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

JULIE GORDON GNEITING
PN-7519

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

In the matter of
Juli Scholes Gneiting
License No: PN-7519

FINDINGS
OF
FACT
CASE #: 95-43

Based upon information in the file, the Board finds that:

1. Juli Scholes Gneiting was issued licensed practical nurse license number, PN-7519 on November 22, 1982, pursuant to qualifications specified in the Idaho Nursing Practice Act. The licensee holds a current licensure certificate, number PN-7519, which expires August 31, 1996.

2. A Complaint for Revocation or Suspension of License was initiated by the Board of Nursing on July 12, 1995, to be served by Sheriff’s Service. The sheriff was unable to locate the licensee and the Complaint was mailed to the last address of record by Certified Mail and by surface mail on August 4, 1995. The Certified Mail was returned “unclaimed” on August 28, 1995. The surface mail has not been returned. The Answer to Complaint has not been returned and no hearing has been requested.

3. On or about October 18, 1994, the licensee entered a plea of guilty to the offense of Possession of a Controlled Substance (methamphetamine), a felony, in the District Court of the Second Judicial District in and for the County of Davis, State of Utah. The licensee had also been charged with possession of a controlled substance, marijuana, and possession of drug paraphernalia, which were dismissed by court action as part of the agreement of plea in abeyance for a period not to exceed 36 months.

4. As a condition of the Plea in Abeyance Agreement and Order issued by the court on October 18, 1994, the licensee agreed to enter into counseling with the Phoenix Center, Idaho Falls, Idaho, and to successfully complete whatever program was determined by them to be appropriate.

5. On or about April 17, 1985, a Certified letter was sent to the licensee by the Board of Nursing Chairman admonishing the exercise of judgment and careful review and adherence to Standards of Conduct following admission of acceptance of money (around $100.00) from a patient’s husband.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board of Nursing makes the following Conclusions of Law:

1. Pursuant to the Nursing Practice Act, Idaho Code, Title 54, Chapter 14., the Board of Nursing has jurisdiction over this matter.

2. By virtue of the Findings of Fact, the licensee habitually uses narcotic, hypnotic or hallucinogenic drugs, violated standards of conduct as adopted by the Board of Nursing

FINDINGS - 1
and engaged in conduct of a character likely to deceive, defraud or endanger patients or
the public and otherwise violated provisions of the Nursing Practice Act and Board of
Nursing Rules. (Idaho Code, 54-1412(a), (5), (7) and (8); IDAPA 23.01.01100.06,
.09(a.e) and 23.01.01370.13 and 14.
3. The acts specified in number 2 above constitute grounds for disciplinary action under
provisions in Idaho Code, 54-1412(a) (5), (7) and (8).
4. That such conduct constitutes sufficient cause pursuant to the Nursing Practice Act to
revoke or suspend the license, number PN-7519, issued to Juli Scholes Gneiting to
practice nursing in the State of Idaho.
5. The Board further concludes that the licensee’s failure to cooperate in the investigation
of this matter is an aggravating circumstance because it deprived the Board from having
information necessary to determine the severity of violation and chemical abuse. The
failure to cooperate was demonstrated by the return of a Certified letter, marked
"unclaimed" sent on June 7, 1995, requesting that the licensee make an appointment to
discuss the arrest and court case involving a controlled substance and failure to respond
to the Complaint.

ORDER

IT IS HEREBY ORDERED that the practical nurse license, number PN-7519 issued to Juli
Scholes Gneiting, be and it hereby is revoked subject to Subsequent Review under 54-1412
(c), IDAHO CODE.

BE IT FURTHER ORDERED, that should Juli Scholes Gneiting, request reinstatement of
licensure in the future, that she present:

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 drug/alcohol evaluation completed by a qualified evaluator at the time of
      application for reinstatement.
   b. A detailed summary of employment since licensure revocation.
   c. Documentation of activities engaged in to address drug/alcohol issues, to include
      drug/alcohol education and any subsequent recommendations following completion
      of education program.
   d. Authorize the release and submission of relevant court documents to the Board of
      Nursing.

DATED THIS __November 1, 1995__

[Signature]
FAITH (PETERSON), R.N.
Chairman
Idaho Board of Nursing

FINDINGS - 2
THE STATE OF UTAH,
Plaintiff,

vs.
JULI SCHOLES GNETING,
DOB: 10-16-58,
Defendant.

IN THE DISTRICT COURT OF DAVIS COUNTY, STATE OF UTAH

The undersigned prosecutor states on information and belief that the defendant, on or about the 9th day of July, 1994, in the County of Davis, State of Utah, committed the crimes of:

COUNT ONE

POSSESSION OF A CONTROLLED SUBSTANCE (58-37-8(2)(a)(i) UCA), a felony of the third degree, as follows: That at the time and place aforesaid, the defendant did knowingly and intentionally possess or use a controlled substance, to wit: methamphetamine.

COUNT TWO

POSSESSION OF A CONTROLLED SUBSTANCE (58-37-8(2)(a)(i) UCA), a class B misdemeanor, as follows: That at the time and place aforesaid, the defendant did knowingly and intentionally possess or use a controlled substance, to wit: marijuana.

COUNT THREE

POSSESSION OF DRUG PARAPHERNALIA (58-37a-5 UCA), a class B misdemeanor, as follows: That at the time and place aforesaid, the defendant did use, or possess with intent to use, drug paraphernalia.
This information is based on evidence obtained from the following witnesses: Richard Evertson, Dale Scow, Eric McPherson, Bob Hunt and David Murdock.

PROBABLE CAUSE STATEMENT: The undersigned prosecutor states that he is a Deputy Davis County Attorney and that he has received information from the investigating officer, Richard Evertson, and the Information herein is based upon such personal observations and investigation of said officer.

On July 9, 1994, Officer Richard Evertson came upon a vehicle which was stolen. Defendant was a passenger. during an inventory of the items in the vehicle, some marijuana and methamphetamine were located in defendant’s belongings. Also located was a pipe used to smoke marijuana.

Authorized the 4th day of August, 1994, for presentment and filing:

MELVIN C. WILSON
Davis County Attorney

By Deputy Davis County Attorney

Screened by: William K. McGuire
Assigned to: William K. McGuire

Presented and filed this 4th day of Aug., 1994.

Count One of this Information carries a possible maximum penalty of up to five years imprisonment and/or up to $5,000 fine.
IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF DAVIS, STATE OF UTAH

THE STATE OF UTAH, : PLEA IN ABEYANCE AGREEMENT
vs. : AND ORDER
JULI S. GNEITING, : Case No. 941700530

Defendant.

Comes now above-entitled plaintiff by and through William K. McGuire, the defendant, Juli S. Gneiting, and pursuant to Utah Code Ann., 77-2a-1 et seq., enter into a Plea in Abeyance Agreement and request an Order of the Court as follows:

1. Juli S. Gneiting, the above-named defendant, is charged in an Information in the above-entitled matter with the offenses of Possession of a Controlled Substance, to wit: Methamphetamine, a felony of the third degree; Possession of a Controlled Substance, to wit: Marijuana, a class B misdemeanor; and Possession of Drug Paraphernalia, a class B misdemeanor.

2. The defendant agrees to enter a plea of guilty to the offense of Possession of a Controlled Substance, a felony of the third degree to be held in abeyance according to the terms of this Agreement and the Order of the Court hereon.

3. The plea shall be held in abeyance for a period not to exceed 36 months.
4. Count Two of the Information charging the defendant with the offense of Possession of a Controlled Substance, a class B misdemeanor and Count Three of the Information charging the defendant with the offense of Possession of Drug Paraphernalia, a class B misdemeanor will be dismissed as a part of this agreement.

5. The defendant understands that ordinarily upon the entry of a plea of guilty or no contest, the court shall set a time for imposition of sentence which shall be not less than 2 nor more than 30 days. The defendant knowingly and intelligently waives such time for sentence.

6. Upon compliance of all the conditions of this Agreement, the plea of guilty to the offense of Possession of a Controlled Substance, a felony of the third degree, will be withdrawn and the case dismissed. The conditions are as follows:

   (a) Juli S. Gneiting agrees not to violate any law, federal or local. A violation for minor traffic regulations shall not be a basis for termination of this Agreement.

   (b) The defendant shall pay a non-refundable plea in abeyance fee in the amount of $200.00.

   (c) Juli S. Gneiting further agrees to pay the sum of $50.00 to the Davis County Attorney's Office as and for costs for the initial incarceration of defendant.

   (d) Juli S. Gneiting agrees to enter into counseling with Phoenix Center of Pocatello, Idaho and successfully complete whatever program is determined by them to be
appropriate for defendant's circumstances. Defendant further agrees to pay all fees associated with such program.

(e) Defendant acknowledges and agrees as a further condition of this Plea in Abeyance Agreement that compliance will be monitored. Gordon S. Johnson of Utah Probation Services will participate in the monitoring. The cost of the monitoring services provided by Utah Probation Services is $15.00 per month. A failure to cooperate in the monitoring services may be a violation of this agreement.

7. By entering into this Agreement the defendant is waiving statutory and constitutional rights as follows:

(a) The defendant acknowledges the right to the presumption of innocence and by entering this Agreement, waives that right.

(b) The defendant acknowledges the right against compulsory self incrimination and waives that right.

(c) The defendant acknowledges the right to a speedy public trial before an impartial jury and waives that right.

(d) The defendant acknowledges the right to confront and cross-examine in open court the prosecution witnesses and waives that right.

(e) The defendant acknowledges the right to compel the attendance of defense witnesses and waives that right.
(f) The defendant acknowledges the nature and elements of the offense to which the plea of guilty is entered, that upon trial the prosecution would have the burden of proving each of those elements beyond a reasonable doubt, and that the plea is admission of all those elements. The elements involved in the above-entitled matter are as follows: On July 9, 1994, defendant did knowingly and intentionally possess a controlled substance, to wit: Methamphetamine.

(g) The defendant acknowledges an understanding of the minimum maximum sentence that may be imposed, including the possibility of the imposition of consecutive sentences. The possible sentence involved in the above-entitled matter is incarceration at the Utah State Prison for a term of 0-5 years and/or a fine of $5,000 plus an 85% surcharge.

(h) This Plea in Abeyance Agreement is based upon a discussion and plea agreement. All the terms of the plea agreement are set forth herein.

(i) The defendant acknowledges having been advised of the time limits for filing any motion to withdraw the plea. In that regard, defendant acknowledges that any motion to withdraw the plea must be in writing and filed no later than 30 days from the date of this Agreement. Furthermore, merely because such motion is made, does not mean that the court will grant it.
(j) The defendant acknowledges having been advised that the right of appeal is extremely limited.

8. Defendant represents to the Court that this plea is voluntarily made.

9. If, at any time during the term of the Plea in Abeyance Agreement, information comes to the attention of the prosecuting attorney or the Court that the defendant has violated any condition of this Agreement, the Court, at the request of the prosecuting attorney, made by appropriate motion and affidavit, or upon its own motion, may issue an Order requiring the defendant to appear before the Court at a designated time and place to show cause why the Court should not find the terms of the Agreement to have been violated and why the Agreement should not be terminated. If, following an evidentiary hearing, the Court finds that the defendant has failed to substantially comply with any term or condition of the Plea in Abeyance Agreement, it may terminate the Agreement and enter judgment of conviction and impose sentence against the defendant for the offense to which the original plea was entered. Upon entry of judgment of conviction and imposition of sentence, any amounts paid by the defendant as a plea in abeyance fee prior to termination of the Agreement shall be credited against any fine imposed by the Court.

10. The defendant acknowledges that termination of a Plea in Abeyance Agreement and subsequent entry of judgment of conviction and imposition of sentence shall not bar any independent prosecution arising from any offense that constituted a violation
of any term or condition of an Agreement whereby the original plea was placed in abeyance.

11. Defendant acknowledges having read each and every paragraph of this Agreement and understanding of each and every paragraph.

DATED this 18th day of OCTOBER, 1994.

By Camel R. Harward
William R. McGuire
Deputy Davis County Attorney

Juli S. Gehring

Glen T. Cella
Attorney for Defendant

ORDER

Based upon the Agreement between the State of Utah and the defendant, and good cause appearing, it is hereby ORDERED that the plea of guilty to the offense of Possession of a Controlled Substance, a felony of the third degree, be held in abeyance for a term of 36 months. The Court makes a finding that the defendant has entered the plea of guilty knowingly, voluntarily and intelligently. Upon a finding that the defendant has successfully completed the terms of the Agreement, the Court shall allow withdrawal of the defendant's plea to Possession of a Controlled Substance, a felony of the third degree and Order dismissal of same. Upon a finding that the defendant has not successfully
completed the terms of the Agreement, the plea of guilty to Possession of a Controlled Substance, a felony of the third degree shall be entered as a conviction and all that will be left for the Court to do is to enter sentence thereon.

The defendant shall cooperate with Gordon Johnson of Utah Probation Services to facilitate monitoring of compliance of the terms and conditions of this Plea in Abeyance Agreement: defendant shall pay the cost of the monitoring as agreed with Utah Probation Services and which shall not exceed $15.00 per month.

DATED this 18th day of Oct., 1994.

[Signature]
JUDGE

[Signature]
CLERK

WITNESS MY HAND AND SEAL OF SAID OFFICE

[Signature]
PAULA CARR
CLERK
Bonneville County Sheriffs Depart.

BYRON R STOMMEL
(208)529-1314

605 NORTH CAPITAL AVENUE
IDAHO FALLS, ID 83402

NOT FOUND RETURN OF SERVICE

BOARD OF NURSING

-VS-

GNEITING, JULIE

DEFENDANT

) COURT....: BOARD OF NURSING
) CASE NO.: NONE
PLAINTIFF) PAPER(S): LETTER, COMPLAINT & ANSWER TO
) SERVED COMPLAINT

I, BYRON R STOMMEL, Sheriff of BONNEVILLE County, state that the above described documents were delivered to me for service on the 17th day of July 1995.

I HEREBY CERTIFY THAT, after due search and diligent inquiry, I am at this time unable to serve the above described documents in the above entitled matter upon GNEITING, JULIE, as said person(s) cannot be found within the County of BONNEVILLE, State of Idaho.

NOTES:
WAS NOT ABLE TO LOCATE JULIE GNEITING, AT 660 BUTTERFLY, IDAHO FALLS, ID. CURRENT OCCUPANT HAS LIVED THERE FOR ABOUT 2 MONTHS, THEY DO NOT KNOW HER OF HAVE A FORWARDING ADDRESS. CHECKED UTILITIES AND VEHICLE REGISTRATION, NOTHING CURRENT.

Dated this 18th day of July 1995.

BYRON R STOMMEL
Sheriff

Sheriffs Fees........……: .00
Total Collected to Date: .00
Amount Uncollected......: .00

By:

BERNICE J. BOYD
Deputy

BERNICE J. BOYD
Returning Officer

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Leader - Check with Wayne to see what further we are required to do. Thanks.
State of Idaho

IDAHO BOARD OF NURSING

280 NO 8TH STREET SUITE 210
Mailing: PO Box 83720

BOISE ID 83720-0061
208/334-3110

* CERTIFICATE OF NOTARIZATION *

I hereby certify that the attached are true and correct copies of the documents currently on file in the Idaho Board of Nursing office.

Leola Daniels
LEOLA DANIELS, M.S., R.N.
Executive Director

On this 12th day of July, 1995, before me Linda H. Coley, notary public, personally appeared Leola Daniels, R.N., known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

LINDA H. COLEY, Notary Public
Residing at Ada County
My Commission expires 3/25/97
BEFORE THE BOARD OF NURSING, STATE OF IDAHO

In the matter of )
Juli Scholes Gneiting )
License No: PN-7519 )

) COMPLAINT FOR
) REVOCATION OR
) SUSPENSION OF
) LICENSE
) CASE NO: 95-43

COMES NOW, Complainant, Leola Daniels, R.N., Executive Director of the Idaho Board of Nursing, and requests the Board to revoke or suspend the license of Juli Scholes Gneiting to practice nursing in the State of Idaho. This Complaint and these proceedings are instituted upon the following grounds:

That the licensee habitually uses narcotic, hypnotic or hallucinogenic drugs, violated standards of conduct as adopted by the Board of Nursing and engaged in conduct of a character likely to deceive, defraud or endanger patients or the public by virtue of the following actions:

1. On or about October 18, 1994, entered a plea of guilty to the offense of Possession of a Controlled Substance (methamphetamine), a felony, in the District Court of the Second Judicial District in and for the County of Davis, State of Utah.

   The licensee had also been charged with possession of a controlled substance, marijuana, and possession of drug paraphernalia, which were dismissed by court action as part of the agreement of plea in abeyance for a period not to exceed 36 months.

2. As a condition of the Plea in Abeyance Agreement and Order issued by the court on October 18, 1994, the licensee agreed to enter into counseling with the Phoenix Center, Idaho Falls, Idaho, and to successfully complete whatever program was determined by them to be appropriate.

3. On or about April 17, 1985, a Certified letter was sent to the licensee by the Board of Nursing Chairman admonishing the exercise of judgment and careful review and adherence to
Standards of Conduct following admission of acceptance of money (around $100.00) from a patient’s husband.

The undersigned Leola Daniels, believes that the described conduct of the licensee is in violation of Section 54-1412, (a), (5), (7), and (8) IDAHO CODE, and of Board of Nursing Rules, IDAPA 23.01.01100.0609(a, e); and 23.01. 01370.13., and 14.

DATED THIS 12th day of July, 1995.

[Signature]

LEOLA DANIELS, M.S., R.N.
Executive Director
Idaho Board of Nursing
PROOF OF SERVICE

I hereby swear that I have this 12th day of July, 1995, served the foregoing Complaint for Revocation or Suspension of License and Answer to Complaint upon all parties of record named in this proceeding, by mailing a copy thereof, certified mail, return receipt requested, properly addressed with postage prepaid, to:

JULIE GNEITING
660 BUTTERFLY
IDAHO FALLS ID 83401

Leola Daniels, M.S., R.N.
Executive Director
Idaho Board of Nursing
In the Matter of  

Juli Gneiting  
Case # 95-43  
Respondent

ANSWER TO COMPLAINT

Enter your answer below, sign, date and return this form within twenty-one (21) days after you receive it, to:

IDAHO BOARD OF NURSING  
280 North 8th Street, Suite 210  
(Mailing - PO Box 83720)  
Boise, Idaho 83720-0061

Failure to return this form within twenty-one (21) days of receipt will constitute a waiver of hearing and will result in the Board of Nursing making a finding that you do not contest the allegations in the Complaint. Upon such finding the Board will enter an Order to include possible suspension or revocation of your license to practice nursing in the State of Idaho.

Instructions: Indicate your desired responses and mail this form to the address stated above.

1. _____ I do request a hearing on this matter.  
   _____ I do not request a hearing but do request a settlement offer.  
   (Enclose documents and statements you wish to have considered to formulate the settlement offer.)  
   _____ I wish to waive my right to a hearing and voluntarily surrender my license. (Enclose current licensure certificate if this option is selected.)

2. _____ I will be represented by an attorney.  
   _____ I will not be represented by an attorney.

   The name and address of my attorney is:

3. I ADMIT the following allegations in the Complaint: (State "ALL" if you admit all allegations.)
ANSWER - 2

4. I DO NOT CONTEST the following allegations in the Complaint. (State "ALL" if you do not contest any of the allegations.)

5. I DENY the following allegations of the Complaint. (State "ALL" if you deny all of the allegations - use reverse side if needed.)

6. _____ I have attached a statement in my defense of the allegations.
   _____ I have not attached a statement in my defense of the allegations.

You have the right to:

1. an opportunity for a hearing.
2. be represented by an attorney at your own expense.
3. subpoena witnesses, or the production of documents through the Board of Nursing.

DATED this _____ day of _____________________, 19____.

____________________________________
Signature of Respondent

____________________________________
Address

____________________________________
City, State, Zip Code

12/91 R92/93/94