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

JENNIFER FREEMAN
PN-12398

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
INDIVIDUAL:
SSN: "***-**-4127 Name: FREEMAN, JENNIFER ANNE ANNE
DOB: 01/10/1979 Gender: F

LICENSES DISCIPLINED:
IDAHO | PN | 12398

GENERAL CASE INFORMATION:
Case Number: 659823 Date Action Was Taken: 07/22/2011
Jurisdiction: IDAHO
General Case Comments:

VIOLATIONS (BASIS FOR ACTION):
Violation Code: 05 - FRAUD - UNSPECIFIED
HIPDB Narrative (Comments): Fraud in submitting an application for license renewal

INITIAL ACTIONS:
Initial Code: 1140 - REPRIMAND OR CENSURE
Duration: 07/22/2011 - INDEFINITE/UNSPECIFIED
Created: 08/01/2011 Created By: LCOLEY

License was issued an Order of Reprimand for failing to file a renewal application. She was assessed a fine of $1,000.00.

Initial Report Attached Documents:
- [PDF] Freeman, Jennifer Stipulation & Consent Order.pdf

REVISION ACTIONS:
There are no revisions for this Discipline Case
Jennifer Freeman  
7326 Rim Road  
Nampa ID 83686

Dear Ms. Freeman:

ORDER OF REPRIMAND

In accordance with Board of Nursing policies, you are being issued a reprimand for violating Rules and standards of nursing conduct and practice by virtue of the following:

...violation of IDAHO CODE §54-1413(1)(a) and IDAPA Rule 23.01.01.100.01.b. - a nurse shall not make a false, fraudulent, or forged statement or misrepresentation in procuring a license to practice nursing..., and
...violation of IDAHO CODE §54-1413(1)(e) and IDAPA Rule 23.01.01.100.06 - the nurse shall not habitually use alcoholic beverages or drugs to the extent it is determined by a qualified person that the individual is in need of medical or psychiatric care, treatment for rehabilitation or counseling because of drug or alcohol use, and
...violation of IDAHO CODE §54-1413(1)(c) and IDAPA Rule 23.01.01.100.02 - a nurse shall not be convicted of, or receive a withheld judgment, or enter a plea of nolo contendere to, conduct constituting a felony; and
...violation of IDAHO CODE §54-1413(1)(g) and IDAPA Rule 23.01.01.100.08 - a nurse shall not violate the Board's laws, rules or standards of conduct and practice.

It is your personal responsibility to be knowledgeable of the statutes, rules and policies and procedures governing nursing practice and to practice within those parameters.

Letters of formal Reprimand are considered formal disciplinary action by this Board and are reported to the centralized data bank and may be disclosed pursuant to the Idaho Public Records Law.

Additionally, you have also been assessed an administrative fine in the amount of $1000.00. The fine must be paid within one-hundred eighty (180) days of the date of the order.

Sincerely,

SUSAN ODOM, Ph.D., RN  
Chairman

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: )
JENNIFER ANNE FREEMAN, )
License No. PN-12398, )
Respondent. )

) Case No. BON 110701JF
) STIPULATION AND
) CONSENT ORDER

WHEREAS, information has been received by the Idaho State Board of Nursing ("Board") that constitutes sufficient grounds for the initiation of an administrative action against Jennifer Freeman ("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 nursing license PN-12398 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. STIPULATED FACTS


B.2. On or about January 25, 2007, Respondent submitted an application to the Board for the renewal of her license. On the renewal application, Respondent falsely declared she had not been convicted of, or received a withheld judgment for, any felony.

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STIPULATION AND CONSENT ORDER - 1
B.3. On or about September 16, 2008, Respondent submitted an application to the Board for the renewal of her license. On the renewal application, Respondent again falsely declared she had not been convicted of, or received a withheld judgment for, any felony.

B.4. On or about January 5, 2011, Respondent submitted an application to the Board for the renewal of her license. On the renewal application, Respondent reported and/or declared she had previously pled guilty to a charge of felony driving under the influence in 2005.

B.5. The facts set forth above constitute grounds for imposing discipline upon Respondent’s license. Respondent’s conduct violated the laws and rules governing the practice of nursing in the State of Idaho, including, but not limited to the following:

a. Idaho Code § 54-1413(1)(a) and IDAPA Rule 23.01.01.100.01.b. (a nurse shall not make a false, fraudulent, or forged statement or misrepresentation in procuring a license to practice nursing, which includes falsifying, misrepresenting facts or failing to verify and accurately report any and all facts submitted on any application for licensure, examination, relicensure, or reinstatement of licensure);

b. Idaho Code § 54-1413(1)(e) and IDAPA Rule 23.01.01.100.06 (a nurse shall not habitually use alcoholic beverages or drugs to the extent it is determined by a qualified person that the individual is in need of medical or psychiatric care, treatment or rehabilitation or counseling because of drug or alcohol use);

c. Idaho code § 54-1413(1)(c) and IDAPA Rule 23.01.01.100.02 (a nurse shall be convicted of, or receive a withheld judgment, or enter a plea of nolo contendere to, conduct constituting a felony); and

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STIPULATION AND CONSENT ORDER - 2
  d. Idaho Code § 54-1413(1)(g) and IDAPA Rule 23.01.01.100.08 (a nurse shall not violate the Board’s laws, rules or standards of conduct and practice).

B.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.

C. Stipulated Discipline

C.1. Respondent shall be issued a formal Letter of Reprimand by the Board.

C.2. Respondent shall pay to the Board an administrative fine in the amount of one thousand dollars ($1,000) within one hundred eighty (180) days of the entry of the Board’s Order.

C.3. With regard to Respondent’s alcohol and/or substance abuse issues, Respondent shall provide, and has provided, the Board with the following:

  a. Evidence of abstinence from the use of alcohol and non-medically prescribed drugs;

  b. Documentation of rehabilitation and competency to practice nursing evidenced by:

     1. A current statement from a licensed drug and alcohol counselor, and

     2. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program, and

     3. Documentation of release from all court ordered obligations.

  c. Any other requested information deemed necessary by the Board in its discretion to demonstrate Respondent’s fitness to practice nursing.

  1 During the negotiation of this Stipulation and Consent Order Respondent satisfied the requirements of section C.3.
C.4. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.5. 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

1, Jennifer Freeman, 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.

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STIPULATION AND CONSENT ORDER - 5
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 Idaho Administrative Procedure Act 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 this matter.

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 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 3 day of July, 2011.

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

DATED this 11th day of July, 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 Board of Nursing in this matter and shall be effective on the 23rd day of July, 2011. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By
Susah Odom, Ph.D., R.N.
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July, 2011, I caused to be served a true and correct copy of the foregoing by the following method to:

Via U.S. Mail and Certified Mail, Return Receipt Requested
Jennifer Freeman
7326 Rim Road
Nampa, ID 83686

Via Statehouse Mall
Andrew J. Snook
Deputy Attorney General
P.O. Box 83720
Boisé, ID 83720-0010

Linda Coley, Management Assistant
Idaho Board of Nursing

STIPULATION AND CONSENT ORDER - 7
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7/20/11

Postmark Here

JENNIFER FREEMAN
7326 RIM ROAD
NAMPA ID 83686