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

STACEY KILBORN
PN-11544

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
Stacey Kilborn  
106 S Greenscape Lane  
Nampa ID 83687

Dear Ms. Kilborn:

During their meeting on February 8-9, 2007, the Board of Nursing members took action to approve the Findings of Fact, Conclusions of Law and Final Order. Enclosed is a copy of the Final Order revoking your practical nurse license for a two (2) year period.

Please be advised that you may not practice nursing in the State of Idaho during the time your license is revoked. In accordance with IDAPA 23.01.01.120, you may apply for reinstatement two (2) years following revocation of license.

Sincerely,

[Signature]

SANDRA EVANS, MAEd, RN  
Executive Director

SE:Ihc  
enclosure

*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.*
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
) Case No. BON 06-053
STACEY J. KILBORN, )
License No. PN-11544, ) FINDINGS OF FACT,
Respondent. ) CONCLUSIONS OF LAW AND
) FINAL ORDER

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

FINDINGS OF FACT

1. Stacey J. Kilborn (“Respondent”) has been licensed by the Board under License No. PN-11544 to engage in the practice of practical nursing in the State of Idaho.

2. On September 6, 2006, Respondent voluntarily surrendered her license and admitted that she had been calling in and forging unauthorized narcotic prescriptions. Respondent also agreed to enter treatment. A true and correct copy of Respondent’s Voluntary Surrender of License is attached hereto as Exhibit A.

3. On November 17, 2006, the PRN advised the Board that Respondent had informed the PRN that she was “giving up her license completely” and would not be joining the PRN. A true and correct copy of the November 17, 2006, e-mail from Southworth Associates to the Board is attached hereto as Exhibit B.

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 License PN-11544 is conditioned upon her complying with the laws and rules of the Idaho State Board of Nursing.

3. Respondent called in to pharmacies and/or forged unauthorized narcotic prescriptions herself.
4. Respondent voluntarily surrendered her license and agreed to enroll in and comply with the terms of the PRN. She has failed to do so.

5. Respondent's acts as set forth above constitute violations of the laws and rules governing the practice of nursing in the State of Idaho; specifically, Idaho Code §§ 54-1413(1)(e) and (g) and Board Rules (IDAPA 23.01.01) 100.06, 100.08, 101.04.e and 101.05.f.

6. Pursuant to Idaho Code § 54-1413(3)(a), the Board is authorized to impose sanctions against Respondent.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, it is hereby ordered that:

1. License No. PN-11544 issued to Stacey J. Kilborn is:
   
   [ ] Revoked
   
   [ ] Suspended _____ days/year(s) _____ indefinitely

2. At such time as Respondent requests reinstatement of licensure, she shall comply with the requirements of Idaho Code § 54-1411(3) and IDAPA 23.01.01.120. This will include, but is not limited to, providing the following information to the Board:
   
   a. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol;
   
   b. Documentation that she is rehabilitated and competent to practice nursing by submitting:
      
      i. A comprehensive drug/alcohol evaluation completed by a qualified health care provider at the time of application for reinstatement.
      
      ii. A detailed summary of employment since licensure revocation or suspension; and
      
      iii. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program.

3. The Board reserves the right to assess investigative costs and attorney fees incurred in this matter as a condition of reinstatement.
This order is effective immediately.

DATED this 9th day of February, 2007.

IDAHO STATE BOARD OF NURSING

By

Susan Odom, Ph.D., R.N.
Chair

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 13TH day of February, 2007, I caused to be served a true and correct copy of the foregoing by the following method to:

Stacey J. Kilborn
106 S. Greenscape Lane
Nampa, ID 83687

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

Karl T. Klein
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

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
RULE 132.04.
VOLUNTARY SURRENDER OF LICENSE

I, Stacey J. Kilborn, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: CALLING IN PHARMACEUTICALS FOR FAMILY MEMBERS.

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-11544 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.”

Stacey J. Kilborn
Signature of Licensee

State of Idaho
Board of Nursing
This is to certify that:

Stacey Jolene Kilborn
7321 Lima Dr
Nampa, ID 83687
has complied with the requirements of the law and is entitled to practice as a LICENSED PRACTICAL NURSE (LPN)

Stacey J. Kilborn
Signature of Witness

License Number
PN-11544
Expires: August 31, 2008

Address
Nampa, ID 83687
City, State, Zip

Exhibit A
Page 1
From: Ashley [Ashley@southworthassociates.net]
Sent: Friday, November 17, 2006 9:26 AM
To: Linda Coley
Cc: Lori
Subject: Kilborn

Stacey Kilborn just called and stated that she is giving up her license completely and will not be joining PRN. She apparently cannot afford it and doesn't have time since she's working 2 jobs. Just thought I'd give you a heads up.

Ashley Giomart
Compliance Monitor
Southworth Associates
(208) 323-9555