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

DEBRA EISENBEIS
PN-8613
Debra Eisenbeis  
9478 W Marigold Street  
Garden City, ID 83714  

Dear Ms. Eisenbeis:

During their meeting on October 27-28, 2011, the Board of Nursing members took action to accept the Findings of Fact, Conclusions of Law and Final Order in which your practical nurse license, PN-8613 was indefinitely suspended. During the period of suspension, you may not practice nursing in the State of Idaho. Enclosed is a copy of the Final Order.

The Order became effective November 1, 2011. Please be advised that you may not apply for reinstatement for a period of three (3) years from the date of this order.

Sincerely,

SANDRA EVANS, MAEd, RN  
Executive Director

SE:hlc  
enclosure
The Idaho State Board of Nursing ("Board") hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. The Board regulates Idaho nursing practice pursuant to title 54, chapter 14, Idaho Code.

2. Debra R. Eisenbeis ("Respondent") is licensed by the Board under License No. PN-8613 to practice nursing in the State of Idaho.

3. Respondent’s continued right to licensure is subject to her compliance with the laws of the Board codified at title 54, chapter 14, Idaho Code, and the rules of the Board, promulgated at IDAPA 23.01.01, et seq.

4. On January 29, 2009, Respondent submitted an Application for Nurse Licensure to the Board. On Respondent’s application, Respondent disclosed that there was pending action against her nursing license in another state, and Respondent also provided the Board with a letter on January 30, 2009, describing the nature of the action pending against her license in Washington.

5. On March 9, 2009, the Board issued Respondent an Idaho nursing license (PN-8613).
6. On July 8, 2010, Respondent properly renewed her Idaho nursing license with the Board.


8. On November 10, 2010, the Washington Commission provided the Board with the Final Order and other information regarding Respondent’s disciplinary action in Washington, pursuant the Board’s request for such information.

9. On November 24, 2010, the Board sent a letter of concern to the Respondent notifying Respondent of the potential for disciplinary action against her Idaho nursing license and requesting that Respondent contact the Board to discuss.

10. On November 29, 2010, the Respondent contacted the Board via phone to discuss the potential disciplinary action against her Idaho license. Respondent was instructed to follow up with the Board on January 20, 2011.

11. On January 20, 2011, Respondent failed to follow up with the Board. To date, Respondent has not contacted the Board or otherwise communicated with the Board regarding this matter. As a result, Respondent has become uncooperative with the Board’s investigation.
12. On June 30, 2011, the Board filed an Administrative Complaint against Respondent.

13. On July 13, 2011, Respondent and her attorney, Shane Bengoechea, met with Janet Edmonds, Director of Professional Compliance for the Board, to discuss Respondent’s case.

14. On or about September 21, 2011, Respondent voluntarily surrendered her license to practice nursing in the State of Idaho. In the course of voluntarily surrendering her license, Respondent did not admit that she violated any of the Board’s laws or rules. However, Respondent did acknowledge that the Board has sufficient evidence from which it might find and conclude that such a violation occurred. She also waived her rights to a hearing, and she consented to the Board entering an order accepting her voluntary surrender and revoking or otherwise disciplining her license as the Board deemed appropriate in its discretion. A true and correct copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit A.

15. 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 the provisions of title 54, chapter 14, Idaho Code, and the rules and regulations promulgated by the Board.
2. Respondent's Idaho License No. PN-8613 is conditioned upon her compliance with the laws and rules of the Board.

3. The allegations against Respondent, if proven, would constitute violations of the Idaho Nurse Practice Act and represent grounds for disciplining Respondent’s license to practice nursing pursuant to Idaho Code § 54-1413, specifically:
   a. 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); and
   b. Idaho Code § 54-1413(i) and Board Rule 100.10 (a nurse shall not have his/her license to practice nursing limited, restricted, suspended, revoked, or otherwise disciplined in any jurisdiction).

4. Pursuant to Idaho Code § 54-1413(3)(a), Respondent’s voluntary surrender of her license empowers the Board, without a hearing, to revoke or suspend Respondent’s license and/or impose such conditions, limitations, or restrictions on her license as the Board in its discretion may deem appropriate.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, it is hereby ordered that:

1. License No. PN-8613 issued to Debra R. Eisenbeis is hereby:
   ____ Revoked.
   X Suspended. _____ days _____ year(s) X indefinitely.

   During the period of suspension, Respondent shall not practice nursing in the state of Idaho.
2. Respondent may not apply for reinstatement for a two (2) year period after entry of this Order or a three (3) year period after entry of this Order, whichever period is greater. At such time as Respondent requests reinstatement of licensure, she shall comply with the requirements of Idaho Code § 54-1411(3) and IDAPA 23.01.01.062. This will include, but is not limited to, providing the following information to the Board:

   a. Documentation evidencing Respondent’s compliance with and/or completion of her nursing probation in the State of Washington; and

   b. Any other evidence deemed necessary by the Board to determine if Respondent is appropriate for licensure as a nurse in the State of Idaho.

3. Upon reinstatement of Respondent’s license to practice nursing in the state of Idaho, the Board, in its sole discretion, may issue Respondent a single-state license whereby 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.

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

This order is effective immediately.

DATED this 1st day of November, 2011.

IDAHO STATE BOARD OF NURSING

By

Susan Odom, Ph.D., R.N.
Chair

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FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER - 5
NOTICE OF DUE PROCESS RIGHTS

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 or orders previously issued in this case may appeal this final order and all previously issued orders in this case 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 issuance of this final order, (b) of 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.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1ST day of NOVEMBER, 2011, I caused to be served a true and correct copy of the foregoing by the following method to:

Debra Eisenbeis
9478 W. Marigold Street
Garden City, ID 83714

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

Shane Bengoechea, Esq.
Bengoechea Law Office, PLLC
671 E. Riverpark Lane, Ste. 120
Boise, ID 83706

- 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
- Certified Mail, Return Receipt Requested
- Facsimile:
- Email: andy.snook@ag.idaho.gov
  leslie.gottsch@ag.idaho.gov

Linda H. Coley, Management Assistant
Board of Nursing
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DEBRA EISENBEIS
9478 W. MARIGOLD STREET
GARDEN CITY, ID 83714

Street, Apt, or P.O. Box
Only Shi

PS Form 3800, August 2006 See Reverse for Instructions