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

STEPHANIE CULP

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
Stephanie Culp  
308 15th Avenue South  
Nampa ID 83651

Dear Ms. Culp:

During their meeting on January 27-28, 2011, the Board of Nursing members took action to accept the Stipulation and Consent Order in which your professional nurse license, N-22649 was for a minimum period of two (2) years beginning January 28, 2011. During the period of suspension, you may not practice nursing in the State of Idaho. Enclosed is a copy of the Final Order which became effective January 28, 2011.

You may not seek reinstatement of your license until you have satisfied the Requirements for Reinstatement as indicated in the Order, Section C.2.

Sincerely,

[Signature]

SANDRA EVANS, MAEd, RN  
Executive Director

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 IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
) Case No. BON 10-075
STEPHANIE CULP, )
License No. N-22649, )
) STIPULATION AND
Respondent. ) 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 Stephanie Culp ("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. JURISDICTION OF THE BOARD

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 No. N-22649 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.

B. STIPULATION FACTS AND LAW

B.1. On March 9, 2001, Respondent voluntarily surrendered her license to the
Board after failing to comply with the requirements of the Program for Recovering
Nurses (PRN);

B.2. On March 23, 2001, Respondent was issued a limited license after the
Board received a letter from PRN in support of Respondent’s return to practice;

///
///
B.3. October 9, 2003, Respondent’s limited license was terminated by the Board for Respondent’s failure to abstain from the use of mind-altering chemicals, which was required by the terms of Respondent’s limited license.

B.4. January 29, 2004, Respondent’s license was revoked by the Board due to Respondent’s failure to abstain from the use of mind-altering chemicals as a condition of her prior limited license.

B.5. On June 19, 2006, Respondent was again granted a limited license by the Board on the basis of her successful recovery efforts. Respondent was granted a conditional limited license for a period of three (3) years.

B.6. In July of 2009, Respondent successfully completed the three (3) year period of conditional practice on her limited license.

B.7. During March 2010 and April 2010, Respondent relapsed in her substance abuse recovery. More specifically, Respondent misused control substances prescribed for her by using the medications more frequently and in larger quantities than prescribed following surgery.


B.9. On October 20, 2010, Respondent voluntarily surrendered her license to the Board in light of her admitted relapses in March, April, and September of 2010.

B.10. Respondent is not eligible for PRN because she withdrew from the program in 2003 and did not complete the monitoring requirements.

B.11. The allegations of Paragraphs B.1 through B.10, 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)(e) and Board Rule 100.06 (a nurse shall not habitually use alcoholic beverages or drugs as defined by Board Rule);

b. Idaho Code § 54-1413(1)(g) and Board Rule 100.08 (a nurse shall not violate the Board’s laws, rules or standards of conduct and practice);

c. Idaho Code § 54-1413(1)(h) and Board Rule 100.09 (a nurse shall not engage in conduct of a character likely to deceive, defraud or endanger patients or the public);

d. Board Rule 101.04.a (a nurse shall have knowledge of the statutes and rules governing nursing and shall function within the defined legal scope of nursing practice);

e. Board Rule 101.04.d (a nurse shall act to safeguard the patient from the incompetent practice, verbal or physical abusive acts or illegal practice of any person);

f. 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.); and

g. Board Rule 101.05.c (a nurse shall be responsible and accountable for his/her nursing judgments, actions and competence).

B.12. 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.

C. Stipulated Discipline

C.1. Respondent’s license, N-22649, to practice nursing is SUSPENDED for a minimum period of two (2) years beginning on the date the Board executes this Stipulation and Consent Order. During the period of suspension, Respondent shall not practice nursing in the state of Idaho. Respondent shall not seek reinstatement of her license until she has satisfied the Requirements for Reinstatement listed below. Upon
reinstatement, the Board reserves the right to issue Respondent a Limited License as stated below.

C.2. At such time as Respondent requests reinstatement of licensure, she shall comply with the requirements set forth in applicable statutes and rules including Idaho Code § 54-1411(3). Respondent shall further comply with the provisions of IDAPA 23.01.01, Sections 61.04 and 120, as applicable. In addition, Respondent must submit the following with any request for reinstatement:

a. Documentation that she has abstained from the use of non-medically prescribed drugs or alcohol for an extended period of time of not less than two (2) years;

b. Documentation of active recovery, including regular and sustained attendance at twelve-step meetings, an endorsement by twelve-step sponsor of recovery, and evidence of completion of a relapse prevention program with an outline of a relapse prevention plan;

c. A drug and alcohol evaluation, completed within six (6) months of applying for reinstatement;

d. Documentation of attendance at mental health counseling;

e. Documentation from her primary mental health provider(s) describing Respondent’s current medical condition(s) and listing her prescriptions, including the dose/frequency and rationale for the medications prescribed. Such documentation shall also include evidence from Respondent’s primary mental health provider(s) of Respondent’s stability on psychiatric medications, if any. The provider shall also identify any concerns that he/she may have about Respondent’s ability to safely practice nursing and what restrictions, if any, should be placed upon Respondent’s practice. When requesting such documentation, Respondent shall provide the provider with, and request that the provider review, the Idaho Board of Nursing Position on Safety to Practice. A copy of the Idaho Board of Nursing Position on Safety to Practice is attached as Exhibit A; and
f. Respondent shall submit any additional documents or information requested by the Board in order to evaluate Respondent’s safety to practice.

C.3. **Limited License:** Pursuant to Board Rule 132, Respondent may be issued a Limited License with Non-Practicing Status or Restricted Status upon reinstatement. Respondent shall also be issued a single state license as set forth below.

a. **Non-Practicing Status:** If the Board determines that Respondent is prevented from practicing nursing due to her health status, a Limited License with Non-Practicing Status may be issued to Respondent pursuant to Board Rule 132.02. As set forth in Board Rule 132.02(b), this license “does not entitle [Respondent] to engage in the active practice of nursing.” The non-practicing status may be lifted upon a showing to the satisfaction of the Board that Respondents is no longer prevented from safely practicing nursing due to her health status. See Board Rule 132.02(c).

b. **Restricted Status:** If the Board determines that Respondent’s ability to practice nursing is restricted due to the health status of Respondent, a Limited License with Restricted Status may be issued to Respondent pursuant to Board Rule 132.03. Any conditions placed upon Respondent’s license shall incorporate the Idaho Board of Nursing Position on Safety to Practice in accordance with Board Rule 132.03(c). The restricted status may be lifted upon a showing to the satisfaction of the Board that Respondent’s health status no longer restricts her ability to safely practicing nursing. See Board Rule 132.03(d).

c. **Single-State License:** If a Limited License is issued to Respondent, her 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.

C.4. The Board reserves the right to assess investigative costs incurred in this matter as a condition of reinstatement, and to impose such other conditions upon Respondent’s reinstated license as the Board may deem appropriate in its discretion.
C.5. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.6. If Respondent fails to comply with any of the terms and conditions set forth in this Stipulation and Consent Order, the Board may order that Respondent’s nursing license be revoked or suspended indefinitely until such time as Respondent has come into compliance with the terms and conditions of this Stipulation and Consent Order. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation and Consent Order. Any action taken by the Board to enforce compliance with this Stipulation and Consent Order shall be in accordance with Section E. The Board may also require Respondent to pay any additional costs incurred by the Board to enforce this Stipulation and Consent Order.

D. Presentation of Stipulation to Board

D.1. The Board’s prosecutor shall present this Stipulation to the Board with a recommendation for approval.

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.

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. The Board has authority to enforce compliance with the terms and conditions of this Stipulation and Consent Order. By signing this Stipulation and Consent Order, Respondent waives her ability to challenge the Board’s authority to enforce compliance on appeal to a district court. If there is reason to believe Respondent has violated any of the terms or conditions of this Stipulation and Consent Order, the Executive Director of the Board shall file a Motion to Enforce setting forth the allegations of non-compliance. The Motion to Enforce will include notice to Respondent, and her attorney, if applicable, of the allegations of non-compliance and Respondent’s opportunity to request a hearing regarding the allegations of non-compliance. If Respondent fails to request a hearing pursuant to the Motion to Enforce, any allegations of non-compliance will be deemed admitted.

E.2. If Respondent is found to have violated the terms and conditions of this Stipulation and Consent Order, Respondent’s license shall be revoked or suspended indefinitely until Respondent has come into compliance with the terms and conditions of the Stipulation and Consent Order as set forth in Section C.6 above. Any additional costs incurred by the Board in such enforcement action shall be the responsibility of Respondent.

E.3. If Respondent is found to have not violated the terms and conditions of this Stipulation and Consent Order, Respondent’s license shall be reinstated to the status of the license at the time the Motion to Enforce was filed.

F. Waiver of Procedural Rights

I, Stephanie Culp, by affixing my signature hereto, acknowledge that:

F.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.

///

STIPULATION AND CONSENT ORDER - 7
F.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.

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

F.4. I understand that this Stipulation and Consent Order is the resolution of a contested case and is a public record.

F.5. I understand that this Stipulation contains the entire agreement between the parties, and I agree that I am 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 to 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 13 day of January, 2011.

[Signature]
Stephanie Culp
Respondent
I recommend that the Board enter an Order based upon this Stipulation.

DATED this 20th day of January, 2011.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By
Andrew J. Snook
Deputy Attorney General

ORDER

Pursuant to Idaho Code §§ 54-1404 and 54-1413, the foregoing is adopted as the decision of the Idaho State Board of Nursing in this matter and shall be effective on the 25th day of January, 2011. 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 31st day of January, 2011, I caused to be served a true and correct copy of the foregoing by the following method to:

Stephanie Culp  
308 15th Avenue South  
Nampa, ID 83651

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

Andrew J. Snook  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile:
☑ Statehouse Mail

Linda Coley  
Management Assistant  
Idaho Board of Nursing
In response to questions from nurses and their employers, the members of the Board of Nursing addressed
the issue of ‘safety to practice’. In particular, nurses wanted to know if they should continue to practice
while taking prescribed medications, including pain medications; whether they should refuse assignments
to work overtime or extra shifts; whether they should consider retirement from practice when they have
reached a certain chronological age.

The Board’s “Position on Safety to Practice” provides thoughtful direction to assist nurses and their
employers in addressing these concerns.

**IDAHOBORD OF NURSING**
**POSITION ON SAFETY TO PRACTICE**
Adopted April 29, 2005

One essential element of safe nursing practice is a nurse’s functional ability: the competence and
reliability with which a nurse is able to practice at any given time.

The board is aware that nurses sometimes experience situations that may compromise their ability to
safely practice for either the short or long term. Some of these situations involve personal or job-
related stress, sleep deprivation, the normal effects of aging, and episodic or persistent health
conditions, some of which may require pain management or the use of maintenance-level prescribed
medication. The list is not exclusive.

Whether a nurse should continue active nursing practice when that practice may be compromised
depends upon the nurse’s ability to function safely and effectively. The assessment of functional
ability is an individualized process that does not lend itself to application of a set format based on
select elements. On the contrary, assessment of functional ability requires active consideration of all
relevant factors, such as diagnosis, prescribed treatment and situational events, as well as an
evaluation of the impact of those factors on the individual being assessed.

Although constant evaluation of one’s ability to safely and competently practice nursing is the
responsibility of each individual nurse, the Board of Nursing remains the ultimate decision maker. In
some instances, it may be necessary for the board to require objective physical and/or functional
assessment, using reliable psychometric instruments and methods administered by qualified licensed
professionals. For example, even though an individual nurse might perceive that he is capable of safe
practice, a neuropsychiatric assessment, done at the Board’s request, may indicate functional
impairment.

Licensed nurses are accountable for assuring that their actions and behaviors meet all applicable
standards at all times. This requires constant awareness of the demands of the job and a continual
process of evaluation and assessment in order to make sure that the nurse is fit to practice and
competent to safely perform those functions that fall within the defined scope of nursing practice and
for which the nurse has accepted responsibility. Nurses who practice while not fit to do so may be
subject to disciplinary action by the board including, among others, license suspension or revocation,
remedial measures, or monitored practice.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postage</td>
<td></td>
</tr>
<tr>
<td>Certified Fee</td>
<td></td>
</tr>
<tr>
<td>Return Receipt Fee (Endorsement Required)</td>
<td></td>
</tr>
<tr>
<td>Restricted Delivery Fee (Endorsement Required)</td>
<td></td>
</tr>
<tr>
<td>Total Postage &amp; Fees</td>
<td></td>
</tr>
</tbody>
</table>

For delivery information visit our website at [www.usps.com](http://www.usps.com).

Sent To:

**STEPHANIE L CULP**  
308 15TH AVE SD.  
NAMPA, ID. 83651

PS Form 3800, August 2006  See Reverse for Instructions