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

STEVE FISHER
PN-10865

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

In the Matter of the License of:)
)
STEVIE J. FISHER) Case No. 04-106
License No. PN-10863)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER)

Respondent.

Having reviewed the documents filed in this matter, the Idaho State Board of Nursing (hereinafter the "Board") enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Steve J. Fisher ("Respondent") is licensed by the Idaho State Board of Nursing ("Board") under license No. PN-10863 to engage in the practice of nursing in the State of Idaho.

2. On or about September 22, 2004, Respondent renewed his license on-line and indicated he had recently completed treatment for ETOH abuse.

3. On October 5, 2004, Respondent signed a Rule 132.04 voluntary surrender form and returned his license to the Board. On January 10, 2005 Respondent signed a monitoring contract with PRN but did not initial the aftercare requirements. See, Exhibit A attached hereto.

4. On January 28, 2005, the Board was advised by PRN that Respondent was non-compliant with the contract, as he was not fulfilling the aftercare requirements. Respondent was sent a letter by the Board advising him of his non-compliant status and what he needed to do to become compliant. See Exhibit B.

5. On March 1, 2005, the Board was advised by PRN that Respondent continued to be non-compliant with the terms of the contract. On March 16, 2005 Respondent contacted the Board and stated he was in the process of becoming compliant. Based upon the message received the Board wrote to Respondent two days later and told
him he was authorized to re-enroll in the PRN but that he must be in compliance at all times. On April 11, 2005 a new contract was signed. See, Exhibit C, attached hereto.

6. On May 13, 2005 the Board received a report of non-compliance from the PRN. See, Exhibit D, attached hereto.

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.

2. Respondent’s Idaho licensure, PN-10863 is conditioned upon him complying with all the laws, rules and regulations. Respondent’s actions and failure to act as set forth above are in violation of Idaho Code §§ 54-1413(1)(e) and (g) and IDAPA 23. 01.01.100.06 and IDAPA 23.01.01.101.01, and IDAPA 23.01.132 and hence constitutes grounds for discipline.

3. Respondent’s acts as set forth above constitute violations of Idaho Code § 54-1413, thereby authorizing the Board to impose sanctions against Respondent pursuant to Idaho Code § 54-1413(3)(a) and Idaho Code Section 67-5242(4).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, it is hereby ordered that License No. PN-10863 issued to Steve J. Fisher, 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 he present the following information to the Board with his application for reinstatement:

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 2
1. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol;

2. Documentation that he 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 29 day of July, 2005.

IDAHO STATE BOARD OF NURSING

By, Randall Hudspeth, N.P., C.N.S.
Chairman

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 3
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 service date 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 3rd day of August, 2005, 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:

Cheri L. Bush
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

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

Steve J. Fisher
2640 E. Lincoln
Idaho Falls, ID 83401

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, Board of Nursing
RULE 132.04.
VOLUNTARY SURRENDER OF LICENSE

1. STEVE J FISHER, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: ETOH ABUSE

2. I understand that the admitted facts constitute grounds for disciplinary action pursuant to the Nursing Practice Act, Idaho Code §54-1413(1) and the rules of the Board, IDAPA 23.01.01, et seq. I also understand that the Board of Nursing has the authority to accept this voluntary surrender pursuant to Idaho Code §54-1413(2)(a).

3. I am aware that, without my consent, no legal action can be taken against me, except pursuant to the Idaho Administrative Procedures Act, Chapter 52, Title 67, Idaho Code.

4. I understand that I have the following rights, among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, to present evidence and testimony on my behalf, to compel the testimony of witnesses, and to cross-examine witnesses against me; and

5. I waive all such rights, including the right to a formal disciplinary hearing.

6. I also waive the right to challenge the board for bias in the event that charges concerning these admitted facts or any other matter involving my license are brought before the board.

7. In lieu of a formal disciplinary hearing, I hereby voluntarily surrender license number W10863 and will immediately discontinue the practice of nursing in Idaho.

8. As required by Board of Nursing Rule 132, IDAPA 23.01.01.132.04, I agree to enter treatment immediately; to participate in a monitoring program and to resume the practice of nursing only at such time as a conditional limited license has been issued to me.

9. I understand that Board of Nursing representatives will, if questioned, report the status of my license as "surrendered."

DATED: 10-5-04

Signature of Licensee
2354 STREE THOMPSON
Address
located, 83201
City, State, Zip

DATED: 10/5/04
6/99-PRN

Signature of Witness

Highland Place address: 7309 S. 180 W. Midvale Ut.
FAX 801-567-9006
TEL 801-569 2153

Dates of stay Sept 1-17 2004