The attached are Primary Source Documents of the Idaho Board of Nursing for:

NANCY AGUIAR
N-22166

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
BEFORE THE BOARD OF NURSING

STATE OF IDAHO

In the Matter of:                         ) Case No. 00-024
                                               )
Nancy Leigh Reed Aguilar                  ) FINDINGS OF FACT,
License No. N-22166,                      ) CONCLUSIONS OF LAW,
) AND FINAL ORDER
)                                           )
Respondent.                               )

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho Board of Nursing (hereinafter the “Board”) hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent Nancy Leigh Reed Aguilar (“Respondent”) is a duly licensed nurse in the State of Idaho holding License No. N-22166.

2. On or about April 25, 2000, the Program for Recovering Nurses (PRN) submitted a letter of non-compliance indicating a recent relapse by the Respondent. Respondent had entered the PRN as a non-Board referral on November 12, 1998.

3. On or about April 27, 2000, the PRN submitted a report indicating that Respondent had forged prescriptions to obtain medications for herself and had substituted urine for her urine drug screens. Following this report, Respondent was requested to surrender her professional nurse license. A true and correct copy of the Voluntary Surrender of Licensure, admitting to violations of the Nursing Practice Act is attached hereto as Exhibit 1.

4. On or about February 21, 2001, the Program Coordinator submitted a letter of support for the issuance of a limited license to practice nursing. The limited license was issued on March 7, 2001, to expire March 7, 2006. A true and correct copy of the Limited License is attached hereto as Exhibit 2.

5. On or about May 11, 2001, the Program Coordinator submitted a letter of non-compliance for failure to meet the terms of the contract. A true and correct copy of the Letter of Non-Compliance is attached hereto as Exhibit 3.
6. On or about May 23, 2001, a Notice of Withdrawal of Limited License was issued for failure to comply with terms and conditions of limited licensure. A true and correct copy of the Notice of Withdrawal is attached hereto as Exhibit 4.

7. Following their regular meeting on July 13, 2001, the PRN Advisory Committee approved re-entry to the PRN with conditions.

8. On or about October 23, 2002, the PRN again advised the Board that Respondent was non-compliant with the terms of the Contract for Monitoring. A true and correct copy of the Letter of Non-Compliance is attached hereto as Exhibit 5.

9. Following their regular meeting on January 10, 2003, the PRN Advisory Committee approved re-entry to the PRN.

10. On or about April 9, 2003, Responded submitted a letter requesting to withdraw from the PRN. A true and correct copy of the letter of withdrawal is attached hereto as Exhibit 6.

11. Respondent knowingly and freely waived her right to a hearing, and waived all rights granted to Respondent pursuant to the Administrative Procedures Act, chapter 52, title 67, Idaho Code.

CONCLUSIONS OF LAW

1. As a licensed nurse in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 14, Idaho Code, and the rules and regulations promulgated by the Board thereunder.

2. The allegations in the complaint, if proven, would constitute violations of the Nursing Practice Act and Rules and constitute grounds for revocation or suspension of Respondent’s license to practice nursing pursuant to Idaho Code § 54-1413(1)(e), and IDAPA 23.01.01.100.06.

3. Respondent’s voluntary surrender of licensure authorizes the Board to revoke or suspend Respondent’s license without further process pursuant to Idaho Code § 54-1413(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, that Nursing License No. N-22166 issued to Respondent Nancy Leigh Reed Aguiar is
Revoked

Suspended ___ days/year(s) ___ indefinitely

based upon voluntary surrender, and is subject to subsequent review pursuant to Idaho Code § 54-1413(4).

It is further ordered that, should Respondent request reinstatement of licensure in the future, that she present the following information to the Board with her application for reinstatement:

1. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol;

2. Documentation that she is rehabilitated and competent to practice nursing by submitting:

   a. A comprehensive drug/alcohol evaluation completed by a qualified health care provider at the time of application for reinstatement;

   b. A detailed summary of employment since licensure revocation or suspension; and

   c. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program.

   d. Evidence of financial compliance with NCPS and the PRN program.

The Board reserves the right to assess investigative costs and attorney’s fees incurred in this matter as a condition of reinstatement.

This order is effective immediately.

DATED this ___ 8TH ___ day of ___ MAY ___ , 2003.

IDAHO BOARD OF NURSING

By Charles Moseley, CRNA
Chair
NOTICE OF AVAILABLE RIGHTS

If respondent’s license was revoked, then pursuant to Board Rule 120.06, Respondent may not apply to the Board for reinstatement for two (2) years after the date of execution of this Order unless the Order specifies otherwise. At the time of application, the Board may conduct further evidentiary hearings pursuant to Board Rule 120 to determine whether to deny reinstatement, grant a reinstatement, or issue a license permitting the applicant to practice nursing under specified terms and conditions.

If respondent’s license was suspended Respondent may apply to the Board within a reasonable time after the execution of this Order, or as specified by the term of suspension. At the time of application, the Board may conduct further evidentiary hearings pursuant to Board Rule 120 to determine whether to deny reinstatement, grant a reinstatement, or issue a license permitting the applicant to practice nursing under specified terms and conditions.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12TH day of MAY, 2003, I caused to be served a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER addressed as follows:

Nancy Aguiar
5359 N Maidstone Way
Boise ID 83713-1604

X U.S. Mail, postage prepaid
X Certified U.S. Mail, return receipt
Hand Delivery
Overnight Mail
Facsimile:
Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director