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

BARBARA HUCKINS
PN-9176

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

In the Matter of the License of: )
BARRA HUCKINS )
License No. PN-9176 )
Respondent. )

Case No. 04-019
FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND FINAL ORDER

Having reviewed the documents appended hereto, the Idaho State Board of Nursing (hereinafter the “Board”) enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Barbara Huckins (hereinafter Respondent) has been licensed by the Idaho State Board of Nursing under license No. PN-9176 to engage in the practice of nursing in the State of Idaho.

2. On February 17, 2004, a report of violation of the Nursing Practice Act was filed with the Board against Respondent by her former employer for a positive drug urine screen-marijuana. See Exhibit A.

3. On February 27, 2004, Respondent was contacted by the Board’s staff. She told the investigator she would enroll in the Program for Recovering Nurses (PRN).

4. On March 9, 2004, Respondent signed a voluntary surrender form and sent in her license. See Exhibit B.

5. On April 5, 2004, the Board was advised that Respondent had withdrawn from the PRN. See Exhibit C.

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, PN-9176 is conditioned upon her complying with all the laws, rules and regulations of the Idaho State Board of Nursing. Respondent’s actions as set forth above are in violation of:
   a. Idaho Code § 54-1413(1)(e) and IDAPA 23.01.01.100.06 - Habitually uses alcoholic beverages or narcotic, hypnotic, or hallucinogenic drugs; and
   b. Idaho Code § 54-1413(1)(g) and IDAPA 23.01.01.100.08 - Violates the provisions of this act or rules and standards of conduct and practice;

3. Respondent voluntarily surrendered her license and agreed to enroll in and comply with the terms of the PRN. She has failed to do so.

4. Respondent’s acts as set forth above constitute violations of the laws and rules governing the practice of nursing in this state, 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. PN-9176 issued to Barbara Huckins, is hereby ☑ Revoked _____ Suspended indefinitely, effective immediately.

DATED this 29th day of April, 2004.

[Signature]

IDAHO STATE BOARD OF NURSING

By Daniel Bauer, R.N.
Chairman

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 2
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 29TH day of APRIL, 2004, 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

Barbara Huckins
29625 N. 7th Street
Athol, ID 83801

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
Board of Nursing
Date: February 17, 2004

To: Idaho Board of Nursing
    PO Box 83720
    Boise, Idaho 83720-0061

    Attn: Linda

From: Dorloyn Sohner
    Director of Nursing
    TechGroup Inc.
    244 W. Main
    Spokane, WA 99201

Re: Barbara Huckins, LPN
    PN-9176

Barbara Huckins, LPN has been an employee of TechGroup Inc., a supplemental staffing agency based in Spokane, WA since October 2001. Ms. Huckins has been assigned to work at Coulee Community Hospital since November 17, 2003. TechGroup Inc. and Coulee Community Hospital provide lodging at the Grand Coulee Motel for Ms. Huckins on the days/shifts when she must stay in the community to work her assigned shifts.

On February 12, 2004 the owner of the Grand Coulee Motel reported to TechGroup Inc. that the housekeeper recently found leaf residue, appearing to be marijuana, scattered on the table in Ms. Huckins room. She reported no odor of marijuana in the room. (TechGroup Inc. had not been notified of such findings prior to February 12.) TechGroup Inc. immediately notified Cheryl Fercha, Nursing Supervisor at Coulee Community since Ms. Huckins was working at the facility at the time the report was received from the Motel.

Ms. Fercha instructed Ms. Huckins to go to the Emergency Department to provide a specimen for a drug screen. When told the reason for the drug screen, Ms. Huckins said she does not smoke marijuana. She said her daughter had visited her in her motel over the past weekend and she smoked marijuana. Ms. Huckins called her daughter and insisted that she speak with Ms. Fercha. The daughter told Ms. Fercha, “My mother doesn’t smoke marijuana, I do.” Following this conversation Ms. Huckins proceeded to complete the drug screen, was relieved of her patient care responsibilities and was sent home. Ms. Huckins’ drug screen specimen was sent by courier from Coulee Community Hospital to the Pathology Associates Medical Laboratories (PAML) in Spokane on
February 12, 2004, Ms. Huckins reported to Ms. Fercha that she routinely takes the prescription drug Ativan.

As of 2:00 PM on February 13, 2004 the suspected drug use was reported to the WA State DSHS hot line and Ms. Huckins was informed by phone that she is not to work until further notice.

At 4:12 PM on February 13, 2004 a positive drug screen report was received by TechGroup Inc. from PAML. Please see attached report.

Robin Jones
Company Representative – Robin Jones

C0O
Title

2/17/04
Date
Pathology Associates Medical Laboratories  
Department of Toxicology  
PO Box 2637  
Spokane, WA 99220  
(509) 755-8991 or (800) 541-7891 Ext. 7  
Fax (509) 922-5281  

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<th>Screen Cutoff</th>
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QNS AT 1533  
DILUTE SPECIMEN

I certify that the specimen identified by this accession number has been handled and analyzed in accordance with all applicable requirements.

Released & Certified by: Brian Bisthoff  
Date: 02/13/04  
END OF REPORT  
Page 1 of 1
RULE 132.04.
VOLUNTARY SURRENDER OF LICENSE

I, Barbara L. Henderson, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: smoking marijuana.

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-9176 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: 3/4/04

2002-2004 License Number
PN-9176

State of Idaho Board of Nursing
This is to certify that BARBARA LEE HENDERSON has compiled with the requirements of the law and is entitled to practice as a LICENSED PRACTICAL NURSE (LPN)

Signature of Licensee

Signature of Witness

Valid when signed by licensee.
March 9, 2004

Barbara Huckins
29625 N 7th Street
Athol, ID 83801

Dear Ms. Huckins:

We are in receipt of your statement of Voluntary Surrender and licensure certificate. Please contact John Southworth, Program Coordinator, Southworth Associates, 1/800/386-1695, within seven (7) days following receipt of this letter to discuss your enrollment in this program.

At this time, the investigation into this concern has been placed on hold. The expectation of this Board is that you will remain compliant with all of the contract requirements. Should you decide to withdraw from this program or otherwise become non-compliant with any of the conditions, the investigation will be activated and action initiated as appropriate.

If you need additional information at this time, please contact this office.

Sincerely,

VICKY GOETTSCHE, MBA, RN
Associate 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.
3/31/04

Idaho State Board of Nursing

I am removing myself from the RN program at this time due to financial difficulty. I now have to stay home and take care of my father who has 50% heart function; this is something new that I didn't think you were aware of. I have started 2 home businesses. I was offered a management position in sales which my 21 year old son is now doing. I feel this was part of God's plan. I understand that I cannot become licensed for 2 years and that I would need to go through the program. I thank you for all your help.

Sincerely,
Barbara L Hawkins
March 9, 2004

Barbara Huckins  
29625 N 7th Street  
Athol ID 83801

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Associate Director

VG:lhc  
encl.  
cc: John Southworth

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Sincerely,

Richard L. Hawkins
Linda — Idaho Board of Nursing

From: Dori Sohner

Fax: 208-334-3262

Date: February 17, 2004

Phone: 208-334-3110

Pages: 4

Re: Huckins

Linda,

Good afternoon. Please see attached letter and drug screen result. Please call if you have any questions.

Dori Sohner, Director of Nursing
Date: February 17, 2004

To: Idaho Board of Nursing
PO Box 83720
Boise, Idaho 83720-0061

Attn: Linda

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Client ID: 8517-1  

Report To:  
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Techgroup  
244 West Main  
Spokane, WA 99201  

Custody ID: M00187679  

Accession #: 24014861  
Donor ID: HUCKINS, BARBARA  
SSN #: 04021314  
Folder #:  
Reason: Reasonable Suspicion/Cause  
Location: COULEE COMM HSP  
Collected: 02/12/04 14:25  
Received: 02/13/04 00:21  
Reported: 02/13/04 15:54  

Analysis Ordered: DFW50  

Drug Class  
Amphetamines  
Benzylecgonine (Cocaine)  
Opiates (Codeine/Morphine)  
THC (Cannabinoids 50)  
Phencyclidine  

Result  
Amphetamines  
Benzylecgonine (Cocaine)  
Opiates (Codeine/Morphine)  
THC (Cannabinoids 50)  
Phencyclidine  

Quantitation  
Amphetamines  NEGATIVE  
Benzylecgonine (Cocaine)  NEGATIVE  
Opiates (Codeine/Morphine)  NEGATIVE  
THC (Cannabinoids 50)  **POSITIVE**  
Phencyclidine  NEGATIVE  

Screen Cutoff: 

1000 ng/mL  
300 ng/mL  
2000 ng/mL  
50 ng/mL  
25 ng/mL  
15 ng/mL  


**I certify that the specimen identified by this accession number has been handled and analyzed in accordance with all applicable requirements.**

Released & Certified By: Brian Bischoff  
Date: 02/13/04  

END OF REPORT  

Page 1 of 1