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

LORI GILL
PN-9865
May 17, 1999

Lori Ann Gill
1945 Sierra
Idaho Falls ID 83402

Dear Ms. Gill:

During their meeting on May 13, 1999, the Board of Nursing members took action to issue a formal Order of Revocation of license. Enclosed are the Findings of Fact, Conclusions of Law and Final Order.

The Order revoking your license became effective May 13, 1999. Please be advised that you may not practice nursing in the State of Idaho during the time your license is revoked.

Sincerely,

SANDRA EVANS, MAEd, RN
Executive Director

SE: lhc

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:  )  Case No. 98-073
LORI ANN GILL,  )  FINDINGS OF FACT,
License No. PN-9865, )  CONCLUSIONS OF LAW,
Respondent.  )  AND FINAL ORDER

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho Board of Nursing (hereinafter the "Board") hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent LORI ANN GILL ("Respondent") is a duly licensed nurse in the State of Idaho holding License No. PN-9865.

2. On or about October 8, 1998, the Board of Pharmacy received a complaint from Respondent’s employer, Idaho Falls Care Center, of suspected drug use and diversion by Respondent. A true and copy of the Board of Pharmacy’s investigation report is attached hereto as Exhibit 1. The Board of Nursing received the complaint on or about October 20, 1998.

3. On or about November 23, 1998, Respondent voluntarily surrendered her license, admitting to violations of the Nursing Practice Act. A true and correct copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit 2.

4. Respondent entered the Program for Recovering Nurses ("PRN"). On or about March 4, 1999, the PRN notified the Board that Respondent was not in compliance with her contract. A true and correct copy of the letter received by the Board from the PRN regarding non-compliance is attached hereto as Exhibit 3.
5. On or about April 2, 1999, the PRN Advisory Committee reviewed Respondent’s file, and determined she was non-compliant with her PRN monitoring contract. A true and correct copy of the Advisory Committee recommendation is attached hereto as Exhibit 4.

6. Respondent knowingly and freely waived her right to a hearing, and waived all rights granted to her 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 to the provisions of title 54, chapter 14, Idaho Code, and the rules and regulations promulgated by the Board thereunder.

2. Respondent’s admission of violations of the Nursing Practice Act and Rules constitutes grounds for revocation or suspension of Respondent’s license to practice nursing pursuant to Idaho Code § 54-1413 (1)(e), 54-1413(1)(g), 54-1413(1)(h), IDAPA 23.01.01100.06 and 100.09.b.

3. Respondent’s voluntary surrender of licensure authorizes the Board to revoke or suspend Respondent’s license without further process pursuant to Idaho Code § 54-1413(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, that Nursing License No. PN-9865 issued to Respondent LORI ANN GILL is

✓ Revoked

Suspended _____ days/year(s) _____ indefinitely

based upon voluntary surrender, and is subject to subsequent review pursuant to Idaho Code § 54-1413(3).
It is further ordered that, should Respondent request reinstatement of licensure in the future, that she present the following information to the Board with her application for reinstatement:

1. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol;
2. Documentation that she is rehabilitated and competent to practice nursing by submitting:
   a. A comprehensive drug/alcohol evaluation completed by a licensed mental health care provider at the time of application for reinstatement;
   b. A detailed summary of employment since licensure revocation or suspension;
   c. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program; and
3. Evidence of financial compliance with NCPS and the Program for Recovering Nurses.

This order is effective immediately.

DATED this 13th day of May, 1999.

IDAHO BOARD OF NURSING

By Charles Moseley, CRNA
Charles Moseley, CRNA
Chairman
NOTICE OF DUE PROCESS RIGHTS

NOTE: THIS NOTICE IS PROVIDED SOLEY FOR COMPLIANCE WITH IDAHO CODE § 67-5248, AND IS NOT INTENDED TO REINSTATE ANY RIGHTS PREVIOUSLY WAIVED BY RESPONDENT.

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 Board 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 Board 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.

If respondent’s license was revoked, then pursuant to Board Rule 121, Respondent may apply to the Board for reinstatement one (1) year after the execution of this Order. At the time of application, the Board may conduct further evidentiary hearings to determine whether to grant a license, extend a limited license, or deny application for reinstatement.

If respondent’s license was suspended, then pursuant to Board Rule 120, Respondent may apply to the Board within a reasonable time after the execution of this Order, or as specified by the term of suspension. At the time of application, the Board may conduct further evidentiary hearings to determine whether to grant a license, extend a limited license, or deny application for reinstatement.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17TH day of MAY, 1999, 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, certified mail, return receipt requested, and regular mail, postage prepaid, addressed to:

Lori Ann Gill
1945 Sierra
Idaho Falls, ID 83402

(Signature)

Sandra Evans, M.A.Ed., R.N.
Executive Director
3. Article Addressed to:

Lori Ann Gill
1945 Sierra
Idaho Falls ID 83402

4a. Article Number
2273 760 233

4b. Service Type
☐ Registered ☑ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

5. Received By: (Print Name)
Lori Ann Gill

6. Signature: (Addresssee or Agent)
X Lori Ann Gill

7. Date of Delivery
5-21

8. Addresssee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Domestic Return Receipt

PS Form 3811, December 1994
Received By: C. Domeny  Date: 10-8-98

COMPLAINANT / REQUEST FOR ASSISTANCE:
Name: Benn Brinkerhoff - Administrator  Phone: 529-0007
Representing: Idaho Falls Care Center
Address: Id. Falls

SUBJECT INFORMATION:
Name: Lori Gill  DOB:  SSN: 
Professional: LPN  Prof. Lic. No.  DEA  CS
Sex:  Height:  Weight:  Hair:  Eyes:  Nationality  
Address:  Tel:  

Scars, Marks, Occupation, Other:  

AKA's:  

OFFENSE: Abuse / Possible diversion

DRUG(S) Morphine

SYNOPSIS: Lori was subj of random urine by employee. Test came back positive for morphine. Denied use. Records review of patient records revealed that Lori gave more meds than other nurses - patients claimed no relief.

10-9-98 Called Lori - talked w/husband who claims to be recovering addict. Also talked to Lori. Convinced both that they should contact John Southworth, Lori denied taking meds.
VOLUNTARY SURRENDER OF LICENSURE

I, ____________, admit that:

I am addicted to pain pills and
is currently participating in the Program
for Recovering Nurses.

II

I understand and acknowledge that the admitted facts constitute grounds for disciplinary action under Section 54-1413, of the Nursing Practice Act, IDAHO CODE.

III

I hereby voluntarily surrender license number PN-98165 and I shall forthwith discontinue the practice of nursing in Idaho.

IV

I hereby waive the right to a hearing concerning the foregoing admitted facts, and waive my rights under the provisions related to contested cases in the Administrative Procedures Act, Chapter 52, Title 67, IDAHO CODE.

Dated: 11-23-98
1998-2000

State of Idaho
Board of Nursing

License Number
PN-9865

1954 Sierra
Address
IDAHO FALLS, ID 83402

Signature of Licensee

has complied with the requirements of the law and is entitled
to practice as a LICENSED PRACTICAL NURSE (LPN)

Lori Gill

Signature of Witness

Valid when signed by licensee

Lori Gill

Exhibit 2 1/89/93/98
Page 1 of 1
March 4, 1999

Sandra Evans  
Board of Nursing  
P.O. Box 83720  
Boise, ID 83720-0061

RE: Lori Gill

Dear Ms. Evans,

On February 11th, we sent Ms. Gill a letter stating that she had 5 days to come in to full compliance with all of her contract requirements or the Board of Nursing would be notified. At that time, she was not consistent in calling in to NCPS every day for UA testing nor was she attending the Wednesday night group meeting with Art Phelps every week. We were also not receiving client activity reports on a weekly basis.

As of today, Ms. Gill is still not in full compliance. She did not attend the Wednesday night support group last night, nor on 2/24. Until Ms. Gill can maintain full compliance with the PRN program, we cannot advocate for her.

Enclosed is a copy of Ms. Gill’s PRN contract. If you have any further questions or concerns, please feel free to contact me.

Sincerely,

John Southworth, CADC  
PRN Coordinator  
(208) 891-4726 cellular  
(800) 729-0533 pager

cc: Lori Gill  
Art Phelps

*An Alternative to Disciplinary Action program offered by the Idaho Board of Nursing.*

3/11 97 - TC Kristie - haven't been doing reports - missed NCPS
TO: SANDRA EVANS, MAEd, RN  
Executive Director  
Idaho Board of Nursing

FROM: Analyn Frasure, LPN, Chairperson of  
Program for Recovering Nurses

DATE: APRIL 2, 1999

The file of Lori Gill was reviewed at the Advisory Committee meeting on April 2, 1999, and found to be in non-compliance of recommendations because of the following:

Failure to comply with all terms and conditions of the Contract for Monitoring

The Committee made the following recommendation(s):

Refer to Board for disciplinary action.

File reviewed by Executive Director:

Signature: 

Date: 4-6-99

Action Recommended to Board: Education based on voluntary surrender.

An Alternative to Disciplinary Action program offered by the Idaho Board of Nursing.