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

CORRINE VAUGHT-LUJAN
N-27198

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
INTRODUCTION AND PROCEDURAL HISTORY

On June 27, 2008, the Executive Director of the Idaho Board of Nursing (hereinafter "Board") entered an Order summarily suspending the limited license issued to Respondent Corinne Lujan (hereinafter "Respondent"). The Order provided that the suspension was necessary in the interest of public health, safety, and welfare due to Respondent's failure to comply with terms and conditions of her limited license. The Order notified Respondent of her procedural rights to request a hearing on the suspension.

By letter dated July 8, 2008, Paul J. Stark, Respondent's attorney, requested an appeal before the Board on the suspension Order. On July 15, 2008, a formal Notice of Hearing was entered and served informing the parties that hearing on the suspension Order was scheduled before the Board at 1:30 p.m., on July 24, 2008.

On July 24, 2008, a formal hearing was conducted before the Board. Respondent appeared in person and through her attorney, Mr. Stark. The Board's Executive Director appeared in person and through her attorney, Deputy Attorney General Karl Klein. At the hearing, the parties stipulated to the admission of certain
documentary evidence, Bates numbered BON0001 through BON0040. No other exhibits were admitted at the hearing. The only witnesses testifying at the hearing were Respondent and Janet Edmonds, the Board’s Director for Professional Compliance.

At the conclusion of the hearing, the Board carefully reviewed and considered the testimony and materials presented by the parties and orally voted on a resolution of this matter. This written Order memorializes the Board’s decision.

FINDINGS OF FACT

1. In August 2005, the Board issued Respondent a temporary nursing license under License No. N-27198. This was followed in September 2005 by the issuance of a probationary limited license under the same number.

2. The limited license imposed certain conditions for a three (3) year period (that is, until September 2008). These conditions included obtaining urine tests for the presence of drugs or alcohol and attending twice weekly AA/NA meetings. Respondent was required to submit signed attendance cards monthly confirming her attendance at these meetings.

3. On August 15, 2005, Respondent signed an “Acknowledgment of Probationary Limited License and Monitoring Conditions” agreeing to the terms and conditions of the limited license. (BON0018).

4. Respondent was given written notice from the Board explaining that she should not drink more than 12 ounces of fluid or any coffee, tea, or soda in the three hours prior to any drug testing and that if she did consume such liquids she should wait a few hours before testing to allow the fluid to clear. The notice further informed Respondent that consuming said liquids could dilute the test results. (BON0020).
5. Lab results establish that twice in 2005 and once in 2008, Respondent’s urine samples were dilute. (BON0021-BON0025; BON0034-BON0036).

6. On March 31, 2007, Respondent faxed two (2) AA/NA Attendance Cards to the Board office. The first card indicated that it was verifying meeting dates between 10/30/07 and 11/21/07. (BON0026). The second card indicated that it was verifying meeting dates between 11/28/06 and 12/26/06. (BON0027).

7. On March 4, 2008, Respondent faxed an AA/NA Attendance Card to the Board reflecting attendance at meetings between “3-2” and “3-27.” (BON0030). No year was indicated on the card; however, Respondent was notified that the card was declined because it was showing attendance for meetings in March 2008 that had not yet occurred. (BON0031).

8. On June 27, 2008, Sandra Evans, the Board’s Executive Director, entered an Order, pursuant to IDAPA 23.01.01.132, summarily suspending Respondent’s limited license on the grounds that Respondent had violated her Monitoring Contract and conditions of her limited license by providing the dilute urine samples and falsifying the AA/NA Cards. (BON0037-BON0040).

9. Pursuant to notice, on July 24, 2008, a hearing was held before the Board on the suspension Order.

10. At the July 24, 2008 hearing, Respondent testified that as to the last urine sample (May 1, 2008), she got off work at approximately 6:00 a.m., voided, and then consumed a large (20 ounces) mug of coffee at a convenience store so that she could produce a urine sample at 8:00 a.m. No explanation was forthcoming as to the other two (2) dilute samples.
11. Regarding the pre-dated AA/NA Cards, Respondent denied any knowledge of the discrepancy and testified that she simply signed her name and submitted the cards.

12. On its face, the card for the 10/30/07 through 11/21/07 AA/NA meetings (BON0026) would appear to be pre-dated and, therefore, not legitimate. However, on closer examination, this may simply be a clerical error. BON0027 purportedly shows attendance dates for meetings held on 11/28/06 through 12/26/06. If Respondent had pre-dated BON0026 it seems incredible that she would pick dates that start immediately after the dates in BON0027—aside from the year difference. What more likely occurred is that the person who initially entered the 10/30/07 date on BON0026 did so erroneously intending to record a 10/30/06 date, and that the same person perpetuated the error in making the subsequent entries. This seems to be a more reasonable explanation for the discrepancy. In any event, sufficient doubt exists on the issue that it is difficult to conclude with a reasonable degree of certainty that Respondent falsified this particular card.

13. The same conclusion cannot be said regarding the other allegation of pre-dating. The AA/NA card Respondent faxed to the Board on March 4, 2008 (BON0030) reflects meeting attendance on March 2, 6, 8, 13, 17, 20, 22, and 27. While the year is not expressly noted on the card, the clear implication is that these are dates for March 2008. Since all these dates—with the exception of March 2—are after Respondent faxed the card, they are pre-dated. It matters not whether Respondent actually later attended AA/NA meetings on these subsequent dates; that is not the issue. The issue
is that she submitted to the Board office a form she knew, or should have known, was false when submitted.

14. Regarding the dilute urine samples, it is clear that Respondent was put on notice that drinking coffee would cause a dilute sample, rendering the test result unusable. Jan Edmonds testified that dilute urines could also be considered a positive specimen. Respondent was given written notice stating this. (BON0023 and BON0025).

15. Despite these notices, on at least three (3) occasions Respondent’s urine samples were dilute.

CONCLUSIONS OF LAW

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

2. Any failure to comply with the terms and conditions of a limited license shall be deemed an immediate threat to the health, safety, and welfare of the public, authorizing the Board’s Executive Director to enter an order summarily suspending the license. IDAPA 23.01.01.132.06.a.

3. The Executive Director’s suspension order in this case complied with applicable Board rules.

4. Respondent’s three (3) dilute urine samples and pre-dating of an NA/AA Card (BON0030) constitute sufficient grounds for suspending and disciplining her nursing license.

5. The Board is authorized to affirm or reject a suspension order entered by the Executive Director or it may enter such further orders revoking, suspending, or otherwise disciplining the license. Furthermore, the Board may stay any order of the
Executive Director or may modify the terms and conditions of a limited license as deemed appropriate to regulate, monitor, or supervise the practice of any licensee. IDAPA 23.01.01.132.06.b and c.

FINAL ORDER

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, IT IS ORDERED that:

1. The June 27, 2008 Order of the Executive Director summarily suspending License No. N-27198 is lifted.

2. The terms of limited License No. N-27198 will be modified as provided below.

3. The limited license shall be extended for an additional twelve (12) month period beginning on the date the license would otherwise expire.

4. Under the limited license Respondent shall obtain and pay for urine tests on a monthly basis when contacted by the sampling or testing service, or upon request of Board staff as authorized by IDAPA 23.01.01.132.05.f. In all other respects, the limited license shall be subject to the terms and conditions of the “Acknowledgement of Probationary Limited License and Monitoring Conditions” (“Acknowledgment Contract”) Lujan signed on August 15, 2005 (BON0018), and any other obligations and requirements of Board statutes and rules.

5. Respondent shall promptly (within seven days) contact the Board office and execute a new Acknowledgment Contract reflecting agreement with these modified licensure terms and conditions. Failure of Respondent to do so will result in further discipline, including summary suspension, against her license.
DATED this ___31st___ day of _______July____ 2008

IDAHO STATE BOARD OF NURSING

[Signature]

SUSAN ODOM, PhD, RN
Chairman

NOTICE OF APPEAL 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 § 54-1413 and Board of Nursing Rule IDAPA 23.01.01.165, you may petition for reconsideration of this Final Order of the Board upon the following grounds:

Newly discovered or newly available evidence relevant to the issues;

Error in the proceeding or Board decision that would be grounds for reversal or judicial review of the order;

Need for further consideration of the issues and the evidence in the public interest; or

A showing that issues not considered ought to be examined in order to properly dispose of the matter.
Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this Final Order may appeal this Final Order 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

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 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 4th day of August 2008, I caused to be served a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER by placing a copy thereof in the United States Mail, postage prepaid, and addressed to:

Paul J. Stark, Esq.
Marshall & Stark, PLLC
Redstone Springs Plaza
660 E. Franklin Rd., Ste. 220
Meridian, ID 83642

Karl Klein, Deputy Attorney General
Civil Litigation Division
Office of the Attorney General
P. O. Box 83720
Boise, ID 83720-0010

Roger L. Gabel, Deputy Attorney General
Contracts and Administrative Law Division
Office of the Attorney General
954 W. Jefferson, 2nd Fl.
Boise, ID 83720-0010

SANDRA EVANS, MAEd., R.N.
Executive Director
Board of Nursing

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER – 9
**U.S. Postal Service**

**CERTIFIED MAIL RECEIPT**

( Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

<table>
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<td>Return Receipt Fee (Enforcement Required)</td>
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**PAUL STARK, ESQ**

**MARSHALL & STARK PLLC**

**REDSTONE SPRINGS PLAZA**

660 E FRANKLIN RD STE 220

MERIDIAN ID 83642

PS Form 3810, June 2009

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. **Article Addressed to:**

   PAUL STARK, ESQ
   MARSHALL & STARK PLLC
   REDSTONE SPRINGS PLAZA
   660 E FRANKLIN RD STE 220
   MERIDIAN ID 83642

2. **Article Number**

   (Transfer from service label) 7005 3350 0002 8308 9673

3. **Service Type**

   - [X] Certified Mail
   - [ ] Express Mail
   - [ ] Registered
   - [ ] Return Receipt for Merchandise
   - [ ] Insured Mail
   - [ ] C.O.D.

4. **Restricted Delivery? (Extra Fee)**

   [ ] Yes

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**A. Signature**

X Sadie Kelly  [Agent]
[ ] Addresssee

**B. Received By (Printed Name)**

Sadie Kelly

**C. Date of Delivery**

8/5/08

**D. Is delivery address different from item 1?**

[ ] Yes

If YES, enter delivery address below:

9/15/08
I, Corinne Vaught Lujan, acknowledge that I have read and understand the following requirements. I acknowledge that I have been advised that a failure to comply with these requirements will be cause for the withdrawal of my limited license and/or denial of an application for reinstatement.

a. Notify the Board of any change in my current address and telephone number within ten (10) days of that change.

b. Notify the Board of the name(s) and address(es) of any and all employer(s), at the time that employment in any field is accepted. May not accept employment in any other state unless expressly authorized by both states.

c. Request my immediate supervisor to submit performance evaluations at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - other

   - quarterly

   - other

d. Continue in counseling, until released, and request my counselor to submit reports of my progress at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - monthly x 6, then quarterly

   - quarterly

   - 6-month intervals

   - upon Board request

e. Obtain and pay for random urine drug screens at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - monthly x 12, then quarterly

   - quarterly

   - upon Board request

f. Meet with professional Board staff upon Board request.

g. Investigative Charges - in an amount not to exceed $ .

h. Submit self-evaluations at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - monthly x 12, then quarterly

   - quarterly

   - other

i. Attend AA/NA meetings at least times per week and submit signed cards to confirm attendance.

j. Attend nurse support group meetings times per week.

k. Request 12-step sponsor to submit reports of progress at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - monthly x 12, then quarterly

   - quarterly

   - other

l. Attend aftercare, until released, and request my counselor to submit reports of my progress at the following intervals:
   - monthly
   - monthly x 3, then quarterly
   - monthly x 6, then quarterly

   - quarterly

   - other

m. Have no access to narcotics for:
   - 30 days
   - 60 days
   - 90 days
   - one year until approval has been granted by professional Board staff.

n. Comply with all laws, rules, standards, policies and procedures pertaining to the practice of nursing.

o. Abstain from the use of all mind-altering and potentially addicting drugs and alcohol, unless medically authorized in which case, I will furnish a copy of the prescription to the Board and the Board's testing agency.

p. Submit reports by the 30th day of each month in which they are due and assure that any reports to be submitted by others are submitted by the 30th of each month in which they are due.

q. May not be employed in any other state party to the Nurse Licensure Compact without having received permission from that state.

I understand that IDAPA 23.01.202 permits the Board to withdraw my probationary limited license, without prior notice or hearing, if the Board receives information or evidence that any of the conditions listed above, including the submission of reports in a timely manner, have been violated. If the Board withdraws my probationary limited license, I understand that the license must be surrendered on demand.

I understand that any decision regarding the reinstatement of my license is a discretionary decision for the Board and that the Board may rely on factors other than those set forth in this document as grounds for the denial of a petition for reinstatement.

Signature
125 Monas Creek Rd
Address
Boise, ID 83716
City, State, Zip Code

Date
8/11/08
3pm

Telephone Number
429-4383

Witness
TO: Corinne Vaught Lujan  
129 Mores Creek Rim Rd  
Boise ID 83716

FROM: SANDRA EVANS, MAEd, RN  
Executive Director

DATE: August 4, 2008

This memo is to notify you that the expiration date on your temporary license has been extended. Documentation of the extension appears below.

Your Limited License: N-27198

which expires: September 20, 2008

has been extended to: September 20, 2009

Working without temporary or renewable licensure is a violation of the Nursing Practice Act, and may result in the assessment of a fine and/or formal disciplinary action.