitations, and conditions of this Consent Agreement, **other than the permanent licensure restriction(s)**, may be modified or terminated, in writing, at any time upon the agreement of both **MS. HIRT** and the Board.

The Board may only alter the indefinite suspension imposed if: (1) **MS. HIRT** submits a written request for reinstatement; (2) the Board determines that **MS. HIRT** has complied with all conditions of reinstatement; (3) the Board determines that **MS. HIRT** is able to practice according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. HIRT** and review of the documentation specified in this Consent Agreement; and (4) **MS. HIRT** has entered into a Consent Agreement with the Board for probationary terms, conditions, and limitations determined by the Board for a minimum period of three (3) years following reinstatement.

**ACKNOWLEDGMENTS/LIABILITY RELEASE**

**MS. HIRT** 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.

**MS. HIRT** waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

**MS. HIRT** 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 that are the subject of this Consent Agreement.

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.

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.

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Nicole Renee Hirt, R.N.  
Page 8

EFFECTIVE DATE

MS. HIRT 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.

Nicole Renee Hirt R.N.  
NICOLE RENEE HIRT, R.N.

2/12/10  
DATE

Latoria Denise Wright, Esq.  
LATONIA DENISE WRIGHT, ESQ.  
Attorney for Nicole Renee Hirt, R.N.

2/27/10  
DATE

Bertha M. Lovelace SACRWA, RN  
BERTHA LOVELACE, President  
Ohio Board of Nursing

3/19/10  
DATE



# Ohio Board of Nursing

www.nursing.ohio.gov

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

July 24, 2009

## NOTICE OF OPPORTUNITY FOR HEARING

Nicole Renee Hirt, R.N.  
443 Union Street Ext  
Columbiana, Ohio 44408

Dear Ms. Hirt:

In accordance with Chapter 119. of the Ohio Revised Code (ORC), you are hereby notified that the Ohio Board of Nursing (Board) proposes under the authority of Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend or place restrictions on your license to practice nursing as a registered nurse; reprimand or otherwise discipline you; or impose a fine of not more than five hundred dollars (\$500.00) per violation for the following reasons:

1. While working as a nurse at Salem Community Hospital in Salem, Ohio, on or about July 14, 2008, you submitted to a drug screen that was positive for Demerol, Meperidine and Normeperidine. You were sent to the drug screen after discrepancies in your use of Demerol and Morphine were noted. Your employment was terminated on or about July 28, 2009.

Section 4723.28(B)(8), ORC, authorizes the Board to discipline a licensee for self-administering or otherwise taking into the body any dangerous drug, as defined in Section 4729.01, ORC, in any way not in accordance with a legal, valid prescription issued for that individual.

2. While working as a nurse at Salem Community Hospital, the following discrepancies in your use of Demerol and Morphine were noted:
  - a. For Patient #1 [*see attached Patient Key – to Remain Confidential and Not Subject to Public Disclosure*], who had an order for Meperidine (Demerol) 25mg IV every 4 hours as needed, you withdrew Demerol 25mg at the following times but did not document administration, need for the medication or waste:
    - 1) July 12, 2008 at 00:06 hours;
    - 2) July 12, 2008 at 21:50 hours [another nurse withdrew and documented administration of Lortab at 21:17 hours];
    - 3) July 13, 2008 at 05:00 hours;
    - 4) July 13, 2008 at 22:38 hours; and

CERTIFIED TO BE A TRUE COPY

*Janet Bannan* 4/23/10  
OHIO BOARD OF NURSING

- 5) July 14, 2008 at 03:50 hours.
- b. For Patient #2, who had an order for Morphine Sulfate 2mg IV every 4 hours, you did the following:
    - 1) On or about July 13, 2008 at 00:09 hours, you withdrew 4mg and documented administration of only 2mg in Nurse's Notes. You did not document waste or administration of the remaining 2mg.
    - 2) On or about July 13, 2008 at 07:45 hours, you withdrew 4mg and documented administration in the ADMINRX. You did not document administration in the Nurse's Notes, you did not document the quantity of Demerol you administered, and you did not document any waste.

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 (OAC), 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 client, and the client's response to that care. Rule 4723-4-06(H), OAC, states that a licensed nurse shall implement measures to promote a safe environment for each client.

- c. For Patient #3, who had an order for Demerol 12.5mg with Phenergan 12.5mg IV every 4 hours, you did the following:
    - 1) Although you withdrew and documented administration of Demerol 12.5mg on June 28, 2008 at 20:13 hours, approximately 2.5 hours later, at 22:49 hours, you withdrew Demerol 25mg. You documented that you wasted 12.5mg, but you did not document administration or waste of the remaining 12.5mg. At the time of both withdrawals, you did not withdraw Phenergan as ordered to be administered with the Demerol.
    - 2) On or about June 29, 2008 at 21:01 hours and July 1, 2008 at 00:11 hours, you withdrew Demerol 25mg and did not document administration or waste. You also did not withdraw Phenergan as ordered to be administered with the Demerol. Further, on or about July 5, 2008 at 07:32 hours, you withdrew Demerol 50mg, documented that you wasted 37.5mg but did not document administration or waste of the remaining 12.5mg. You also did not withdraw Phenergan as ordered to be administered with the Demerol.
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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), OAC, 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 client, and the client's response to that care. Rule 4723-4-06(F), OAC, states that a licensed nurse shall, in an accurate and timely manner, report to the appropriate practitioner errors in or deviations from the current valid order. Rule 4723-4-06(H), OAC, states that a licensed nurse shall implement measures to promote a safe environment for each client.

Accordingly, the Board is authorized to impose one or more of the sanctions as cited in Section 4723.28, ORC.

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

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

Should you choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to: **Lisa Ferguson-Ramos, Compliance Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, Ohio 43215-7410 or [hearing@nursing.ohio.gov](mailto:hearing@nursing.ohio.gov).**

If the Board fails to receive a request for a hearing within thirty (30) days of the time of mailing of this notice, the Board may, in your absence and upon consideration of the factual and legal allegations set forth in this Notice of Opportunity for Hearing, deny, permanently revoke, revoke, suspend or place restrictions on your license to practice nursing as a registered nurse; reprimand or otherwise discipline you; or impose a fine of not more than five hundred dollars (\$500.00) per violation.

Sincerely,



Anne Barnett, R.N., B.S.N., C.W.S.  
Supervising Board Member

Certified Mail Receipt No. 7009 0820 0002 3386 8268  
Attorney Certified Mail Receipt No. 7009 0820 0002 3386 8275

cc: Melissa Wilburn, Assistant Attorney General  
Latonia Denise Wright, Esq.

RECEIVED

APR 27 2010

VA BD OF NURSING