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

KIRSTEN MECHAM
PN-11300

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: KIRSTEN MECHAM, License No. PN-11300, Respondent. Case No. 05-030 COMPLAINT

To: Kirsten Mecham 725 Cleveland Apt. 1 Idaho Falls, ID 83401

STATEMENT OF CHARGES

1. The Idaho State Board of Nursing (hereinafter the "Board") is empowered by Idaho Code § 54-1404 to regulate the practice of nursing in the State of Idaho.

2. Kirsten Mecham (hereinafter "Respondent") is licensed to engage in the practice of nursing by the Idaho State Board of Nursing under License No. PN-11300.

3. On or about March 21, 2005, the Board received a Report of Violation of the Nursing Practice Act from the Clinical Director of Region 6 Mental Health, setting forth information that Respondent was unsafe to practice due to admitted methamphetamine abuse. See, attachment 1.

4. On May 26, 2005, a Board staff member attempted to contact Respondent regarding the Report of Violation. A letter was sent to Respondent’s last known address of record as set forth above. The certified letter was returned to the Board office by the U.S. Postal Service marked as “Moved” and that no forwarding address had been provided. See, attachment 2.

COMPLAINT - 1
5.

Respondent's conduct as set forth above if proven constitutes grounds for discipline as follows:

a. For violation of Idaho Code 54-1413 (1)(e) and IDAPA 23.01.01.100.06—Habitually uses alcoholic beverages or narcotics, hypnotics, or hallucinogenic drugs;

b. For violations of Idaho Code § 54-1413 (1)(g) and IDAPA 23.01.01.100.08 and 23.01.01.101.01—Violates the law, or rules and standards of conduct and practice as may be adopted by the board;

c. For violations of Idaho Code § 54-1413(1)(f) and IDAPA 23.01.01.100.07 and 23.01.01.101.03.e—Is physically or mentally unfit to practice nursing; and,

d. For failing to comply with IDAPA 23.01.01.008—The Board shall be immediately notified of any change of address.

6.

Pursuant to Idaho Code § 54-1413, the Board is authorized to enter an order suspending, revoking or otherwise disciplining Respondent's license for Respondent's violations of Idaho Code and the Board's duly promulgated rules, as set forth above.

WHEREFORE, the Idaho State Board of Nursing prays for the following action:

1. That a hearing commence at a designated time to allow evidence on the allegations contained in the Complaint to be presented before the Board or the Board's designated hearing officer;

2. That subsequent to taking evidence, the waiver of a hearing, or the failure of the Respondent to file an Answer to this administrative Complaint, that the Board, or its designated hearing officer, shall issue findings of fact and conclusions of law finding the violations of law alleged herein and the Board shall determine whether the license of Respondent Kirsten Mecham should be suspended, revoked or otherwise disciplined pursuant to the statutory and regulatory authority of the Board of Nursing; and
3. For such other and further relief as the Board deems just and proper in the circumstances.

DATED this 30th day of June, 2005.

IDAHO STATE BOARD OF NURSING

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

NOTIFICATION OF PROCEDURAL RIGHTS

Pursuant to the provisions of 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, if you wish to contest the charges set forth in this Complaint, you must: (1) file with the Idaho State Board of Nursing a verified Answer to the allegations contained herein within twenty-one (21) days after you are served with this Complaint and (2) request an evidentiary hearing on the charges. You are further notified that if you fail to answer and/or request a hearing, the Board will enter a default against you at the next scheduled meeting and be granted the relief sought in this Complaint. Upon receipt of your Answer and request for hearing, the matter will be reviewed and a hearing scheduled. You will then be notified of the date, time and place of the hearing, the name of the hearing officer appointed by the Board (if any) and further notification of your procedural rights and responsibilities.

You also have the right to be represented by legal counsel, at your own expense, during this administrative proceeding.

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 Board at the following address:
Idaho State Board of Nursing
280 N. Eighth Street, Suite 210
P.O. Box 83720
Boise, ID 83720-0061
telephone: (208) 334-3110
facsimile: (208) 334-3262

A copy of the Answer and every pleading, motion or subsequent document filed with the Board must also be served upon legal counsel for the Board at the following address:

Cheri L. Bush
Deputy Attorney General
Civil Litigation Division
P.O. Box 83720
Boise, ID 83720-0010
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of June, 2005, I caused to be served a true and correct copy of the foregoing COMPLAINT addressed as follows:

Cheri L. Bush
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

Kirsten Mecham
725 Cleveland Apt. 1
Idaho Falls, ID 83401

☒ 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
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
KIRSTEN MECHAM ) Case No. 05-030
License No. PN-11300 ) FINDINGS OF FACT,
Respondent. ) CONCLUSIONS OF LAW
AND FINAL ORDER

Having reviewed the Complaint and other 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. Kirsten Mecham (hereinafter Respondent) is licensed by the Idaho State Board of Nursing under license No. PN-11300 to engage in the practice of nursing in the State of Idaho.

2. On or about March 21, 2005, the Board received a Report of Violation of the Nursing Practice Act from the Clinical Director of Region 6 Mental Health, setting forth information that Respondent was unsafe to practice due to admitted methamphetamine abuse. See, attachment 1.

3. On May 26, 2005, a Board staff member attempted to contact Respondent regarding the Report of Violation. A letter was sent to Respondent’s last known address of record as set forth above. The certified letter was returned to the Board office by the U.S. Postal Service marked as “Moved” and that no forwarding address had been provided. See, attachment 2.

4. On June 30, 2005 the Board filed a formal Complaint against Respondent. The Complaint was sent to Respondent at her last address of record. The United States Post Office has returned the Complaint marked as ‘undeliverable.'
5. Respondent failed to appear or otherwise defend at the hearing scheduled on July 28, 2005 and as advised in the Notice of Intent.

CONCLUSIONS OF LAW

1. As a licensed nurse in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 14, Idaho Code.

2. Respondent’s Idaho licensure, PN-11300, is conditioned upon her complying with all the laws, rules and regulations of the Idaho State Board of Nursing. Respondent’s actions as set forth above are in violation of Idaho Code 54-1413 (1)(e) and IDAPA 23.01.01.100.06, Idaho Code § 54-1413 (1)(g) and IDAPA 23.01.01.100.08, Idaho Code § 54-1413(1)(f) and IDAPA 23.01.01.100.07 and 23.01.01.101.03.e, and, IDAPA 23.01.01.008 and hence constitute 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 67-5242(4).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being show, it is hereby ordered that License No. PN-11300 issued to Kirsten Mecham, is hereby:

[X] Revoked

__________________________
Suspended indefinitely, effective immediately.

DATED this 28th day of July, 2005.

IDAHO STATE BOARD OF NURSING

[Signature]
Randall Hudspeth, A.P.P.N., C.N.S
Chairman

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 2
NOTICE OF DUE PROCESS RIGHTS

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

a. A hearing was held,
b. The final agency action was taken,
c. The party seeking review of the order resides, or
d. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of August, 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  
Hand Delivery  
Overnight Mail  
Facsimile:  
Statehouse Mail

Kirsten Mecham  
725 Cleveland Apt. 1  
Idaho Falls, ID  83401  

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