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

MARK IMUS, JR
N-11737

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: )
WILLIAM MARK IMUS, JR., ) Case No. BON 00-011
License Nos. NP-57 and N-11737, ) FINDINGS OF FACT,
) CONCLUSIONS OF LAW
) AND FINAL ORDER
) Respondent.
)

Pursuant to the Order to Show Cause and Notice of Hearing dated January 28, 2002, Respondent William Mark Imus, Jr., appeared before the Idaho State Board of Nursing during its meeting of February 18 and 19, 2002. Mr. Imus appeared without benefit of counsel. The State of Idaho was represented by Kirsten Wallace, Deputy Attorney General. Kay C. Manweiler, Deputy Attorney General, acted as Hearing Officer during the proceedings. Members of the Board participating in the hearing were Charles Moseley, RN, CRNA, Daniel Bauer, RN, Shirlie Meyer, RN, Analyn Frasure, LPN, Karen Ellis, RN, Claudeen Buettner, RN, Judy Hansen, LPN, and Dianne Kinney, RN. Also in attendance were Sandra Evans, M.A.Ed., R.N., Executive Director of the Idaho State Board of Nursing, and Vicky Goettsche, Associate Director of the Idaho State Board of Nursing.

The Board, having reviewed the Stipulated Reprimand and Final Order entered into between the Board and Respondent on May 24, 2001, the Affidavit of Vicky Goettsche, the various pieces of correspondence, and other materials in the file, and having heard the testimony of Respondent in his own defense, and good cause appearing therefore, finds that:
FINDINGS OF FACT

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

2. On May 24, 2001, Respondent agreed to the Board’s issuance of a Stipulated Reprimand and Final Order.

3. Under the terms of the Stipulated Reprimand and Final Order, Respondent was issued a formal reprimand and placed on probation for two (2) years. The probation contained certain mandatory conditions, more specifically set forth in that document, a copy of which is attached hereto as Exhibit A.

4. In addition to other conditions, during the course of this probation, Respondent was required to:
   
   a. Attend, at least once per week, a Sex Addicts Anonymous or similar Board-approved recovery group. Respondent was to provide monthly confirmation of his attendance at such meetings by sending notification to the Board, postmarked not later than the 30th day of each month.

   b. Provide the Board with quarterly reports concerning his employment. These reports were to be postmarked not later than the last day of the month in each quarter.

   c. Attend a Board-approved ethics training class/education program within six (6) months of issuance of the Order of May 24, 2001, and to submit to the Board proof of attendance within thirty (30) days of his attendance at such program.
5. Respondent did not provide the Board with timely monthly confirmation of his attendance at Board-approved recovery group meetings.

6. Respondent did not provide the Board with timely quarterly reports from his employer.

7. Respondent did not attend any ethics training class/education program during the six (6) months following entry of the Stipulated Reprimand and Final Order.

8. Failure to comply with the conditions of the Stipulated Reprimand and Final Order of May 24, 2001, constitutes grounds for the imposition of further discipline.

CONCLUSIONS OF LAW

1. The facts as stated above fall within the regulatory jurisdiction of the Idaho State Board of Nursing as set forth in title 54, chapter 14, Idaho Code.

2. The facts as stated in paragraphs 4 (a, b, and c) through 9, above, constitute violations of the Stipulated Reprimand and Final Order of May 24, 2001, and, as such, constitute grounds for the imposition of further discipline.

ORDER

NOW, THEREFORE, it is hereby ordered that Licenses numbered NP-57 and N-11737, held by Respondent William Mark Imus, Jr., be suspended for a period of three (3) months.

The Board FURTHER ORDERS that this suspension be stayed so long as Respondent complies with the following terms and conditions:

1. Respondent must submit monthly reports, signed by his employing physician, concerning his work performance. The reports to be submitted to the Board pursuant to this provision must be received in the office of the Board of Nursing no later
than 5:00 p.m. on the 10th day of the month immediately following the month for which the report is due. If the 10th day of the month falls on a Saturday, a Sunday, or on a holiday, the report shall be due in the office of the Board of Nursing no later than 9:00 a.m. on the first business day immediately following the weekend or holiday. For instance, the employer's report for February 2002 is due for receipt in the office of the Board of Nursing no later than 5:00 p.m. on March 10, 2002. Because March 10, 2002, is a Sunday, the report must be delivered to the Board office no later than 9:00 a.m. on Monday, March 11, 2002.

2. Respondent must submit monthly documentation of his continued weekly attendance at the recovery group meetings. Respondent must attend these meetings at least weekly, but is encouraged to attend more frequently if at all possible. The reports to be submitted to the Board pursuant to this provision must be received in the office of the Board of Nursing no later than the 10th day of the month immediately following the month for which the report is due. If the 10th day of the month falls on a Saturday, a Sunday, or on a holiday, the report shall be due in the office of the Board of Nursing no later than 9:00 a.m. on the first business day immediately following the weekend or holiday. For instance, the attendance report for February 2002 is due for receipt in the office of the Board of Nursing no later than 5:00 p.m. on March 10, 2002. Because March 10, 2002, is a Sunday, the report must be delivered to the Board office no later than 9:00 a.m. on Monday, March 11, 2002.

3. Within three (3) months of the issuance of this Order, Respondent shall complete the education requirements set forth in the Stipulated Reprimand and Final
Order of May 24, 2001. Respondent must submit documentation of compliance with this provision within ten (10) days of his completion of the education.

4. Respondent shall continue to adhere to all of the remaining terms and conditions set forth in the Stipulated Reprimand and Final Order of May 24, 2001, except as provided by items 1, 2, and 3 above, for the duration of that agreement.

5. All costs associated with compliance of the terms of this Order or the Stipulated Reprimand and Final Order of May 24, 2001, are the sole responsibility of Respondent.

6. Any failure to comply with the terms of the Stipulated Reprimand and Final Order of May 24, 2001, or this Order, will result in the immediate suspension of Respondent's licenses numbered NP-57 and N-11737 for a period of three (3) months from the date of suspension.

NOTICE OF APPEAL RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency 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 § 67-5246(4), Idaho Code.

Pursuant to §§ 67-5270 and 67-5272, Idaho Code, 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:

i. A hearing was held,
ii. The final agency action was taken,

iii. The party seeking review of the order resides or operates its principal place of business in Idaho, or

iv. 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 § 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 30th day of March 2002.

IDAHO STATE BOARD OF NURSING

By: Charles Moseley, CRNA
CHARLES MOSELEY, Chairman
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of March, 2002, 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:

Kirsten L. Wallace
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

Kay C. Manweiler
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

William Mark Imus, Jr.
P.O. Box 325
Weiser, ID 83672

____ U.S. Mail, postage prepaid
____ Certified U.S. Mail, return receipt
____ Hand Delivery
____ Overnight Mail
Facsimile: __________________________
____ Statehouse Mail

____ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
) ) Case No. BON 00-011
WILLIAM MARK IMUS, JR., ) ) STIPULATED REPRIMAND
License Nos. NP-57 and N-11737, ) ) AND FINAL ORDER
) ) Respondent.
)

WHEREAS, information having been received by the Idaho State Board of Nursing (hereinafter the "Board") which constitutes sufficient grounds for the initiation of an administrative action against William Mark Imus, Jr. (hereinafter "Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; 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.

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

2. Respondent William Mark Imus, Jr. is a licensee of the Idaho State Board of Nursing and holds License Nos. NP-57 and N-11737 to practice professional nursing in the State of Idaho. Respondent's license is subject to the provisions of title 54, chapter 14, Idaho Code.

3. In or about March 1980, while Respondent was employed as a nurse practitioner at Medical Center Physicians, P.A. (aka Parma Clinic), Respondent began treating S.C., a patient. Respondent was S.C.'s primary medical care provider until approximately July 1995.

4. During the course of his treatment of S.C., Respondent began and maintained a sexual relationship with S.C. which continued until approximately July 1995.
5. The facts as stated in Paragraphs 1 through 4 constitute violations of Idaho Code § 54-1413(1)(g) and IDAPA 23.01.01.100.05 and 370. 10.

6. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby agrees to the imposition of discipline against his license as set forth in Section C below.

B.

I, William Mark Imus, Jr., by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated above in section A. I further understand that these allegations constitute cause to discipline my license to practice nursing in the state of Idaho, and I agree that the Board has jurisdiction to proceed in this matter.

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 so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho 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 the pending allegations.

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

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this stipulation whereby:

1. Respondent is hereby formally reprimanded by the Board.

2. Respondent’s License Nos. NP-57 and N-11737 shall be placed on probation for a period of two (2) years. The conditions of probation are as follows:
a. Respondent shall comply with all state, federal and local laws, rules and regulations governing the practice of nursing in the State of Idaho.

b. Respondent shall attend, at least once per week during the period of probation, a Sex Addicts Anonymous or similar Board-approved community-based recovery group that places special emphasis on assisting with compulsive sexual behaviors. Respondent shall submit to the Board monthly confirmation of his attendance at such group. The confirmations shall be postmarked no later than the 30th of each month.

c. Within six (6) months of the date of entry of the Board’s Order, Respondent shall attend a Board-approved ethics training class/education program to review and reinforce appropriate professional conduct, especially regarding the issue of professional relationships. Respondent shall submit to the Board proof of attendance within thirty (30) days of attendance of such class/program.

d. Respondent shall provide a copy of this Stipulation to his employer or other individual in a supervisory role. Respondent shall direct his employer or other individual in a supervisory role to submit quarterly reports concerning Respondent’s work performance on a form approved by the Board. The form is attached hereto as Exhibit 1. The quarterly reports must be postmarked no later than the last day of the month in each quarter. The quarters shall be as follows: January - March; April - June; July - September; October - December.

e. Respondent shall follow the recommendations of Tony Salkas, CSWP-C, and shall continue counseling with Tony Salkas, CSWP-C, or another licensed mental health care professional approved by the Board. The mental health care professional chosen by Respondent shall submit quarterly reports to the Board explaining Respondent’s progress and future prognosis. The quarterly reports must be postmarked no later than the last day of the month in each quarter. The quarters shall be as follows: January - March; April - June; July - September; October - December. If at any time
during the 2-year probationary period the mental health care professional determines that additional one-on-one counseling is no longer warranted, Respondent may terminate the counseling relationship provided the counselor submits to the Board a discharge summary discussing the counselor's course of treatment, and rationale and evidence that further counseling is no longer necessary. The discharge summary must also contain a provision that, in the mental health care professional's opinion, Respondent poses no further risk to the public.

f. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

g. In the event Respondent should leave Idaho for three (3) continuous months, or to reside or practice outside of the state, Respondent must provide written notification to the Board of the dates of departure, address of intended residence or place of business, and indicate whether Respondent intends to return. Periods of time spent outside Idaho will not apply to the reduction of this period or excuse compliance with the terms of this Stipulation.

h. Respondent shall fully cooperate with the Board and its agents, and submit any documents or other information within a reasonable time after a request is made for such documents or information.

i. Respondent shall make all files, records, correspondence or other documents available immediately upon the demand of any member of the Board's staff or its agents.

3. At any time during the 2-year probationary period, Respondent may petition the Board for termination of probation upon receipt by the Board of a report from the Board-approved mental health care professional finding that Respondent does not need further monitoring or treatment.

4. Provided that Respondent has not previously petitioned the Board for termination of probation, at the conclusion of the 2-year probationary period, Respondent
may request reinstatement without restrictions of License Nos. NP-57 and N-11737 from the Board. The Board shall terminate the probationary period and grant reinstatement without restrictions of Respondent’s professional nursing licenses, so long as Respondent has complied with the terms of this Stipulation and the mental health care professional has submitted a discharge summary pursuant to the requirements outlined in Section C(2)(e), above. If the mental health care professional determines, in his or her professional opinion, that Respondent would continue to pose an unacceptable risk to the public without further counseling, the period of probation will continue until such time as the mental health care professional can submit a discharge summary.

5. All costs associated with compliance with the terms of this stipulation are the sole responsibility of Respondent.

6. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this settlement agreement shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent’s approval, or reject this settlement agreement, and if rejected by the Board, an administrative complaint will be filed. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the allegations in the Complaint if, after review by the Board, this settlement agreement is rejected.

3. If the Board does not accept this Stipulation, it shall be regarded as null and void. Admissions by Respondent in the settlement agreement will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.
4. This Stipulated Reprimand and Final Order shall not become effective until it has been approved by a majority of the board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Respondent understands that the Board will not refund, in whole or in part, any monies paid to the Board for his initial licensure or renewal licensure.

7. Any default of this Stipulated Reprimand and Final Order shall be considered a violation of Idaho Code § 54-1413. If Respondent violates or fails to comply with this Stipulated Reprimand and Final Order, the Board may impose additional discipline pursuant to the following procedure:

   a. The Board’s executive director shall schedule a hearing before the Board. Within twenty-one (21) days after the notice of hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations will be deemed admitted.

   b. At the hearing before the Board upon default, the Board staff and Respondent may submit affidavits made on personal knowledge and argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulated Reprimand and Final Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

   c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent’s practice or suspension or revocation of Respondent’s license.
8. The Board shall have the right to make full disclosure of this Stipulated Reprimand and Final Order and the underlying facts relating hereto to any state, agency or individual requesting information pursuant to any applicable limitations of the Idaho Public Records Act, title 9, chapter 6 Idaho Code.

9. This Stipulated Reprimand and Final Order contains the entire agreement between the parties, and Respondent is 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 will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Stipulated Reprimand and Final Order 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 24th day of April, 2001.

[Signature]
William Mark Imus, Jr.
Respondent
Approved as to form, and I concur in this stipulation and order.

DATED this 24\textsuperscript{th} day of May, 2001.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By \underline{Kirsten L. Wallace}  
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-1404, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 24\textsuperscript{th} day of May, 2001. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By \underline{Claudeen Buettner}, Ed.D., R.N.  
Vice-Chairman
REPORT OF WORK PERFORMANCE FOR:

DATE DUE: __________________________

This form is to be sent directly to the Idaho State Board of Nursing

I, ________________________________, hereby authorize ________________________________ (Signature of nurse)

(Supervisor) ________________________________ to release to the Board of Nursing the information required to answer the questions below:

Date of employment: ________________________________
Length of employment: ________________________________
Capacity in which employed: ________________________________

Evaluation of professional ability and performance of duties:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Discussion of the handling of narcotics and other drugs:

__________________________________________________________________________
__________________________________________________________________________

Discussion of interpersonal relationships:

__________________________________________________________________________
__________________________________________________________________________

Attendance:

__________________________________________________________________________

Additional Comments: (Include information regarding counseling)

__________________________________________________________________________
__________________________________________________________________________

Signature of supervisor ________________________________ Title ________________________________ Date ________________________________

Name and address of employer:

__________________________________________________________________________
__________________________________________________________________________

Type of facility:
Hospital
Nursing Home
Other

Exhibit ______
Page ______ of ______
AUTHORIZATION FOR RELEASE OF RECORDS AND REPORTS

I hereby authorize and direct any medical or health care provider, mental health care provider, or any supervising physician, or a member of his or her staff, to release any and all records, reports, notes and/or information to Kirsten L. Wallace, attorney for the Idaho State Board of Nursing, or to such other representative of the Idaho Attorney General's Office or the Idaho State Board of Nursing as may be designated, for examination and for copying thereof, upon request for such records, reports, notes or information.

I further authorize any medical or health care provider, mental health care provider, or any supervising physician, or other person who has such information, to consult with or discuss such information with Kirsten L. Wallace or with such other representative of the Idaho Attorney General's Office or the Idaho State Board of Nursing.

I further consent that a photocopy of this authorization may be used in lieu of the original hereof.

DATED this 24th day of April, 2001.

William Mark Imus, Jr.

WILLIAM MARK IMUS, JR.

Exhibit 2
Page 7 of 1
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24TH day of MAY, 2001, I caused to be served a true and correct copy of the foregoing by the following method to:

William Mark Imus, Jr.
P.O. Box 850
Parma, ID 83660

Kirsten L. Wallace
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☒ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:
☐ Statehouse Mail

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:
☒ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
WILLIAM MARK IMUS
PO BOX 325
WEISER ID 83672

2. Article Number (Copy from service label)
7000 1530 0000 9411 8225
Domestic Return Receipt

OFFICIAL USE

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

1/29/02
Surface

PS Form 3811, May 2000
See Reverse for Instructions
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: 

WILLIAM MARK IMUS, JR., 
License Nos. NP-57 and N-11737, 
Respondent. 

Case No. BON 00-011

ORDER TO SHOW CAUSE, 
NOTICE OF HEARING AND 
APPOINTMENT OF 
HEARING OFFICER

TO: William Mark Imus, Jr. 
P.O. Box 325 
Weiser, ID 83672

ORDER TO SHOW CAUSE AND 
NOTICE OF HEARING

Respondent and the Idaho State Board of Nursing (the “Board”) entered into a Stipulated Reprimand and Final Order on May 24, 2001. In that Order, the Board issued Respondent a formal reprimand and placed Respondent on probation for two years with certain conditions. According to the Affidavit of Vicky Goettsche filed herein, Respondent has failed to comply with the conditions of his probation. Respondent’s failure to comply with the terms of his probation constitutes a default of the Stipulated Reprimand and Final Order, in violation of Idaho Code § 54-1413.

Accordingly, pursuant to the provisions of the Stipulated Reprimand and Final Order, of title 54, chapter 14, Idaho Code, and of the duly promulgated rules of the Idaho State Board of Nursing, you are hereby notified and requested to appear before the Board on the 19th day of February, at 1:30 p.m. (MST) at the West Coast Park Center Suites, Cottonwoods IV-V, 424 East Park Center Blvd, Boise, Idaho, and from time to time thereafter as may be required by the Board, to show cause, if any, why the Board should not impose additional disciplinary action, which may include conditions or limitations upon your practice or suspension or revocation of your license.

ORDER TO SHOW CAUSE, NOTICE OF HEARING
You are further notified that you may appear with or without the assistance of an attorney on the day and at the time and place specified in this Notice of Hearing and present testimony with respect to the issue of the noncompliance with the terms of probation.

All persons requiring assistance pursuant to the Americans with Disabilities Act in order to participate in or understand the hearing must request such assistance ten (10) days in advance of the hearing by contacting the Board Office at the number or address listed below.

The hearing will be conducted pursuant to the terms as stated in the Stipulated Reprimand and Final Order, the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of the Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01. Copies of the Administrative Procedure Act and the Idaho Rules of the Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library.

All original official documents must be filed with the Idaho State Board of Nursing, 280 North 8th Street, Suite 210, Boise, Idaho, 83720-0061; telephone (208) 334-3110; FAX (208) 334-3262. Copies must also be provided to the Board’s prosecuting attorney, Kirsten Wallace, Deputy Attorney General, P.O. Box 83720, Boise, Idaho, 83720-0010; telephone (208) 334-2400; FAX (208) 334-2830.

NOTICE OF APPOINTMENT OF HEARING OFFICER

The Board of Nursing, pursuant to its authority under Idaho Code § 67-2609(a)(5) to conduct disciplinary hearings, hereby appoints as the duly authorized hearing officer in this matter the following individual:

Kay C. Manweiler  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010  
Telephone: (208) 334-2400

ORDER TO SHOW CAUSE, NOTICE OF HEARING
Telefax: (208) 334-3107

In addition to filing all original official pleadings, briefs, motions and other documents directly with the Board of Nursing as specified in the Notice, a true and correct copy of each such document must also simultaneously be submitted to the hearing officer at the above address.

The hearing officer shall have all power and authority granted such hearing officers by title 67, chapter 52, Idaho Code (the Idaho Administrative Procedures Act) and the Idaho Rules of Administrative Procedure promulgated by the Idaho Attorney General, codified at IDAPA 04.11.01. et seq.

After conducting any evidentiary hearing(s) necessary in this matter, the hearing officer shall issue Findings of Fact, Conclusions of Law and a Final Order as provided by Idaho Code § 67-5246(1) and IDAPA 04.11.01.740.

DATED this 28th day of January, 2002.

IDAHO STATE BOARD OF NURSING

By Sandra Evans, M.A.Ed., R.N.
Executive Director

ORDER TO SHOW CAUSE, NOTICE OF HEARING
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of January, 2002, I caused to be served a true and correct copy of the foregoing ORDER TO SHOW CAUSE, NOTICE OF HEARING AND NOTICE OF APPOINTMENT OF HEARING OFFICER addressed as follows:

Kirsten L. Wallace  
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:  
X Statehouse Mail

Kay C. Manweiler  
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:  
X Statehouse Mail

William Mark Imus, Jr.  
P.O. Box 325  
Weiser, ID 83672  

X U.S. Mail, postage prepaid  
X Certified U.S. Mail, return receipt  
Hand Delivery  
Overnight Mail  
Facsimile:  
X Statehouse Mail

Sandra Evans, M.A.Ed., R.N.  
Executive Director  
Board of Nursing

ORDER TO SHOW CAUSE, NOTICE OF HEARING
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:  )
WILLIAM MARK IMUS, JR.,
License Nos. NP-57 and N-11737,
Respondent.  )

Case No. BON 00-011

AFFIDAVIT OF
VICKY GOETTSCHE

STATE OF IDAHO  )
ss.
County of Ada  )

I, Vicky Goettsche, being first duly sworn, depose and say:

1. I am the Associate Director for the Idaho State Board of Nursing, and I am one of the custodians of records for all of the Board of Nursing files maintained in the Board office. As such, I have personal knowledge of and I am competent to testify to the matters stated herein.

2. I have recently reviewed the administrative file maintained by the Board with respect to Respondent William Mark Imus, Jr. These records are kept in the regular course of Board business.

3. Respondent holds License Nos. NP-57 and N-11737 to practice professional nursing in the State of Idaho.

4. On May 24, 2001, the Board and Respondent entered into a Stipulated Reprimand and Final Order whereby Respondent received a formal reprimand from the Board and was placed on probation for two years with certain conditions.

5. Three of the conditions of Respondent’s probation are:

a. Attendance at least once per week at a Sex Addicts Anonymous or similar Board-approved recovery group. Respondent is required to submit to the board monthly confirmation of his attendance at such group, with the confirmations postmarked no later than the 30th of each month.

AFFIDAVIT OF VICKY GOETTSCHE - 1
b. Quarterly reports from Respondent’s employer to the Board concerning his work performance, which reports must be postmarked no later than the last day of the month in each quarter.

c. Within six months of the date of entry of the Board’s Order, Respondent shall attend a Board-approved ethics training class/education program to review and reinforce appropriate professional conduct, especially regarding the issue of professional relationships. The Board was to receive proof of attendance within 30 days of attendance of such class/program.

6. On November 16, 2001, Deputy Attorney General Kirsten Wallace sent Respondent a letter informing him that the Board had not received (a) his proof of attendance at a Sex Addicts Anonymous or similar recovery group for the months of September and October, which were due September 30, 2001, and October 30, 2001, respectively, and (b) his quarterly report from his employer for the period ending September 30, 2001. A true and correct copy of the letter from Deputy Attorney General Kirsten Wallace is attached hereto as Exhibit A.

7. The Board received Respondent’s proof of attendance at a Sex Addicts Anonymous or similar recovery group for the months of September and October 2001 on November 20, 2001. The Board did not receive a quarterly report from Respondent’s employer for the period ending September 30, 2001.

8. On November 28, 2001, Linda Coley, Management Assistant for the Board, sent to Respondent a memo informing him that the Board had not received the quarterly report from Respondent’s employer which was due September 30, 2001. A true and correct copy of the November 28, 2001, memo from Linda Coley is attached hereto as Exhibit B.

9. As of this date, the Board has not received the following reports or documentation from Respondent:
a. Proof of attendance at a Sex Addicts Anonymous or similar Board-approved recovery group for the months of November and December 2001. These reports were to be postmarked no later than November 30, 2001, and December 30, 2001, respectively.

b. Quarterly reports from Respondent’s employer for the periods ending September 30, 2001 (7/1/01-9/30/01) and December 30, 2001 (10/1/01-12/30/01). These reports were to be postmarked no later than September 30, 2001, and December 30, 2001, respectively.

c. Proof of attendance from the Board-approved ethics training class/education program. The board’s Order was entered May 24, 2001. Respondent should have completed the course by November 24, 2001, and submitted proof of attendance to the Board before December 30, 2001.

THIS CONCLUDES MY AFFIDAVIT.

Vicky Goettsche

SUBSCRIBED AND SWORN TO before me this 28th day of January, 2002.

LINDA E. COLBY
Notary Public for Idaho
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of January, 2002, I caused to be served a true and correct copy of the foregoing AFFIDAVIT OF VICKY GOETTSCHE addressed as follows:

Kirsten L. Wallace
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: ____________
X     Statehouse Mail

Kay C. Manweiler
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: ____________
X     Statehouse Mail

William Mark Imus, Jr.
P.O. Box 325
Weiser, ID 83672

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
Certified Mail, Return Receipt Requested and Regular Mail

Mr. W. Mark Imus
P.O. Box 325
Weiser, ID 83672

Re: Idaho Board of Nursing;
    Case No. 00-011

Dear Mr. Imus:

As you are aware, on May 24, 2001, a Stipulated Reprimand and Final Order was entered against you by the Board of Nursing. In that Order, the Board issued you a formal reprimand and placed you on probation for two years with certain conditions. Two of the conditions of your probation are:

1. Attendance at least once per week at a Sex Addicts Anonymous or similar Board-approved recovery group. You are required to submit to the Board monthly confirmation of your attendance at such group, with the confirmations postmarked no later than the 30th of each month.

2. Quarterly reports from your employer to the Board concerning your work performance, which reports must be postmarked no later than the last day of the month in each quarter.

As of this date, the Board has not received the following reports:

1. Proof of attendance at a Sex Addicts Anonymous or similar Board-approved recovery group for the months of September and October. These reports were to be postmarked no later than September 30, 2001, and October 31, 2001, respectively.
2. Quarterly report from your employer for the period ending September 30, 2001 (7/1/01-9/30/01). This report was to be postmarked no later than September 30, 2001.

Your submission of the required reports to the Board in a timely manner as set forth in the Stipulated Reprimand and Final Order is a mandatory condition of your probation. Please submit the missing reports immediately. Finally, please be advised that future failure to submit the reports in a timely manner may result in Board action, including the initiation of further disciplinary action.

Thank you for your attention to this matter.

Sincerely yours,

KIRSTEN L. WALLACE
Deputy Attorney General
Civil Litigation Division

cc: Board of Nursing
Nursing@imus@1311wa
TO: Mark Imus
   PO Box 325
   Weiser, Idaho 83672

FROM: LINDA COLEY
       Management Assistant

DATE: November 28, 2001

The following reports have not been received by the due date(09/30/01):

   Performance Evaluation

   *You have two weeks from the date of this letter to get the Performance Evaluation back to
   us. We have enclosed Performance forms and the counseling forms you requested were sent
   to Tony Salkes.*

Failure to comply with the Agreement could result in formal disciplinary action being
initiated. Please contact this office if you have questions.