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

TRAVIS HOYT
N-29155
Travis Hoyt  
521 SW 150th Street  
Oklahoma City, OK 73170

Dear Mr. Hoyt:

During their meeting on May 3-4, 2012, the Board of Nursing members took action to approve the Stipulation and Consent Order. Enclosed is a copy of the Order.

Your license has been placed on a non-practicing status. Conditions of the Stipulation and Consent Order are indicated in Section C.

The Order became effective May 4, 2012. If a limited license is issued, it shall be a single-state license and you may not practice nursing in any other state participating in the Nurse Licensure Compact.

Sincerely,

SANDRA EVANS, MAEd, RN
Executive Director

SE:dja  
Enclosures
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: TRAVIS HOYT,
License No. N-29155,

Respondent.

Case No. BON 11-095

STIPULATION AND CONSENT ORDER

WHEREAS, information has been received by the Idaho State Board of Nursing ("Board") that constitutes sufficient grounds for the initiation of an administrative action against TRAVIS HOYT ("Respondent"); and

WHEREAS, the parties wish to expeditiously settle the matter in lieu of proceeding to an administrative hearing before the Board; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A. Jurisdiction of the Board

A.1. The Board regulates the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code.

A.2. The Board has issued nursing license N-29155 to Respondent. Respondent’s license is subject to the provisions of title 54, chapter 14, Idaho Code and the Board’s rules at IDAPA 23.01.01, et seq.

B. Stipulated Facts

B.1. In May 2010, Respondent successfully completed the PRN program in Idaho, resulting in the re-issuance of his renewable nursing license.

B.2. On November 21, 2011, the Board received a letter dated November 15, 2011 stating Respondent wished to surrender his Idaho license N-29155 for reasons of narcotic addiction.

B.3. On December 15, 2011, during a phone call between Respondent and an investigator for the Board, Respondent stated that he had voluntarily surrendered his
Oklahoma nursing license after a relapse in his addiction to prescription narcotics, and wishes to surrender his Idaho license as well. The relapse appears to be the result of the prescribed use of Vicodin following surgery to donate a kidney to a family member.

B.4. On December 28, 2011, an investigator for the Board spoke with the Oklahoma Board of Nursing about the conditions of Respondent’s voluntary surrender in that state, and verified that there was no complaint filed against Respondent in Oklahoma.

B.5. The facts set forth above constitute grounds for imposing discipline upon Respondent’s license. Respondent’s conduct violated the laws and rules governing the practice of nursing in Idaho, including, but not limited to the following:

a. Idaho Code § 15-1413(1)(e) and IDAPA Rule 23.01.01.100.06 (a nurse shall not habitually use alcoholic beverages or narcotic, hypnotic or hallucinogenic drugs);

b. Idaho Code § 54-1413(1)(g) and IDAPA Rule 23.01.01.100.08 (a nurse shall not violate the Board’s laws, rules or standards of conduct and practice).

B.6. Respondent, in lieu of proceeding with a formal disciplinary action, hereby agrees that the Board may enter a final order against his license as set forth in Section C below.

C. Stipulated Discipline

C.1. Respondent’s license shall be restricted to a non-practicing status for a minimum period of two (2) years. During such period Respondent shall not practice nursing in Idaho, pursuant to IDAPA 23.01.01.132.02(b).

C.2. At such time as Respondent requests reinstatement of his license to a practicing status, he shall comply with the requirements set forth in applicable statutes and rules, including Idaho Code § 54-1411(3). Respondent shall further comply with the provisions of IDAPA 23.01.01, Sections 61.04 and 120, as applicable. In addition,
Respondent must submit the following information to the Board with any request for reinstatement:

a. **Documentation of Abstention** – Documentation that Respondent has abstained from the use of non-medically prescribed drugs or alcohol for an extended period of time of not less than two (2) years.

b. **Documentation of Active Recovery** – Documentation that Respondent has actively participated in a recovery program, including regular and sustained attendance at twelve-step meetings, an endorsement by twelve-step sponsor of recovery, and evidence of completion of a relapse prevention program with an outline of a relapse prevention plan.

c. **Drug and Alcohol Evaluation** – A recent, within six (6) months, comprehensive drug and alcohol evaluation completed by a qualified, Board approved evaluator.

d. **Enrollment in the Program for Recovering Nurses** – Respondent will enroll in the Board’s Program for Recovering Nurses (PRN) for monitoring for at least two years or as identified and recommended in the drug and alcohol evaluation.

e. **Health Care Providers** – A written list of Respondent’s attending health care providers, including, without limitation, any therapists, counselors, or other mental health care providers.

f. **Health Care Providers Evaluations** – Evaluations describing Respondent’s current medical condition(s) and listing his prescriptions, including the doses, frequency and rationale for the medications prescribed. The providers shall also indentify any concerns that he/she may have about Respondent’s ability to safely practice nursing and what restrictions, if any, should be placed upon Respondent’s practice.
g. **Medical Provider** – If Respondent is using narcotics for any reason, he shall enter into a narcotic/controlled substance use contract with his current primary physician. This medical provider will be the gatekeeper for all other medical providers in an effort to coordinate the use of any prescribed narcotics. Respondent must comply with treatment and medication management outlined in the narcotic/control substance contract.

h. Any other requested information deemed necessary by the Board in its discretion to demonstrate Respondent’s fitness to practice nursing.

C.3. After evaluation, the Board may grant Respondent’s request for reinstatement, deny reinstatement, or issue a limited license allowing Respondent to practice under specific terms and conditions.

C.4. Upon any reinstatement of Respondent’s license to a practicing status, Respondent may be issued a limited license with a Restricted Status or a Single-State License as follow:

a. **Restricted Status** – If the Board determines Respondent’s ability to practice nursing is restricted due to the health status of Respondent, a limited license with Restricted Status may be issued to Respondent pursuant to IDAPA Rule 23.01.01.132.03. Any conditions placed upon Respondent’s license shall incorporate the Idaho Board of Nursing Position on Safety to Practice in accordance with IDAPA Rule 23.01.01.132.03(c). The restricted status may be lifted upon a showing to the satisfaction of the Board that Respondent’s health status no longer restricts his ability to safely practice nursing. See IDAPA Rule 23.01.01.132.03(d).

c. **Single-State License** – If a limited license is issued to Respondent, his license shall be a single-state license and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.
C.5. The Board reserves the right to assess investigative costs incurred in this matter as a condition of reinstatement, and to impose such other conditions upon Respondent’s license as the Board may deem appropriate in its discretion.

C.6. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.7. If Respondent fails to comply with any of the terms and conditions set forth in this Stipulation and Consent Order, the Board may order that Respondent’s nursing license be revoked or suspended indefinitely until such time as Respondent has come into compliance with the terms and conditions of this Stipulation and Consent Order. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation and Consent Order. Any action taken by the Board to enforce compliance with this Stipulation and Consent Order shall be in accordance with Section E. The Board may also require Respondent to pay any additional costs incurred by the Board to enforce this Stipulation and Consent Order.

D. Presentation of Stipulation to Board

D.1. The Board’s prosecutor shall present this Stipulation to the Board with a recommendation for approval.

D.2. The Board may accept, modify with Respondent’s approval, or reject this Stipulation. If the Board rejects the Stipulation, an Administrative Complaint may be filed with the Board. Respondent waives any right Respondent may have to challenge the Board’s impartiality to hear the allegations in the administrative Complaint based on the fact that the Board has considered and rejected this Stipulation. Respondent does not waive any other rights regarding challenges to Board members.

D.3. If the Board rejects this Stipulation then, except for Respondent’s waiver set forth in Paragraph D.2., this Stipulation shall be regarded as null and void, and admissions in this Stipulation and negotiations preceding the signing of this Stipulation will not be admissible at any subsequent disciplinary hearing.
D.4. Except for Paragraph D.2., which becomes effective when Respondent signs this Stipulation, this Stipulation shall not become effective until it has been approved by a majority of the Board and a Board member signs the attached Order.

E. Violation of Stipulation and Consent Order

E.1. The Board has authority to enforce compliance with the terms and conditions of this Stipulation and Consent Order. By signing this Stipulation and Consent Order, Respondent waives his ability to challenge the Board's authority to enforce compliance on appeal to a district court. If there is reason to believe Respondent has violated any of the terms or conditions of this Stipulation and Consent Order, the Executive Director of the Board shall file a Motion to Enforce setting forth the allegations of non-compliance. The Motion to Enforce will include notice to Respondent, and his attorney, if applicable, of the allegations of non-compliance and Respondent's opportunity to request a hearing regarding the allegations of non-compliance. If Respondent fails to request a hearing, pursuant to the Motion to Enforce, any allegations of non-compliance will be deemed admitted.

E.2. If Respondent is found to have violated the terms and conditions of this Stipulation and Consent Order, Respondent's license shall be revoked or suspended indefinitely until Respondent has come into compliance with the terms and conditions of the Stipulation and Consent Order as set forth in Section C.6 above. Any additional costs incurred by the Board in such enforcement action shall be the responsibility of Respondent.

E.3. If Respondent is found to have not violated the terms and conditions of this Stipulation and Consent Order, Respondent's license shall be reinstated to the status of the license at the time the Motion to Enforce was filed.

F. Waiver of Procedural Rights

I, Travis Hoyt, by affixing my signature hereto, acknowledge that:

F.1. I have read, understand and admit the allegations pending before the Board
as stated in Section A, above, and I agree that the Board has jurisdiction to proceed in this matter.

F.2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to testify myself; the right to reconsideration of the Board's orders; the right to judicial review of the Board's orders; and all rights accorded by the Idaho Administrative Procedure Act and the laws and rules governing the practice of nursing in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of this matter.

F.3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my license without further process.

F.4. I understand that this Stipulation and Consent Order is the resolution of a contested case and is a public record.

F.5. I understand that this Stipulation contains the entire agreement between the parties, and I agree that I am not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I am waiving certain rights accorded to me under Idaho law. I understand that the Board may approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for settlement. I understand that if the Board approves this Stipulation subject to changes, and the changes are acceptable to me, the Stipulation will take effect and an order modifying the terms of the Stipulation will be issued. If the changes are unacceptable to me or the Board rejects this Stipulation, it will be of no effect.
Dated this 28th day of March, 2012.

Travis Hoyt
Respondent

I recommend that the Board enter an Order based upon this Stipulation.

Dated this 9th day of April, 2012.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Shasta Kilminster-Hadley
Deputy Attorney General

ORDER

Pursuant to Idaho Code §§ 54-1404 and 54-1413, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 9th day of April, 2012. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By Susan Odom, Ph.D., R.N.
Chair
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this \( \square \) day of \( \text{May} \), 2012, I caused to be served a true and correct copy of the foregoing by the following method to:

Travis Hoyt 521 SW 150th Street Oklahoma City, OK 73170

\( \text{☐ U.S. Mail} \)
\( \text{☐ Hand Delivery} \)
\( \text{☒ Certified Mail, Return Receipt Requested} \)
\( \text{☐ Overnight Mail} \)
\( \text{☐ Facsimile: } \) 

Shasta Kilminster-Hadley Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010

\( \text{☐ U.S. Mail} \)
\( \text{☐ Hand Delivery} \)
\( \text{☐ Certified Mail, Return Receipt Requested} \)
\( \text{☐ Facsimile: } \) 
\( \text{☒ Statehouse Mail} \)

Linda Coley
Management Assistant Idaho Board of Nursing