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

WENDY GRANT-HARDIN
PN-8506

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: WENDY JO GRANT-HARDIN License No. PN-8506, Respondent.) Case No. 99-021

FINDINGS OF FACT, CONCLUSIONS OF LAW, 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 Wendy Jo Grant-Hardin ("Respondent") is a duly licensed nurse in the State of Idaho holding License No. PN-8506.

2. On or about April 29, 1999, the Board received a complaint from the Respondent’s employer that the respondent smelled of alcohol during her shift on the unit. The results of the urine toxicology screen were positive for alcohol. A true and correct copy of the complaint is attached hereto as Exhibit 1.

3. On or about June 21, 1999, 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 agreed to enroll in the Program for Recovering Nurses and signed a contract for monitoring on July 4, 1999. Respondent failed to complete outpatient treatment and was referred to inpatient treatment. A new contract was signed July 1, 2000.

5. On or about December 18, 2002, a letter of Non-Compliance was submitted to the Board of Nursing indicating that Respondent had stated she was leaving the program and was non-compliant with monitoring requirements. A true and correct copy of the Consent Order is attached hereto as Exhibit 3.
6. On or about December 18, 2002, a Notice of Termination of Limited License was issued for failure to comply with terms and conditions of limited licensure. A true and correct copy of the Notice of Termination is attached hereto as Exhibit 4.

7. Following their regular meeting on January 10, 2003, the PRN Advisory Committee reviewed the letter of explanation from the Respondent and issued a Report of Non-Compliance for failure to maintain full compliance with terms of the Contract for Monitoring. A true and correct copy of the Respondent’s letter and the Report of Non-Compliance is attached hereto as Exhibits 5 and 6.

8. Respondent knowingly and freely waived her right to a hearing, and waived all rights granted to Respondent 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. The allegations in the complaint, if proven, would constitute violations of the Nursing Practice Act and Rules and constitute grounds for revocation or suspension of Respondent’s license to practice nursing pursuant to Idaho Code § 54-1413(1)(c), (g), and IDAPA 23.01.01.100.06, and 101.03.e.

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(3).

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-8506 issued to Respondent Wendy Jo Grant-Hardin is

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER - 2
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 13TH day of FEBRUARY, 2003.

IDAHO BOARD OF NURSING

By Charles Moseley, CRNA
Chair
NOTICE OF AVAILABLE RIGHTS

If respondent's license was revoked, then pursuant to Board Rule 120.06, Respondent may not apply to the Board for reinstatement for two (2) years after the date of execution of this Order unless the Order specifies otherwise. At the time of application, the Board may conduct further evidentiary hearings pursuant to Board Rule 120 to determine whether to deny reinstatement, grant a reinstatement, or issue a license permitting the applicant to practice nursing under specified terms and conditions.

If respondent's license was suspended 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 pursuant to Board Rule 120 to determine whether to deny reinstatement, grant a reinstatement, or issue a license permitting the applicant to practice nursing under specified terms and conditions.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17TH day of FEBRUARY, 2003, 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:

Wendy Grant-Hardin 1986 Tiffany Idaho Falls ID 83404

X  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
REPORT FORM FOR VIOLATION OF THE NURSING PRACTICE ACT

I. Name of Complainant Adrienne Thompson, RN, DNS

   Address Bannock Regional Medical Center T/LTC
           651 Memorial Drive
   City/State Pocatello, Idaho 83201
   Telephone: Home__637-0513 Business__239-1890

II. Identifying information about whom the complaint is being made:
    (Please check appropriate box)

    ( ) Professional Nurse (RN) ( ) Advanced Practice
    Professional Nurse:
    (X) Licensed Practical Nurse (NP/CNM/CNS/CRNA
    ( ) Nursing Assistant ( ) Other

    Name Wendy Grant-Hardin
    Address 1986 Tiffany
    City/State Idaho Falls, ID 83404
    Position Charge LPN. Long Term Care

    Employer: Bannock Regional Medical Center
    Transitional/Long Term Care
    Name BRMC T/LTC
    Address 651 Memorial Drive
    City/State Pocatello, Idaho 83201

III. Nature of Complaint:
    (Confine statements to actual incidents, giving dates, places and names of persons involved.)
    Explain what happened, where it happened, and the date and time it happened. Attach copies
of relevant records, if possible.

On April 13, 1999 it was brought to my attention by an LPN that Ms Hardin smelled of alcohol. I removed Ms Hardin from the unit and took her to the office of the Director of Human Resources, Kim Pritchard. Ms Pritchard informed her that the policy of the facility was to get a blood/urine test to determine if she was "impaired". Ms. Hardin agreed to the test.

When asked if she had consumed alcohol prior to coming to work (0630-1500 shift) she denied it. She stated that she had three beers the night before.

Ms. Hardin was suspended from work immediately pending results of the urine toxicology screen which is consistent with BRMC policy.

The results of the urine toxicology screen were returned to us, and validated by our Medical Review officer, and were positive - Alcohol, Ethyl (U) 0.03 g/dl.

On April 26, 1999 Ms. Hardin was sent a certified letter informing her of her termination based on "the results of her alcohol test".

IV. Did any other person(s) witness this incident? If so, please give name(s), address(es), position(s) held, and telephone number(s), if known.

Vicki Wilde, LPN  H-254-3618, W- 239-1895
Traci Whaley, LPN  H- 234-0486, W- 239-1875
Kim Pritchard, Director Human Resources W-239-1485

V. Additional Comments:

Ms. Hardin had been counseled regarding incomplete
documentation, not completing job duties in a timely manner. There had also been concern from other staff that "Wendy confuses the identity of residents". I was unable to confirm that she had given medications to the wrong residents, but I did hear her call one resident by another resident's name.

On April 12 Ms. Wilde told me that she thought Ms. Hardin smelled of alcohol. I was unable to confirm this. When I found her on the unit there was no real evidence that she was impaired. She was dressed inappropriately for work, however, and when I told her this she stated that she knew it, but she "got dressed in the dark".

The identity of the complainant will remain confidential except when the complainant may be subpoenaed to testify in a formal hearing procedure.

THE BOARD OF NURSING COMPLIES WITH PROVISIONS IN THE AMERICANS WITH DISABILITIES ACT.
RULE 132
VOLUNTARY SURRENDER OF LICENSE

I, Wendy Jo Grant-Hardin, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: binge drinking of beer and although I NEVER drank while on duty or before my working hours (upon arising in AM) I did arrive at work smelling of alcohol and had a positive urine alcohol screening of 0.0.

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 PN 6506 and will immediately discontinue the practice of nursing in Idaho.

8. As required by Board of Nursing Rule 132, IDAPA 23.01.01.132, 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: June 21st, 1999

State of Idaho
Board of Nursing

1998-2000
License Number
PN-8506

This is to certify that: Expires: August 31, 2000

WENDY JO GRANT-HARDIN
1986 TIFFANY
IDAHOO FALLS, ID 83404

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

Signature of Licensee

WENDY JO GRANT-HARDIN
1986 TIFFANY
IDAHOO FALLS, ID 83404

Valid when signed by licensee

Signature of Witness

EXHIBIT NO: 2
December 18, 2002

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

RN: Wendy Grant-Hardin

Dear Ms. Evans,

This letter is being sent to notify you that Wendy Grant-Hardin, a Board of Nursing referral, has become non-compliant with her PRN contract, and we feel we must report this to the Board of Nursing.

Ms. Grant-Hardin signed a contract with PRN on July 1, 2000. Ms. Grant-Hardin maintained compliance with her PRN contract until December 2, 2002 when the PRN office received a voicemail from Ms. Grant-Hardin stating that she is quitting the PRN program mentioning three times that she did not want anyone from the office contacting her or sending her any information via mail. On December 3, 2002, the PRN office called Ms. Grant-Hardin and left a message on her answering machine stating that we cannot accept verbal resignation from the program. She was then informed that she would need to submit something in writing that stated she wanted out of the program. As of the above date, Ms. Grant-Hardin has not submitted formal resignation from the PRN program.

Ms. Grant-Hardin is now considered out of compliance with her PRN contract. Ms. Grant-Hardin has not participated in random/UA drug testing this month nor has she returned her paperwork or money to get set up with the new automated system with NCPS, our drug testing company making it impossible to UA/drug test her. Ms. Grant-Hardin is also out of compliance with Client Activity Reports.

If you have any questions or concerns, please feel free to contact me or Lori Barnes, PRN Compliance Monitor.

Sincerely,

John Southworth, CADC
PRN Coordinator
(208) 891-4726 cellular
(800) 386-1695 toll free

cc: Wendy Grant-Hardin

EXHIBIT NO: 3
Page 1 of 1

5530 West Emerald—Boise Idaho 83706
Office: (208) 323-9555—Fax: (208) 323-9222—Toll Free: (800) 386-1695—Cellular: (208) 891-4726
BOARD OF NURSING — State of Idaho

Wendy Grant-Hardin
1986 Tiffany
Idaho Falls ID 83404

Dear Ms. Grant-Hardin:

NOTICE OF TERMINATION OF LIMITED LICENSE

You are hereby notified that the limited license, number PN-8506, issued under provisions in IDAPA 23.01.132. is terminated, effective immediately.

You are further notified that such action is deemed necessary in the interest of public health, safety and welfare due to failure to comply with the terms and conditions of limited licensure, by:

a. Failing to submit required Client Activity Reports and participate in random urine drug screening. Additionally, a voice mail was left with the Program for Recovering Nurses on December 2, 2002, stating you were quitting the program and did not want any further contact.

Your file will be referred to the Advisory Committee for the Program for Recovering Nurses for re-evaluation on January 10, 2003. You may request to meet with the Committee during their meeting by contacting Linda Coley, Management Assistant, (208) 334-3110 ext. 25 by January 2, 2003, to request an appointment time. Failure to respond may result in the issuance of a Report of Non-Compliance being filed with the Board with a recommendation of licensure revocation. In the meantime, you may not be employed as a licensed nurse in the State of Idaho.

Dated: December 18, 2002

Sandra Evans, MAEd, RN
Executive Director

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.
Wendy Grant-Hardin
1988 Tiffany Drive
Idaho Falls ID 83404

Failure to comply with stipulated terms may result in withdrawal and disciplinary action.

Expires: 12/20/06
(See Reverse)
January 7, 2003

Advisory Committee
Program for Recovering Nurses
PO Box 83720 280 North 8th Street, Suite 210
Boise, Idaho 83720-0061
Fax (208) 334-3262

For the attention of The Advisory Committee:

I spoke to a member of the Board of Nursing, last week. She asked why I had withdrawn from PRN. I explained that I had been unable to locate a job since receiving my license back and so no advantage in paying a minimum of $60.00/month to keep a license I could not use. She told me that other nurses involved in the program had no difficulty obtaining employment with a limited license. I replied that I didn’t think the limited license had anything to do with it as the few interviews that were granted me, we’d never even discussed it. I also explained that I thought my difficulty in obtaining employment was most likely due to the long length of time that has occurred since I last practiced in nursing. Each interview that I have been allowed has questioned my long lapse in the field and I’ve replied it was due to personal reasons.

The member of the Board then suggested that I compose a letter to you (The Advisory Committee), letting you know of my reasons for withdrawing from PRN, as well as to ask you for suggestions that may assist me in obtaining employment and continue my involvement with the program. She did state that I need to fax this letter to you by January 9th, 2003. I am faxing it today, January 7, 2003.

Thank you for any assistance you maybe able to offer me.

Sincerely yours,

Wendy J. Grant-Hardin
TO: SANDRA EVANS, MAEd, RN
Executive Director
Idaho Board of Nursing

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

DATE: January 10, 2003

The file of Wendy Grant-Hardin was reviewed at the Advisory Committee meeting on January 10, 2003, 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]

Action Recommended to Board: Disciplinary Action

[Date: 1/10/03]