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

SHANNON GRANT
N-29845
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
) Case No. 05-014
SHANNON GRANT )
License No. N-29845 ) 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. Shannon Grant (hereinafter “Respondent”) is licensed by the Idaho State Board of Nursing under License No. N-29845 to engage in the practice of nursing in the State of Idaho.

2. On or about February 17, 2005 the Board received information that Respondent admitted to her former employer that she had diverted Dilaudid. Respondent also admitted this to the Board’s staff when she was contacted regarding the Report of Violation.

3. On February 21, 2005 Respondent contacted the Program for Recovery Nurses (hereinafter “PRN”). Respondent never signed a contract with the PRN.


5. On March 28, 2005 Respondent advised PRN that she was not interested in the PRN as it would limit the type of nursing she enjoyed the most; although it was explained that once she had shown compliance with the program she could request to have the restrictions lifted. Respondent was still not interested in enrolling in and working the program. On April 27, 2005 a Letter of Non-Compliance was sent to the Board. See Exhibit B.
6. The PRN Advisory Committee has recommended that the case be submitted to the Board for disciplinary action based upon Respondent's refusal to enroll in the PRN and voluntary surrender at the Board meeting on July 28-29, 2005. Respondent was so advised on May 6, 2005. See, Exhibit C, 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-29845 is conditioned upon her 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)(c) 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-29845 issued to Shannon Grant, is:

_ X _ 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:

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 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.

   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 26 day of July, 2005.

   IDAHO STATE BOARD OF NURSING

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

Shannon Grant  
310 E. 3rd Ave. Apt. D  
Post Falls, ID 83854

- 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

I, Shannon C. Grant, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: **Diversion of Narcotic for personal use**

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 N-29845 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: 2-28-05

Shannon Grant
Signature of Licensee
310 E. 3rd Ave. Apt D
Address
PO Box 120568
Post Falls, Idaho 83854
City, State, Zip

DATED: 2-28-05
6/99-PRN

Signature of Witness
Kootenai Medical Center

Idaho State Board of Nursing
280 N. 8th, Suite 210
Boise, Idaho 83702

RE: Shannon Grant, RN
310 E 3rd Ave, Apt D
Post Falls, ID
83854-7057
(208) 777-1596

It came to our attention and through Shannon’s own admission that she had engaged in behaviors that are in direct violation of KMC’s expectations regarding substance abuse and performance expectations.

Through an audit of KMC Pyxis medication machines as a result of employee concerns, there appeared to be medication dispensing irregularities associated with Shannon. These discrepancies involved the medication Dilaudid. When we questioned her about these irregularities she openly admitted that she had a drug problem. She stated that she had been using excess medications prescribed to the patient rather than wasting them as per KMC policy and then falsely recording that she had wasted the medication.

The patient was prescribed a one (1) milligram dose. Shannon would withdraw a four (4) milligram dose, provide the patient one (1) milligram, utilize a portion of the left over medication for herself, and then show a wasting for the entire amount remaining from the patient dose.

Per her admission of drug use, KMC asked, and she agreed, to see Pat Morris, KMC CD Rehab Program Coordinator, for an assessment of possible treatment needs. This assessment was conducted on February 3, 2005. The outcome of this assessment was the initial recommendation of an inpatient treatment program lasting 2 weeks, which she agreed to complete. Shannon has since entered the Pathways program in Montana.

Brian Edwards
Human Resource Partner
Kootenai Medical Center
(208) 666-2053
April 27, 2005

Idaho State Board of Nursing
ATTN: Sandra Evans
P.O. Box 83720
Boise, ID 83720-0061

RE: Shannon Grant

Dear Ms. Evans,

This letter is being sent to notify you that Ms. Shannon Grant, a Board of Nursing referral, has not signed her contract with the Program for Recovering Nurses (PRN). When asked about the delay she stated that she is not interested in joining the program. PRN has requested twice that Ms. Grant send us a letter stating her decision. Since she has not responded we are assuming she doesn’t intend to follow through with her contract.

We look forward to receiving further guidance from the Board of Nursing regarding this issue. If you have any questions or concerns, please feel free to contact either Lori or me at (208) 323-9555.

Sincerely,

Nicole Stivers
Compliance Monitor

cc: Shannon Grant

An Alternative to Disciplinary Action program offered by the Idaho Board of Nursing.
Shannon Grant
310 E 3rd Ave Apt D
Post Falls ID 83854

Dear Ms. Grant:

We have been notified by the Program for Recovering Nurses that you have failed to submit the signed Contract required for enrollment in this program. Additionally, you have stated to the Compliance Monitor that you are not interested in joining the Program for Recovering Nurses.

Your file will be placed on the agenda for consideration by the members of the Board of Nursing at their meeting on July 28-29, 2005. If you wish to meet with the Board or submit a statement for their consideration, please contact this office no later than June 30th.

The Board will be considering action against your professional nurse license based on your statement of voluntary surrender.

Please contact this office if you have questions concerning this information.

Sincerely,

Sandra Evans, MAEd, RN
Executive Director

SE:lhc
cc: John Southworth, Coordinator

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.
TO: SANDRA EVANS, MAEd, RN
   Executive Director
   Idaho Board of Nursing

FROM: Karen Ellis, RN, Chairperson
      Program for Recovering Nurses

DATE: June 24, 2005

The file of Shannon Grant was reviewed at the Advisory Committee meeting on June 24, 2005, and found to be in non-compliance of recommendations because of the following:

   Failed 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

   6-24-05

Action Recommended to Board: Revise License # N-29845

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.