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

PAUL LUSTENBERGER  
N-29244

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:  )
  )  ) Case No. 05-011
PAUL LUSTENBERGER )
License No. N-29244 )
 ')  ) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
  )
Respondent. )

Having reviewed the documents filed in this matter, the Idaho State Board of Nursing (hereinafter the "Board") enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Paul Lustenberger (hereinafter "Respondent") is licensed by the Idaho State Board of Nursing under License No. N-29244 to engage in the practice of nursing in the State of Idaho.

2. On or about February 8, 2005, Respondent self reported that he had been diverting Vicodan from his former employer, EIRMC. See Exhibit A, attached hereto.

3. On February 18, 2005, Respondent signed a Voluntary Surrender Form and sent it to the Board. See Exhibit B, attached hereto.

4. On April 14, 2005, the Board sent a letter to Respondent advising him he had to enroll in the Program for Recovering Nurses ("PRN") or formal disciplinary action would continue. On May 9, 2005, a second letter was sent to respondent telling him he had seven days to contact the PRN. See Exhibit C, attached hereto.

5. On June 24, 2005, the Board was advised by PRN that Respondent had begun the process of enrolling in the program. On August 30, 2005, the PRN sent a letter to the Board advising them Respondent had never become fully enrolled in the PRN. This failure is in violation of item #8 set forth in the Voluntary Surrender form. See Exhibit D, attached hereto.
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, N-29244 is conditioned upon him complying with all the laws, rules and regulations. When he voluntarily surrendered his license, Respondent agreed to enter treatment immediately and to participate in a monitoring program. Respondent’s actions and failure to act as set forth above are in violation of Idaho Code §§ 54-1413(1)(e), (g) and (h); IDAPA 23. 01.01.100.06, .08, and .09.a; IDAPA 23.01.01.101.01 and .04.e; and IDAPA 23.01.132.04 and hence constitutes grounds for discipline.

3. Respondent’s acts as set forth above constitute violations of Idaho Code § 54-1413, 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. N-29244 issued to Paul Lustenberger, is:

✓ Revoked

_____ Suspended _____ days/year(s) _____ indefinitely

Based upon voluntary surrender, and is subject to subsequent review pursuant to Idaho Code § 54-1413(4).

It is further ordered that, should Respondent request reinstatement of licensure in the future, that he present the following information to the Board with his application for reinstatement:

1. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol;

2. Documentation that he is rehabilitated and competent to practice nursing by submitting:

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 2
a. A comprehensive drug/alcohol evaluation completed by a qualified health care provider at the time of application for reinstatement.

b. A detailed summary of employment since licensure revocation or suspension; and

c. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program.

The board reserves the right to assess investigative costs and attorney's fees incurred in this matter as a condition of reinstatement.

This order is effective immediately.

DATED this 11 day of November, 2005.

IDAHO STATE BOARD OF NURSING

By [Signature]

Randall Hudspeth, N.P., C.N.S.
Chairman

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

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 3
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 ___18TH___ day of NOVEMBER, 2005, 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

Paul Lustenberger
4331 E. 116th N
Idaho Falls, ID 83401

X U.S. Mail, postage prepaid
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
-----Original Message-----
From: Paul Lustenberger [mailto:GOKYU38@peoplepc.com]
Sent: Tuesday, February 08, 2005 1:23 PM
To: Vicky Goettsche
Cc: prnurse@southworthassociates.net
Subject: EIRMC

Dear Ms. Goettsche

I am writing to in regards of an error I have made. I have been to see you before however in this case I have made a poor judgment call. I injured my back approx. 3 months ago and my physician prescribed me a narcotic to relieve the pain until a source could be determined that was causing the pain. This went on for the last two months at which time I no longer had a prescription for the Vicodin. I have been using the narcotic during periods of working as a nurse as well as I took 4 pills from the hospital that I work for. I understand the consequences of my actions and have relinquished my license.

I understand that I made a poor choice in my actions and will accommodate any punishment that the State Board of Nursing advises. I would like to regain my license as the board sees fit. I am sorry to have come to this state in my career. I ask for the Boards forgiveness.

Sincerely
Paul Lustenberger
4331 E. 116th N.
Idaho Falls, ID
83401

I have forwarded this message to John Southworth
REPORT FORM FOR VIOLATION OF THE NURSING PRACTICE ACT

I. Name of Complainant: Elizabeth Later, R.N.
   Address: 356 Napa Drive
   City/State: Idaho Falls, ID 83404

II. Identifying information about whom the complaint is being made:
   (Please check appropriate box)
   X Professional Nurse (RN)  □ Advanced Practice Professional Nurse:
   □ Licensed Practical Nurse  NP/CNM/CNS/CRNA
   □ Nursing Assistant  □ Other
   Name: Paul Lustenberger, R.N.
   Address: 4331 East 11th North
   City/State: Idaho Falls, ID 83401
   Position: Critical Care Staff Nurse

Employer:
   Name: Eastern Idaho Regional Medical Center
   Address: 3100 Channing Way
   City/State: Idaho Falls, Idaho 83403

III. Nature of Complaint:
   (Conclude statements to actual incidents, giving dates, places and names of persons involved.) Explain what happened, where it happened, and the date and time it happened. Attach copies of relevant records, if possible.

   We discovered that 10 Norco had been removed from our Acudose system without being given to patients. In investigating, Paul admitted to removing 4 Norco tablets from the Acudose for his own use. Please see the attached documentation.

   - Over -
IV. Did any other person(s) witness this incident? If so, please give name(s), address(es), position(s) held, and telephone number(s), if known.

Ron Mills, R.N., ICU Clinical Team Leader, 529-7830
Julie Rubottom, R.N., ICU Staff Nurse, 529-7830

V. Additional Comments:

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

The identity of the complainant will remain confidential except when the complainant may be subpoenaed to testify in a formal hearing procedure.

The Idaho Board of Nursing is an equal opportunity employer and does not discriminate or deny services on the basis of age, race, religion, color, national origin, sex and/or disability.
Sunday, February 6, 2005

Today at around 4:30 p.m. I was notified by Ron Mills, R.N. (Clinical Team Leader) that he had discovered an Acudose discrepancy of 10 Norco. In his investigation he had found that Julie Rubottom, R.N. had removed 1 Norco at 1315 for patient V.M. At 1500 Julie discovered that 2 more Norco had been removed at 1437 from the Acudose for patient V.M. that she had not taken out and that were not documented on the e-mar. She notified Ron Mills of her discovery.

Ron requested an Acudose access report from pharmacy for patient V.M. and found, in addition to the 1 Norco removed by Julie Rubottom legitimately, in total:

- 2 Norco removed on 2/5/05 at 1714 under the “DNU” of Wendy Swope (DNU WXS)
- 2 Norco removed on 2/5/05 at 1847 under the “DNU” of Todd Merkley (DNUBTM)
- 2 Norco removed on 2/6/05 at 0734 under the “DNU” of Todd Merkley (DNUBTM)
- 2 Norco removed on 2/6/05 at 1110 under the “DNU” of Wendy Swope (DNUWXS)
- 2 Norco removed on 2/6/05 at 1437 under the “DNU” of Wendy Swope (DNUWXS)

None of these Norco were documented in e-mar. Wendy Swope worked nights on 2/5, but was not here during the times her password was used. Todd Merkley also worked nights on 2/5, but his Kronos record reflects that he clocked in after 1847 and clocked out prior to 0734.

Ron had already notified the house supervisor and the Administrator On Call (Doug Crabtree, CEO). I instructed Ron to have security start a search of personal belongings and lockers for everyone working today and to inform the staff that they were to be drug tested before leaving. The house supervisor called in the company that does drug testing. Two employees had been sent home early and I instructed Ron to call them in for a drug test.

I was met at the hospital by Raina O’Connor (Director of Critical Care), Edith Irving (Chief Nursing Officer) and Doug Crabtree (CEO). In our continuing investigation we found that, on 2/5/05 a Norco had been removed at 0940 under the “DNU” of Wendy Swope for a different patient (D.B.) and another Norco had been removed on 2/5/05 at 1236 under the “DNU” of Wendy Swope for patient D.B. Neither of these medications were documented on e-mar and Wendy Swope did not work day shift on 2/5/05 (she worked night shift 2/5/05).

While we met together to discuss the investigation, the security guard presented us with two empty Hydrocodone (Norco) packages that were found in the coat pocket of Paul Lustenberger, R.N. Paul worked both yesterday and today and was also working on the days that another discrepancy was found several months ago.

We interviewed Paul with the security guard present. The following is the interview:

Doug Crabtree: Paul, we’re obviously meeting about something serious. Is there anything you’d like to tell us before we start asking you questions?

Paul: No.

Doug: There’s nothing you’d like to tell us?

Paul: I know that there are drugs missing. I’d be happy to do a drug test for you.

Doug: You worked all the days that we have had narcotic discrepancies. Can you tell us what the security guard might have found in your coat pocket?

Paul: (Paused) He would have found two empty Norco packages.

Doug: How would they have gotten in your coat pocket?
Paul: I gave them to a patient a couple of weeks ago and put the empty packages in my coat pocket. I took them home.

Doug: How common an occurrence is this?

Paul: Not common.

Doug: When did you put the packages in your pocket?

Paul: About two weeks ago.

Doug: Do you remember who you gave them to?

Paul: I don’t remember. I think the patient was on the “C” side.

Edith: Did you take the Norco that we’re looking for?

No answer from Paul.

Doug: Paul, I’m going to ask you again if there’s anything else you’d like to tell us.

No answer from Paul.

Doug: I’d like for you to cut a lock of your hair for us.

Paul took a pair of scissors and cut a lock of hair from the back of his head. This was placed in an envelope, sealed, and signed by everyone present.

Doug: One more time, is there anything else you’d like to tell us?

After a long pause, Paul said:

Paul: A while back I hurt my back working with a patient. I went to a Community Health Service and they gave me Vicodin. When I ran out I took some from the ICU.

Doug: Was this the only time that you did it?

Paul: I did it once today and once a few weeks ago.

Elizabeth: How did you get the Norco out of the Acudose?

Paul: I went to the Acudose and pulled up the patient in 213 I think.

Doug: Did you use your own password?

Paul: Yes.

Elizabeth: Are you sure?

Paul: Yes.

Elizabeth: If we looked at your Acudose access report how many would we see that you took out of the Acudose on your password?

Paul: I think 4.
Elizabeth: What time did you take the Norco?
Paul: I think this afternoon. I don’t recall.
Doug: How many did you take yesterday?
Paul: I didn’t take any yesterday.
Doug: You didn’t take any others than the ones you took today.
Paul: No.
Doug: Do you have any reason to believe that anyone else working in the ICU might be taking them?
Paul: No.
Doug: We have reason to believe that someone is using a password that is not their own to take narcotics out of the Acudose. Do you know who or anything about it?
Paul: No.
Edith: Did you take the pills today?
Paul: Yes, I did.
Edith: I want you to write down all the medications you have taken this week.
Edith: You’ve admitted to taking 4 tablets today. There are more than 4 missing. Can you tell us more?
Paul: No, I can’t.
Doug: Do you know anything else about this incident?
Paul: No.
Edith: Did you fill out an occurrence report when you hurt your back?
Paul: No.
Doug: When did that happen?
Paul: I can’t remember. I have the doctor’s paperwork at home.
Edith: Are these the only two incidents where you’ve taken narcotics out of the Acudose for yourself?
Paul: Yes.
Doug: What did you do with the pills?
Paul: I used them personally.
Elizabeth: We have to find the others that are missing. If you took them please tell us or we have to continue to search and drug test everyone here.
Paul: I understand.
Edith: When the other incident occurred a few months ago and everyone had to do a urine test did you take the drugs then?
Paul: No, I didn’t.
Edith: You didn’t take them and give them to someone else?
Paul: I’m sure.
Doug: So you’re telling us that you only took 4 tablets today and we need to investigate the other missing drugs?
Paul: Yes.
Doug: We have two empty foil packages. You said you took four. Where are the other two packages?
Paul: I flushed them down the toilet.
Raina: What toilet did you flush them down?
Paul: The one in the staff lounge.
Edith: Are you aware of anyone else taking drugs?
Paul: No. I swear.
Doug: So the total today and yesterday that you took is only 4.
Paul: Yes sir.
Doug: Is there anyone else you suspect might be taking drugs?
Paul: I can’t think of anyone who would do it.
Edith: Do you know what’s going to happen to you and your license?
Paul: My license will be revoked and you’ll fire me.

(Raina left the room to search the staff lounge)
Paul: Is there anything I can do to rectify this?
Edith: The decisions you have made have determined the outcome.
Doug: Pharmacy is running some reports for us. What other names do you think we’ll find in the Acudose with these drugs?
Paul: I have no idea.
Edith: We will have to advise the State Board about what happened, but it’s always best if you call and report it yourself. Have you ever had trouble like this before?
Paul: No.
Doug: Have you taken any other substances from the hospital?
Paul: No.

Doug: Were there any compromises in patient care at any time?

Paul: At no time were my patients compromised.

Elizabeth left the room and asked Bev from pharmacy to run a report for us showing Paul’s individual access to Acudose for the past three days, then check in e-mar to see if any Hydrocodones taken out of the Acudose by Paul were documented in e-mar for a patient.

Doug: You’ve taken 4 pills today. Are you compromised now so that you can’t remember what you’ve done?

Paul: No. No sir.

Doug: Is there anyone else’s password you have used?

Paul: No.

Doug: Help me understand how another person’s password could be used in Acudose?

Paul: I can’t.

Elizabeth: If you took 4 tablets out of the Acudose but the report we have shows that you only took 2 out on a different patient, how did you get the other 2 tablets out?

No answer.

Raina: In the last incident, I sent a memo asking anyone with a problem to come forward so that we could help. Why didn’t you come forward?

Paul: I was not involved in that one. I swear.

Doug: Are there any other tablets anywhere?

Paul: No. Nowhere.

Bev returned with the report.

Elizabeth: On reviewing the report, it shows that on the 4th of February you took out a Lortab at 0834 that you documented. At 1815 on the 4th you took one out that was not recorded. Other than that, there are no other incidents of you taking out Hydrocodone on your password the three days that you have worked.

No answer from Paul.

Edith: You told us that the pills you took were taken out of the Acudose under your password. How can that be when there is no record of you taking them out?

Paul: I don’t know anyone else’s password.

Bev Borchert, the pharmacist, was brought in to go over the different ways someone could remove narcotics out of the Acudose. She explained that the only way to get them out is to use a password. Doug asked her if there had been any glitches in the system – if there was any way that Paul could have removed the medications without the system logging it under the password and she said no.
Doug: So, Paul, you believe you put your code into the Acudose today to take the drugs. With narcotics on board are you impaired?

Paul: I don’t believe so.

Raina: So, Paul, how did you get your 4 today if there is no record of it?

Paul: I used only my code.

Doug: Does anyone else have someone else’s passwords?

Paul: No one I know.

Paul was left with Ron Mills, Clinical Team Leader, and the security guard. Doug, Edith, Raina, and I went out to discuss our next step. We felt strongly that Paul was not telling us the truth about the passwords because what he was telling us did not coincide with what we were seeing on the Acudose report. By this point Paul was very upset and crying and was having difficulty telling us the same facts and keeping them straight. We decided to have only Raina and myself talk gently with him to see if he would tell us how he got the medications out without it showing up on his password. We spoke with him about how difficult this must be for him and we wanted to help him get through it. We told him that we felt it was best for him to be honest about everything — that taking 4 narcotic tablets was as bad as it could get and that anything else he told us wouldn’t make it worse for him. We told him that we wanted to save his colleagues the trauma of having to be drug tested and having them have to have their personal belongings searched. He was very distraught and crying. We asked him to tell us again how he got the medications out of the Acudose without it showing up on his password. He said that he waited until Julie left the Acudose because she had not logged off and took 2 Norcos out. Then he changed and said that he took all 4 out. He continued to deny that he used anyone else’s password to get the narcotics out.

Paul was urine tested. Edith and Raina then visited with him and explained to him that, as he knew, he would have to be terminated from his position at EIRMC. His locker was cleaned out, name badge returned to Elizabeth, and he was escorted out with Raina and the security guard in attendance. Because we were concerned about his state of mind, we asked him to call his wife to take him home, which she did.

Later, Raina spoke with Julie Rubottom to confirm whether or not she had logged out of Acudose. Her written statement is attached, indicating that she did log out, contrary to what Paul told us.

All staff who worked day shift 2/5, night shift 2/5, and day shift 2/6 have been drug tested, including ICU nurses, pharmacy, and respiratory therapy.

A written complaint is being filed with the State Board of Nursing (see attached).

Elizabeth Later, BSN, RN
Executive Director, Cardiology and Critical Care Services
RULE 132.04.
VOLUNTARY SURRENDER OF LICENSE

I, Paul Lustenberger, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: I willfully took narcotic pain relievers both prescribed and when out of the prescribed hospital stock. I took these in relation to an injury related to work and failed to notify my Clinical Team Leader of my injury. I understand the ramifications of working while under the influence of a narcotic as well as the theft/pilfer of pain relievers from the hospital.

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 N-29224 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: Thursday, February 18th.

[Signature of Licensee]

Address
4331 E. 116th N.
Idaho Falls, ID 83401

[Signature of Witness]
April 12, 2005

Ms. Vicki Goettisch
Idaho State Board of Nursing
Suite 210 P.O. Box 83720
Boise, Idaho 83720

Dear Ms. Goettisch:

Subject: Suspension of RN License

I have voluntarily submitted my license to the Idaho State Board of Nursing per their request. I understand that I am to have a phone interview with you however I felt that the written word would be a better format. I understand the charge/allegations against me from Eastern Idaho Regional Medical Center and accept full responsibility for my actions. I allowed myself into a fall into a trap of my choosing. In November of 2004 I assisted with another RN in the turning of a patient who weighed in at 199Kg. This patient was in isolation precautions and I, at the time, was the only individual able to help at the time. I took it upon myself to support this patient’s weight without waiting for further help and strained the muscles in my lower back. I did not report this injury as I was new to the facility and felt that I would be looked upon poorly for taking sick leave and claiming injury. I went in to a walk in clinic not far from my home on my day off and the MD prescribed Flexor and Norco. I continued to work and never allowed time to let my back recover at which time I went back to the same MD and received a refill. I used the Norco until the middle of January at which time I ran out. Rather then go back to the walk in clinic I took from the hospital stock. On the day that I was released from my duties with EIRMC I had take 4 of the Norco. I realize that I have made a tragic mistake and as stated take full responsibility for my actions. I have not returned to the walk in clinic since my termination nor have a received any narcotic pain relevers from any other source. I have paid for this mistake both vis rebound pain response as well as the financial crisis that this has placed my family in. I will submit to what ever tests, (ie. Random UA’s, blood draw, breathalyzer etc) to show that this will not happen again I have not been in touch with John at Southworth and Associates. I did not allow myself the opportunity to see what the narcotics were doing to me. I just noticed that I no longer felt any pain and this made me feel as if I could think clearer knowing that I felt no pain. At no time in my patient care did I ever place a patient at risk.

I no longer intend on being a floor nurse unless it is in the NICU or Behavioral Health. I would however like the opportunity to gain back my license. If you feel that this is not possible then I understand.

Thank you for your time on this and I apologize dearly for discoloring the Nursing Profession.

Sincerely,

Paul K. Lustenberger

PKL/no
April 12, 2005

Paul Lustenberger  
4331 E 116th N  
Idaho Falls ID 83401

Dear Mr. Lustenberger:

We are in receipt of your letter received via e-mail addressed to Ms. Vicky Goettsche. Ms. Goettsche has retired from this office and I will be handling your case. In your letter, dated April 12, 2005, you admit that you diverted Norco from your employer. You have also submitted a Voluntary Surrender of License Form in which you admit to taking narcotic pain relievers from the hospital stock.

At this time, you are being offered the opportunity to participate in the Board’s Program for Recovering Nurses in lieu of continued investigative proceedings by this office. We are enclosing the following information:

- Informational Flyer and Brochure - Program for Recovering Nurses
- Voluntary Surrender of Licensure form
- Program Standards

You will need to contact John Southworth, Coordinator, Program for Recovering Nurses at 1/800-386-1695 to discuss your enrollment in the Program. When you have enrolled in the Program, the investigation into the complaint filed against your practice shall be placed on hold as long as you maintain compliance with all conditions of the monitoring contract.

You will be considered for a limited license once you meet the requirements indicated in the enclosed Standards for Return to Nursing Practice, and have received support from the Program Coordinator.

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

Sincerely,

Chanel Myers  
CHANEL MYERS, MN, RN  
Investigator

cc: John Southworth

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.
May 9, 2005

CERTIFIED

Paul Lustenberger
4331 E 116th N
Idaho Falls, ID 83401

Dear Mr. Lustenberger:

In a letter dated April 12, 2004, you were requested to contact the Program for Recovering Nurses to enroll in the program (see enclosed letter). As of this date, you have not contacted the Program for Recovering Nurses (PRN).

You have seven (7) days to contact PRN. If you do not contact PRN, your file will be reviewed by the members of the Board of Nursing which may result in formal disciplinary action.

If you have any questions, please contact this office at (208) 334-3110.

Sincerely,

[Signature]

Sandra Evans, MAEd, RN
Executive Director

SE/mm
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.*
**U.S. Postal Service™ RECEIPT**

(Domestic Mail Only; No insurance Coverage Provided)

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

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Paul Lustenberger
4331 E 116th N
Idaho Falls ID 83401

**SENDERS: 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 mail piece, or on the front if space permits.

1. Article Addressed to:

   Paul Lustenberger
   4331 E 116th N
   Idaho Falls ID 83401

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please print clearly) [5/16/19]

B. Date of Delivery

C. Signature

D. Is delivery address different from item 1? [Yes]

If YES, enter delivery address below: [No]

'05 MAY 19 9:48

3. Service Type

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

4. Restricted Delivery? (Extra Fee) [Yes]

PS Form 3811, July 1999
Domestic Return Receipt

102595-03-M-0012
Hi Linda,

Paul Lustenberger contacted us today. I just wanted to let you know that we have the ball rolling a little now — he will be contacting Art Phelps for an evaluation.

Anyway, if you have questions, let me know.

Thanks,
Amanda
August 30, 2005

Idaho State Board of Nursing
ATTN: Sandra Evans
P.O. Box 83720
Boise, ID 83720-0061

RE: Paul Lustenberger

Dear Ms. Evans,

This letter is being sent to you to notify you that Paul Lustenberger has not yet become fully enrolled in the PRN Program. A contract had been sent to Mr. Lustenberger on July 28, 2005 but the address was incorrect and it was returned to PRN. On August 4, 2005, the contract was resent to him asking him to return the contract within seven (7) business days. As of today, he has failed to do so.

We look forward to receiving further guidance from the Board of Nursing regarding this issue. If you have any questions or concerns, please feel free to contact me at (208) 323-9555.

Sincerely,

Amanda L. Scott
Compliance Monitor

cc: Paul Lustenberger