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

RUTH GOICOECHEA
N-13824
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:  
)  
RUTH GOICOECHEA  
)  
License No. N-13824  
)  
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. Ruth Goicoechea (hereinafter “Respondent”) is licensed by the Idaho State Board of Nursing under License No. N-13824 to engage in the practice of nursing in the State of Idaho.

2. On or about August 27, 2002, the Board learned that Respondent, a non-Board referral to PRN, had become non-compliant with the terms of her agreement as she had a positive ETOH test result. On October 11, 2002, Respondent voluntarily surrendered her license and signed a Nurse Monitoring Contract. See, Exhibit A.

3. On February 19, 2003, the Board issued Respondent a Limited License, and in a cover letter issued that same day, explained that all terms of the Monitoring Agreement remained and set forth additional terms Respondent was to meet. See, Exhibit B.

4. On or about June 1, 2005, the Board learned Respondent was not in compliance with the terms of the PRN contract as she had tested positive for ETOH on the April 15, 2005 screening. Based on the positive test the Board notified Respondent that her Limited License was terminated. On July 6, 2005 Respondent was advised by the

EXHIBIT A

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 1
Board the PRN Committee recommended that she be allowed to re-enroll in the PRN. Respondent did so on August 29, 2005. See Exhibit C.

5. On or about January 19, 2006, the Board received information from PRN that Respondent was non-compliant as she had a positive test result for an UA test on November 18, 2005. The matter was referred to the PRN Committee which met on January 20, 2006. The Committee recommended that this matter be referred to the Board for disciplinary action. 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, N-13824 is conditioned upon her complying with all the laws, rules and regulations of the Board. 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. N-13824 issued to Ruth Goicoechea, 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 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 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 6th day of February, 2006.

IDAHO STATE BOARD OF NURSING

By

Randall Hudspeth, N.P., C.N.S., RN
Chairman
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 6TH day of FEBRUARY, 2006, 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: ____________
X Statehouse Mail

Ruth Goicoechea
3300 Parke
Burley, ID 83318

___ 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

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