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

KRISTINE BABB
N-9106

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
STATE OF IDAHO

) ss.

County of Ada

On this 20th day of August, 2007, before me, Sue Okuyama, personally appeared Kristine Babb, personally appeared, known or identified to me (on the oath of_______), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

SUE OKUYAMA
NOTARY PUBLIC FOR IDAHO
Residing at Kuna, Idaho
My Commission Expires: July 24, 2013
Kristine Babb  
4859 Elizabeth Street  
Chubbuck ID 83202  

Dear Ms. Babb:  

During their meeting on October 25-26, 2007, the Board of Nursing members took action to approve the Stipulation and Consent Order. A copy of the Consent Order Suspending your professional nurse and advanced practice professional nurse licenses for five (5) years is enclosed. The suspension is stayed for the five year period as long as you comply with the terms of the Stipulation and Consent Order and do not further violate the Nursing Practice Act or Rules of the Board.

Section C – Stipulated Discipline of the Stipulation and Consent Order you signed on October 5, 2007 states, in addition to other requirements:

C.2.a – Your licenses shall be RESTRICTED and you may not have access to, prescribe, or dispense controlled substances and/or scheduled drugs.

C.2.b – You must successfully complete a Board-approved recovery program. Please submit your treatment plan and recovery program information for Board approval within the next two weeks. A Release of Information is provided to authorize the Board with the required information.

C.2.b-d & C.3. – Requires the submission of progress reports. Monitoring forms are enclosed. Please provide these to the individuals responsible for submitting progress reports and ensure that they are submitted in a timely fashion.

C.f. – Your licenses shall be single-state licenses and you are not eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact. You will need to return your professional nurse and nurse practitioner licenses to this office to be stamped “RESTRICTED” and “Valid Only in Idaho”. An envelope is enclosed for this purpose.

C.4. – Respondent shall pay the actual costs of investigation and attorney fees incurred by the Board in bringing this action in a sum to be determined, but not to exceed Five Hundred and No/100 Dollars ($500.00). Respondent will pay this within sixty (60) days of the Board’s adoption of this agreement.

The Mission of the Board of Nursing is to regulate nursing practice and education for the purpose of safeguarding the public health, safety and welfare.
A review of our records indicates that you have been assessed attorney and investigative costs in the amount of $592.00. You are responsible for $500.00 of this amount. Please submit this amount prior to January 10, 2008.

If you have any questions concerning this information, please contact the Board office.

Sincerely,

SANDRA EVANS, MAEd, RN
Executive Director

SE:lle
Cc: Joseph McCollum, Jr.
    Attorney at Law
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
KRISTINE BABB, )
License Nos N-9106 and NP-283A, ) Case No BON 06-051
Respondent. )

) STIPULATION AND
) CONSENT ORDER

WHEREAS, information has been received by the Idaho State Board of Nursing (the "Board") that constitutes sufficient grounds for the initiation of an administrative action against Kristine Babb ("Respondent"); and

WHEREAS, the parties wish to expeditiously settle the matter in lieu of proceeding to an administrative hearing before the Board; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A. Stipulated Facts and Law

A 1. The Board regulates the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code.

A 2. The Board has issued License Nos N-9106 and NP-283A to Respondent. Respondent's license is subject to the provisions of title 54, chapter 14, Idaho Code and the Board's rules at IDAPA 23.01.01, et seq.


A 4. On or about June 19, 2007, a withheld judgment was entered against Respondent in Case No. CR2007-0002851-FE.

A 5. The allegations of Paragraphs A 3 and A 4, if proven, would violate the
laws and rules governing the practice of nursing and would be grounds for discipline, specifically:

a. Idaho Code § 54-1413(1)(c) and Board Rule (IDAPA 23.01.01) 100.02 (conviction of a felony);

b. Idaho Code § 54-1413(1)(g) and Board Rule 100.08 (a nurse shall not violate the Nurse Practice Act or rules and standards of conduct and practice adopted by the Board);

c. Board Rule 101.04(e) (a nurse shall not obtain, possess, furnish or administer prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs);

d. Board Rule 316.01 (Advanced Practice Professional Nurse shall not prescribe, dispense, or sell any drug classified as a controlled substance to a family member or to himself; and

e. Board Rule 316.02 (Advanced Practice Professional Nurse shall not violate any state or federal law relating to controlled substances).

A.6. Respondent, in lieu of proceeding with a formal disciplinary action, hereby agrees that the Board may enter a final order against her license as set forth in Section C below.

B. Waiver of Procedural Rights

I, Kristine Babb, by affixing my signature hereto, acknowledge that:

B.1. I have read, understand and admit the allegations pending before the Board as stated in Section A, above, and I agree that the Board has jurisdiction to proceed in this matter.

B.2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to testify myself; the right to reconsideration of the Board's orders; the right to judicial review of the Board's orders; and all rights accorded by the Administrative Procedure Act.
of the State of Idaho and the laws and rules governing the practice of nursing in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

B.3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my licenses without further process.

C. Stipulated Discipline

C.1. Respondent's licenses shall be suspended for five (5) years from the date of entry of the Board's Order, which suspension shall be STAYED provided Respondent complies with the terms of this Stipulation and Consent Order and does not commit any further violations of the Nursing Practice Act or the Rules of the Board.

C.2. During the term of Respondent's 5-year stayed suspension:

a. Respondent's Licenses No. N-9106 and NP-283A shall be RESTRICTED so that Respondent shall not have access to, prescribe, or dispense controlled substances and/or scheduled drugs. Respondent shall provide a copy of this Stipulation and Consent Order to all employers during the 5-year stayed suspension.

b. Respondent shall successfully complete a Board-approved recovery program and shall allow Board staff to monitor Respondent's progress at any time. Respondent agrees to sign any necessary releases of information to allow Board staff to monitor her recovery progress. Respondent shall direct her counselor at the recovery program to provide the Board with monthly progress reports for the first twelve (12) months, and then quarterly thereafter. Respondent shall also direct her counselor to notify the Board upon Respondent's successful completion of or non-compliance with, the program. If Respondent successfully completes the program before her five (5) year stayed suspension period runs, then Respondent shall obtain and pay for random urine drug screens by a Board-approved testing service each month and upon Board request during the remainder of the stayed suspension period. Respondent shall direct the testing service to furnish the testing results and information to the Board. Respondent must pass

STIPULATION AND CONSENT ORDER - 3
each urine drug screen.

c. Respondent shall be supervised by an experienced licensed nurse practitioner or licensed medical or osteopathic physician in a Board-approved practice setting. Respondent shall provide the Board with the name, work address, and work phone number of her employer(s) and supervisors responsible for such supervision. Respondent's supervisor shall submit performance evaluations to the Board once a month during the first twelve (12) months after entry of the Board's Order. If the Board determines Respondent's evaluations are satisfactory at the end of the first 12 months, the supervisor shall then submit quarterly evaluations for the remainder of the 5-year stayed suspension period. If the Board determines Respondent's evaluations are not satisfactory at the end of the first 12 months of supervision, the supervisor shall continue to submit monthly evaluations until otherwise directed by the Board.

d. Respondent shall submit self-evaluation reports to the Board once a month during the first twelve (12) months after entry of the Board's Order then quarterly for the remainder of the 5-year stayed suspension period. A form for the self-evaluations reports will be provided by the Board.

e. Respondent shall abstain from the use of non-medically prescribed drugs and alcohol.

f. Respondent's license shall be a single-state license and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.

g. Respondent shall meet with Board staff at the discretion of Board staff.

h. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

C.3. Respondent shall comply with all terms of her criminal probation in Bannock County Case No. CR2007-0002851-PE. Respondent shall provide her probation
officer with a copy of this Stipulation and Consent Order and shall request her probation officer to provide quarterly reports to the Board verifying Respondent's compliance with probation.

C.4. Respondent shall pay the actual costs of investigation and attorney fees incurred by the Board in bringing this action in a sum to be determined, but not to exceed Five Hundred and No/100 Dollars ($500.00). Respondent will pay this within sixty (60) days of the Board's adoption of this agreement.

C.5. Respondent shall comply with all the laws and rules of the Board of Nursing.

C.6. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.7. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D. Presentation of Stipulation to Board

D.1. The Board's prosecutor shall present this Stipulation to the Board with a recommendation for approval. During the presentation the prosecutor may discuss and provide to the Board such materials and information as he may deem appropriate in his discretion.

D.2. The Board may accept, modify with Respondent's approval, or reject this Stipulation. If the Board rejects the Stipulation, an administrative Complaint may be filed with the Board. Respondent waives any right Respondent may have to challenge the Board's impartiality to hear the allegations in the administrative Complaint based on the fact that the Board has considered and rejected this Stipulation. Respondent does not waive any other rights regarding challenges to Board members.

D.3. If the Board rejects this Stipulation then, except for Respondent's waiver set forth in Paragraph D.2, this Stipulation shall be regarded as null and void, and admissions in this Stipulation and negotiations preceding the signing of this Stipulation will not be admissible at any subsequent disciplinary hearing.

STIPULATION AND CONSENT ORDER - 5
D.4. Except for Paragraph D.2, which becomes effective when Respondent signs this Stipulation, this Stipulation shall not become effective until it has been approved by a majority of the Board and a Board member signs the attached Order.

E. Violation of Stipulation and Consent Order

E.1. If Respondent violates this Stipulation and Consent Order, the violation shall be considered grounds for additional discipline and the Board may impose additional discipline pursuant to the following procedure:

a. The Board’s staff shall schedule a hearing before the Board to assess whether Respondent has violated this Stipulation and Consent Order. The staff shall also serve notice of the hearing and charges to Respondent and to Respondent’s attorney, if any. Within twenty-one (21) days after the notice of the hearing and charges is served, Respondent may submit a response to the allegations. If Respondent does not submit a timely response to the Board, the alleged violations will be deemed admitted.

b. At the hearing, the Board and Respondent may submit evidence and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to evidence relevant to whether Respondent has violated this Stipulation and Consent Order. At the hearing the facts and substantive matters related to the violations described in Section A shall not be at issue.

c. At the hearing, the Board may impose additional discipline, which may include the suspension or revocation of Respondent’s license, the imposition of fines, the recovery of costs and attorney fees incurred by the Board and/or other conditions or limitations upon Respondent’s practice.

E.2. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

E.3. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or
otherwise.

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I am waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for settlement. I understand that if the Board approves this Stipulation subject to changes, and the changes are acceptable to me, the Stipulation will take effect and an order modifying the terms of the Stipulation will be issued. If the changes are unacceptable to me or the Board rejects this Stipulation, it will be of no effect.

DATED this 5th day of October, 2007.

Kristine Bubb
Respondent

Approved as to form.

DATED this 17th day of October, 2007.

HAWLEY TROXELL, ENNIS & HAULBY

By Joseph D. McCollum, Jr.
Of Attorneys for Respondent

I recommend that the Board enter an Order based upon this Stipulation.

DATED this 18th day of October, 2007.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Karl T. Klein
Deputy Attorney General

STIPULATION AND CONSENT ORDER - 7
ORDER

Pursuant to Idaho Code § 54-1404, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 25th day of October 2007. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By

Susan Odom, Ph.D., R.N.
Chair
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13TH day of November, 2007, I caused to be served a true and correct copy of the foregoing by the following method to:

Kristine Babb
4859 Elizabeth Street
Chubbuck, ID 83202

☐ U.S. Mail
☐ Hand Delivery
☒ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: ________________
☐ Statehouse Mail

Joseph D. McCollum, Jr.
HAWLEY TROXELL ENNS & HAWLEY
P.O. Box 1617
Boise, ID 83701-1617

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: ________________
☐ Statehouse Mail

Karl T. Klein
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: ________________
☒ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
BEFORE THE BOARD OF PHARMACY

STATE OF IDAHO

In the Matter of the Registration of: ) Case No. 06-58
) KIRSTINE BABB, N.P.
) Registration No. CS7909
) ) STIPULATION
) )
) )
) Respondent.
)

WHEREAS, information having been received by the Idaho State Board of Pharmacy (hereinafter the "Board") which constitutes sufficient grounds to suspend or revoke or refuse to renew the Controlled Substance Registration No. CS7909 of Kristine Babb ("Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner;

NOW, THEREFORE, the undersigned parties hereby stipulate and agree that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of pharmacy in the State of Idaho in accordance with Title 54, Chapter 17, Idaho Code.

2. Respondent is a licensee of the Idaho State Board of Pharmacy and holds Controlled Substance Registration No. CS7909. Respondent's registration is subject to the provisions of Title 54, Chapter 17, Idaho Code.

3. On or about August 10, 2006, the Board filed a formal Complaint against Respondent. The disciplinary hearing was scheduled for November 17, 2006.

4. The hearing was vacated on November 15, 2006, so that a hearing officer could be appointed to adjudicate the matter.
5. During the interim, Respondent has been criminally charged with 10 counts of obtaining a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge, under I.C. § 37-3734(a)(3).

6. On May 17, 2007, Respondent entered a plea of guilty to three counts of obtaining a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge, under I.C. § 37-2734(a)(3) before Judge Woodland in the District Court of the Sixth Judicial District of the State of Idaho, Bannock County. Judgment of the Court was withheld for a period of five (5) years on each charge concurrently and the Respondent was placed on probation as follows:

a. The Respondent shall comply with the terms and conditions of probation as outlined herein and as outlined by her probation officer, including but not limited to the terms and conditions set forth in the Agreement of Supervision, and shall comply with all directives and orders given by the probation officer.

b. The Respondent shall comply with Idaho Code 20-225 that authorizes costs of supervision fee to be collected by the Idaho Department of Corrections.

c. The Respondent shall seek and maintain gainful, full-time employment, and once such employment is secured, shall not change that employment or cause it to be terminated without first obtaining written permission from an agent of Idaho Department of Correction, Community Correction Division; or in the alternative, if Respondent chooses to pursue education in a program approved by an agent of the Idaho Department of Correction, Community Correction Division, Respondent shall enroll in such a program and not change her course of study or drop out of that program without prior written permission of an agent of the Idaho Department of Correction, Community Correction Division.

d. The Respondent shall respect and obey all laws of the City, County, State and Federal government. The Respondent shall also comply with all lawful requests of any agent of the Idaho Department of Correction, Community Correction Division.

e. The Respondent shall not associate with any person(s) known or suspected of being involved in any criminal activity, any person(s) under the supervision of the Idaho State Correction or on misdemeanor probation, or any person(s) with whom an agent of the Idaho Department of Correction, Community Correction Division directs the Respondent not to associate. The Respondent shall submit a list of those (with whom she
knows she should have no contact to her probation officer upon her release from jail.

i. The Respondent shall not consume or possess alcoholic beverages in any form and will not enter upon any establishment where the sale of alcohol is a primary source of income. The Respondent shall submit to any tests for alcohol as requested by an agent of the Idaho Department of Correction, Community Correction Division. The Respondent agrees to submit to any test, or evaluations, to determine the extent of the Respondent’s alcohol use and comply with any treatment and/or counseling recommendations as requested by any agent of the Idaho Department of Correction, Community Correction Division.

g. The Respondent shall not use or possess any controlled substances unless lawfully prescribed for Respondent by a licensed physician or dentist. The Respondent shall submit to tests for controlled substances, at Respondent’s own expense, whenever requested by an agent of the Idaho Department of Corrections, Community Correction Division. The Respondent shall submit to any tests or evaluations to determine the extent of Respondent’s use of controlled substances and will comply with any treatment and/or counseling recommendations as requested by any agent of the Idaho Department of Correction, Community Correction Division.

h. The Respondent shall submit to any blood, breath and/or urine analysis upon the request of the Court, or any law enforcement official.

i. The Respondent shall obtain a substance abuse evaluation and thereafter abide by the recommendations made in said evaluation.

j. The Respondent shall undertake such evaluations and/or counseling as may be recommended or required by the Court or her probation officer, and shall thereafter abide by the recommendations or directives which result from said evaluation or counseling.

k. The Respondent shall pay the following:

   $47.50  Court Costs
   $50.00  Victim’s Comp. Fund
   $3000.00 Fine ($1000.00 count)

The above amounts are to be paid in full within thirty (30) days of this Order.
PAYMENTS ARE TO BE MADE AT THE OFFICE OF BONDS & FINES, BANNOCK COUNTY COURTHOUSE, POCATELLO, IDAHO 83201.
1. SHOULD THE RESPONDENT FAIL TO PAY RESTITUTION OR OTHER COURT-ORDERED FINANCIAL OBLIGATIONS BEFORE THE EXPIRATION OF PROBATION, THE TERM OF PROBATION WILL BE EXTENDED, WITHOUT FURTHER ORDER OF THE COURT, UNTIL SUCH TIME AS THE RESPONDENT HAS COMPLETED PAYMENT OF SAID COURT-ORDERED OBLIGATIONS.

m. Anytime the Respondent is incarcerated, she will be required to obey all rules and regulations of that facility. Failure to obey such rules will be considered a violation of her probation.

n. The Respondent shall submit to a search of her person, residence, vehicle and/or property conducted in a reasonable manner at any time, at any place, by any police officer and/or any agent of the Idaho Department of Correction, Community Correction Division in order to determine whether or not the Respondent is complying with the terms and conditions of Respondent's probation.

o. In addition to any jail time otherwise imposed herein, the Respondent is hereby sentenced to a term of NINETY (90) DAYS in the county jail, to be served by the Respondent at the discretion of the probation officer for any misconduct or violations of probation which do not warrant a request for revocation of probation.

p. The Respondent shall not purchase, carry or have in her possession, home or automobile any firearms, weapons, or explosives (as those terms are defined in the sole discretion of her probation officer).

q. The Respondent shall not change residences without first obtaining permission from an agent of the Idaho Department of Correction, Community Correction Division.

r. The Respondent shall report as directed, including providing truthful and accurate documentation, whenever requested by the Idaho Department of Correction, Community Correction Division.

s. The Respondent shall not leave the State of Idaho or the assigned district without first obtaining written permission of Respondent's probation officer. The assigned district consists of the following counties: Bannock, Caribou, Franklin, Bear Lake, Oneida and Power County. If the Respondent leaves the State of Idaho and/or the assigned district without permission, the Respondent does hereby waive extradition to the State of Idaho and will not contest any effort to return Respondent to the State of Idaho.
1. It shall be up to the discretion of the probation officer in this matter whether or not the Respondent shall remain working in medical clinics and/or hospitals.

7. The allegations contained in the Complaint, if proven, along with Respondent's guilty plea could constitute a violation of the laws and rules of the Board thereby subjecting Respondent to discipline by the Board.

8. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby agrees to allow the Board to impose disciplinary action against her license and registration without further process.

B.

1. Kristine Babb, by affixing my signature hereto, acknowledge that:

1. I have read and understand the foregoing section A.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of pharmacy in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my license and registration without further process.

C.

1. Based upon the foregoing, it is agreed that the Board may issue a decision and order upon this Stipulation whereby:

   a. Respondent's controlled substance registration CS7909 is hereby placed on suspension for a term of five (5) years, such term to commence on the date the Board executes an Order adopting the terms of this Stipulation. The five (5) year suspension term will have conditions as follows:
i. Respondent shall comply with all terms of her sentence in Case No. CR2007-0002851-FE and shall provide proof of her compliance to the Board prior to reinstatement.

ii. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change;

iii. Respondent must inform her current employer, or any future employer during the period of probation, of this Stipulation and ensure that her employer will send written confirmation to the Board that it has been so informed;

iv. In the event Respondent should leave Idaho to reside or to practice outside of the state, Respondent must provide written notification to the Board of the dates of departure, address of intended residence or place of business, and indicate whether she intends to return. Periods of residency or practice outside of Idaho will not apply to the reduction of the probationary period or excuse compliance with the terms of this Stipulation.

v. Respondent shall fully cooperate with the Board and its agents, and submit written documents within a reasonable time after a request is made concerning Respondent’s compliance with this Stipulation. Respondent further agrees to execute the Release, attached as Exhibit A, authorizing any person or entity having information relevant to Respondent’s compliance with the provisions of this Stipulation and Order to release such information to the Board.

b. Upon termination of the five (5) year probationary period described Respondent may seek reinstatement of her controlled substance license with the Board. Prior to seeking reinstatement the following conditions must be met:

i. Proof of satisfactory completion of all requirements of the probationary program;

ii. Compliance with the terms of this Stipulation; and

iii. Respondent has not engaged in any other conduct that is grounds for the imposition of discipline.
2. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this settlement agreement shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent's approval, or reject this settlement agreement, and if rejected by the Board, a formal complaint may be filed against Respondent. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the disciplinary complaint if, after review by the Board, this settlement agreement is rejected.

3. If the Board does not accept the settlement agreement, it shall be regarded as null and void. Admissions by Respondent in the settlement agreement will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. The Stipulation shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Any default of this Stipulation shall be considered a violation of Idaho Code §§ 54-1720 and 54-1726. If Respondent violates or fails to comply with this Stipulation and subsequent Order, the Board may impose additional discipline pursuant to the procedures for contested cases in the Idaho Administrative Procedure Act, Idaho Code §§ 67-5200, et seq., subject to the procedural modifications outlined in paragraphs 7 and 8.

7. At the hearing before the Board upon default, the Board staff and Respondent may submit affidavits made on personal knowledge and argument based upon the record in
support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulation and subsequent Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in section A.

8. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent's practice or suspension or revocation of Respondent's license and controlled substance registration.

9. The Board shall have the right to make full disclosure of this Stipulation and subsequent Order and the underlying facts relating hereto to any state, agency or individual requesting information subject to any applicable provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code.

10. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.
ACKNOWLEDGMENT

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for settlement.

DATED this 20 day of August, 2007.

[Signature]

Kristine Jabb
Respondent

I concur in this stipulation and order.

DATED this 23 day of August, 2007.

[Signature]

Barbara Beechner-Kane
Deputy Attorney General
ORDER

Pursuant to Idaho Code §§ 37-2718 and 54-1720, the Board of Pharmacy hereby accepts the terms and conditions of the foregoing Stipulation and it is hereby ordered that Respondent comply with said terms and conditions.

DATED this 20 day of Oct., 2007.

IDAHO STATE BOARD OF PHARMACY

By Berk Fraser, RPh
Chair

DATED this ____ day of ________________, 2007.

IDAHO STATE BOARD OF PHARMACY

By ___________________________
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of November 2007, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail, certified mail, return receipt requested, and regular mail, postage prepaid, addressed to:

<table>
<thead>
<tr>
<th>Name</th>
<th>Method of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbara Beechner-Kane</td>
<td>✗ U.S. Mail</td>
</tr>
<tr>
<td>Deputy Attorney General</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 83720</td>
<td></td>
</tr>
<tr>
<td>Boise, ID 83720-0010</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✗ Hand Delivery</td>
</tr>
<tr>
<td></td>
<td>✗ Certified Mail, Return Receipt Requested</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Kristine Babb</td>
<td>✗ U.S. Mail</td>
</tr>
<tr>
<td>c/o Joseph McCollum</td>
<td></td>
</tr>
<tr>
<td>Hawley Troxell</td>
<td>✗ Certified Mail, Return Receipt Requested</td>
</tr>
<tr>
<td>P.O. Box 1617</td>
<td></td>
</tr>
<tr>
<td>Boise, ID 83702-1617</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✗ Overnight Mail</td>
</tr>
<tr>
<td></td>
<td>✗ Facsimile</td>
</tr>
<tr>
<td>Chanel Johnson</td>
<td>✗ U.S. Mail</td>
</tr>
<tr>
<td>Investigator</td>
<td></td>
</tr>
<tr>
<td>Idaho State Board of Nursing</td>
<td>✗ Certified Mail, Return Receipt Requested</td>
</tr>
<tr>
<td>280 N. 8th Street, Suite 210</td>
<td></td>
</tr>
<tr>
<td>Boise, ID 83720-0061</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✗ Overnight Mail</td>
</tr>
<tr>
<td></td>
<td>✗ Facsimile</td>
</tr>
</tbody>
</table>

[Signature]

STIPULATION - 11
AUTHORIZATION AND DIRECTION FOR RELEASE OF MEDICAL RECORDS

I, Kristine Babb, NP, the undersigned, hereby authorize and direct any hospital or physician who has attended me at any time since June 19, 2007, to release any and all medical records, reports, and/or information in their respective possession or control concerning my past, present, or future medical condition to any Deputy Attorney General of the Office of the Attorney General of Idaho or to such other representative of the Idaho State Board of Pharmacy as may be designated, as requested for their examination and/or copying thereof, upon presentation of this authorization and their request for such records, reports and/or information. Payment for obtaining these records, reports, and/or information shall be borne by the Office of the Attorney of Idaho upon receipt of billing for payment for submission of such records, which should be submitted to the Office of the Attorney General of Idaho at the address set forth above.

I further authorize any physician who has attended me at any time since June 19, 2007, to consult with or discuss my past, present, or future medical condition and treatment with any of the above entities or persons.

I further consent that a photocopy of this authorization may be used in lieu of the original.

This authorization is in conjunction with Case No. 06-58 before the Board of Pharmacy of the State of Idaho. In the Matter of the Registration of Kristine Babb, NP, CS Registration No. 7909, and records obtained by its use shall be used only in conjunction with that matter.

I further understand that after the protected health information requested herein is disclosed it may no longer be protected by the HIPAA regulations.

I further understand that this authorization is voluntary and treatment by the healthcare provider cannot be conditioned on the signing of this authorization.

I understand I do not have to sign this authorization in order to obtain health care benefits, treatment, payment or enrollment. I may revoke this authorization in writing. I understand that once the health information I have authorized to be disclosed reaches the noted recipient, that person or organization may re-disclose it in connection with Case No. 06-58 before the Board of Pharmacy of the State of Idaho in the Matter of the Registration of Kristine Babb, NP, CS Registration No. 7909, at which time it may no longer be protected under privacy laws.

[Signature]

Kristine Babb, N.P.