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

SHARI BLACK
PN-7243

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
Shari Black
175 Crimson Drive
Idaho Falls ID 83401

Dear Ms. Black:

Following the hearing held before the Board on November 6, 1997, the members of the Board of Nursing took formal action to issue an Order of Revocation of Licensure based on Voluntary Surrender.

The order revoking your license became effective on the date indicated above. Please be advised that you may not practice nursing in the State of Idaho during the time your license is revoked.

Sincerely,

SANDRA EVANS, M.A.Ed., R.N.
Executive Director

SE: lhc
enclosure

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.
BEFORE THE BOARD OF NURSING

STATE OF IDAHO

In the Matter of the License of: ) Case No. BON-96-31
)  
SHARI MAE BLACK, ) FINDINGS OF FACT, CONCLUSIONS
) OF LAW AND
Conditional License No. PN-7243 ) FINAL ORDER
) Respondent.

This matter came before the Idaho State Board of Nursing (hereinafter "Board") on November 6, 1997. Present were Board members Rickie Martin, Kim Remien, Charles Moseley, Marilyn Hubble, Analyn Frasure, and Alyce Sato. Absent was Board member Judy Hansen. Respondent, Shari Black, did not appear either in person or through counsel. The State of Idaho was represented by Deputy Attorney General Roger Gabel. The Board was represented by Deputy Attorney General Nicole S. McKay.

After reviewing the testimony and documents submitted by the State, as well as a review of all the prior proceedings, documents and pleadings in the Board's case file, the Board of Nursing hereby finds and orders as follows:

FINDINGS OF FACT

1. On December 1, 1981, Respondent Shari May Black was issued License No. PN-7243 to engage in the practice of nursing in the State of Idaho. Respondent's right to licensure

ORDER - 1
was at all times subject to Respondent’s compliance with the laws and the rules governing the practice of nursing in the State of Idaho.

2. On May 15, 1996, Respondent voluntarily surrendered her nursing license and entered into the Board’s program for impaired nurses.

3. On October 29, 1996, the Board authorized the issuance of a conditional limited license, No. PN-7243, pursuant to the provisions of IDAPA 23.01.132.

4. From November 1996 to present, Respondent has failed to fully comply with the Board’s program for impaired nurses monitoring requirements, including failing to submit to urine analysis testing, failing to submit reports and failing to submit documentation of required attendance at meetings.

5. On September 4, 1997, the Board issued a Notice of Termination of Conditional Limited License pursuant to Respondent’s failure to comply with the terms and conditions of the Conditional Limited License, to wit: failing to comply with monitoring requirements. On September 22, 1997, Respondent submitted a written letter to the Board which was construed as a request for a hearing.

6. On October 15, 1997, Notice of Hearing was filed in Case No. BON-96-31 requesting Respondent to appear before the Board on November 6, 1997, at 3 o’clock p.m. at the Board of Nursing office, Boise, Idaho to show cause, if any, why Respondent’s license to practice nursing in the State of Idaho should not be terminated or other disciplinary actions imposed, on the grounds stated in the Notice of Termination.

7. Respondent did not appear in person or through counsel at the November 6, 1997 hearing. However, on November 6, 1997 the Board received a faxed statement from Respondent indicating that Respondent was unable to attend the hearing and that the Board should proceed in her absence.

**CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Board of Nursing makes the following Conclusions of Law:
1. Pursuant to the provisions of title 54, chapter 14, Idaho Code and the duly promulgated rules of the Idaho State Board of Nursing, the Idaho State Board of Nursing has jurisdiction over this matter.

2. That Respondent failed to comply with the terms and conditions of the Conditional Limited License numbered PN-7243, issued under the provisions of IDAPA 23.01.132.

3. That Respondent’s failure to comply with the terms and conditions of Respondent’s conditional limited license constitutes grounds for the immediate termination of her conditional limited license.

4. That termination of Respondent’s conditional limited license constitutes grounds for the revocation of Respondent’s surrendered nursing license, license number PN-7243.

ORDER

Based upon the foregoing Findings of Facts and Conclusions of Law, the Board of Nursing hereby orders as follows:

1. The Notice of Termination of Respondent’s Conditional Limited License is affirmed;

2. Respondent’s license to practice as a licensed practical nurse, license number PN-7243, is hereby revoked; and

3. Should Respondent request reinstatement of licensure in the future, Respondent must present:
   a. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol; and
   b. Documentation that she is rehabilitated and competent to practice nursing by submitting:
      1. A comprehensive drug/alcohol evaluation completed by a qualified evaluator at the time of application for reinstatement.
      2. A detailed summary of employment since licensure revocation.
      3. Documentation of activities engaged in to address drug/alcohol issues, to include a documentation of an active recovery program.
This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal this final order to district court by filing a petition in the district court of the county in which: (a) a hearing was held, (b) the final agency action was taken, (c) the party seeking review of the order resides, or (d) the real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 26th day of November, 1997.

IDOAH BOARD OF NURSING

By [Signature]
Charles Moseley, C.R.N.A, Board Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of November, 1997, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail, postage prepaid, addressed to:

Shari M. Black
175 Crimson Drive
Idaho Falls, ID 83401

[Signature]
Sandra Evans, Ma.Ed., RN.
Executive Director

ORDER - 4
TO: Shari Black
175 Crimson Drive
Idaho Falls ID 83401

NOTICE OF TERMINATION OF CONDITIONAL LIMITED LICENSE

You are hereby notified that the conditional limited license, number PN-7243, issued under provisions in IDAPA 23.01.132, is terminated, effective immediately.

You are further notified that such action is deemed necessary in the interest of public health, safety and welfare due to:

...failure to comply with the terms and conditions of conditional limited licensure

You may request a hearing before the Board of Nursing regarding this matter by depositing within the mail within twenty (20) days after receipt of this notice a certified letter addressed to the Board of Nursing and containing a request for a hearing.

If you fail to request a hearing, the Board of Nursing will enter an order of revocation or suspension of licensure at their November 5-6, 1997 meeting.

Dated: September 4, 1997

SANDRA EVANS, MA.Ed, R.N.
Executive Director
Idaho Board of Nursing

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.
SHARI BLACK
175 CRIMSON DRIVE
IDAHO FALLS ID 83401

4a. Article Number: 590 131 571
4b. Service Type: Certified
   - Registered
   - Express Mail
   - Return Receipt for Merchandise
   - COD

5. Received By: (Print Name)
   X Gary Gandy

6. Signature: (Addressee or Agent)
   Domestic Return Receipt

PS Form 3811, December 1994
Sept. 22, 1997

Dear Sandy,

I'm writing this in response to the letter I received from you regarding the status of my nursing license. I am hoping and praying to be able to convince you not to revoke my license. As I have explained before, I am in a position at work now that I really enjoy. It does not require me to have a license. That, combined with my financial status, has made me less than as eager to put in all the time and effort required to get my license back. I have remained sober and I do attend my meetings, although not as many as in my contract. I feel very good about myself, and after everything I've been through, I believe I am a good, caring, knowledgeable and efficient nurse. I am still pursuing my R.N. and will probably even have that before I would even get my license back. By the way, how would that work?

Anyway, I am happy with my life and career right now, but I wish to keep my nursing license and become an R.N. for future possibilities. Please allow me a chance to do this, and let me know what I need to do this time.

Sincerely,

[Signature]
Shari Black

Exhibit B
BEFORE THE IDAHO STATE BOARD OF NURSING

In the matter of a license of: Shari Black, Conditional Limited License No. PN-7243, Respondent.

Case No. BON 96-31

NOTICE OF HEARING

To: Shari Black
175 Crimson Drive
Idaho Falls, Idaho 83401

On September 4, 1997, the Idaho State Board of Nursing ("Board") entered and served upon you a "Notice of Termination of Conditional Limited License," a copy of which is attached hereto as "Exhibit A." In response to that Notice, you sent a letter to the Board dated September 22, 1997 (copy attached as "Exhibit B"), requesting that your license not be revoked. The Board construes your letter as a request for hearing.

Pursuant to the provisions of title 54, chapter 14, Idaho Code, and the duly promulgated rules of the Idaho State Board of Nursing, you are hereby notified and requested to appear before the Board on the 6th day of November, 1997, at 3:00 p.m. at the Board of Nursing Office, 280 North 8th Street, Suite 210, Boise, Idaho, and from time to time thereafter as may be required by the Board, to show cause, if any, why your license to practice nursing in the State of Idaho should not be terminated or other disciplinary actions imposed, on the grounds stated in the Notice of termination, dated September 4, 1997.
Respondent is hereby notified that she may appear with or without the assistance of an attorney on the day and at the time and place specified in this Notice of Hearing and present testimony and argument of her defense in respect to the alleged violations contained in the Notice of Termination. Respondent is further notified that if she fails to appear, the Board may proceed and determine this matter in her absence.

All persons requiring assistance pursuant to the Americans with Disabilities Act in order to participate in or understand the hearing must request such assistance ten (10) days in advance of the hearing by contacting the Board Office at the number or address listed below.

The hearing will be conducted pursuant to the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of the Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01. Copies of the Administrative Procedure Act and the Idaho Rules of the Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library.

All original official documents must be filed with the Idaho State Board of Nursing, 280 North 8th Street, Suite 210, Boise, Idaho, 83720-0061; telephone (208) 334-3110; FAX (208) 334-3262.

DATED this 15th day of October, 1997.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By  
Roger L. Gabel
Deputy Attorney General

NOTICE OF HEARING - 2
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 1997, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail and certified mail, postage prepaid, addressed to:

Shari Black
175 Crimson Drive
Idaho Falls, Idaho  83401

ROGER L. GABEL
Deputy Attorney General
TO: Shari Black  
175 Crimson Drive  
Idaho Falls ID 83401

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You may request a hearing before the Board of Nursing regarding this matter by depositing within the mail within twenty (20) days after receipt of this notice a certified letter addressed to the Board of Nursing and containing a request for a hearing.

If you fail to request a hearing, the Board of Nursing will enter an order of revocation or suspension of licensure at their November 5-6, 1997 meeting.

Dated: September 4, 1997

SANDRA EVANS, MA.Ed, R.N.  
Executive Director  
Idaho Board of Nursing

LD:lhe

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.
Sept. 22, 1997

Dear Sandy,

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Sincerely,

Shari Black