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

HOLLY PARDUE
N-29471
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:

Holly Pardue,
License No. N-29471,
Respondent.

Case No. BON 12-026

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

Having reviewed the documents attached hereto, the Idaho State Board of Nursing ("Board") enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Holly Pardue ("Respondent") has been licensed by the Board, under License No. N-29471, to engage in the practice of nursing in the State of Idaho.

2. On February 16, 2012, the Board received a formal report from Respondent's employer, Saint Alphonsus Regional Medical Center, stating the following:
   a. Respondent, on multiple occasions, entered the Pyxis machine when not on duty, removing controlled substances and other medications; and
   b. Respondent admitted to using another nurse's Pyxis code to waste medication—the other nurse was not on duty when the events occurred; and
   c. Respondent used her peer's access code to take controlled substances out of Pyxis, including Hydromorphone, Fentanyl, and Nubain; and
   d. Respondent refused to submit to a urinalysis, and confessed to using marijuana shortly before the UA was requested.

A true and correct copy of the Notice of Termination is attached as Exhibit A.

3. On February 29, 2012, Respondent voluntarily surrendered her license, admitting that she diverted narcotics for her personal use. Respondent agreed to enter treatment and to participate in the Program for Recovering Nurses ("PRN"), a monitoring program administered by Southworth Associates, and to resume the practice of nursing only at such time as a conditional limited license was issued to her. A true and correct copy of Respondent's Voluntary Surrender of License is attached as Exhibit B.
4. On May 14, 2012, the Board was notified via email from Respondent that she would be withdrawing from the PRN program due to financial, employment and family obligations, although she remains committed to her recovery and continues to attend AA meetings. The email is attached as Exhibit C.

5. On June 29, 2012, the PRN Advisory Committee reviewed Respondent’s case and recommended that Respondent’s license be revoked for failure to comply with the terms and conditions of the Contract for Monitoring, as evidenced by notice of her intent to withdraw from PRN.

**CONCLUSIONS OF LAW**

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

2. Respondent’s continued licensure under Idaho License No. N-29471 is contingent upon her compliance with the laws and rules of the Board.

3. Respondent violated the terms upon which she voluntarily surrendered her license by failing to maintain compliance with PRN.

4. Pursuant to Idaho Code § 54-1413(3)(a), Respondent’s voluntary surrender of her license empowers the Board, without a hearing, to revoke or suspend Respondent’s license and/or impose such conditions, limitations, or restrictions on her license as the Board in its discretion may deem appropriate.

5. A sufficient basis for discipline exists due to Respondent having violated the following statutes and/or Board Rules:
   a. Idaho Code § 54-1413(1)(e) and Board Rule 100.06 (a nurse shall not habitually use alcohol and/or drugs);
   b. Idaho Code § 54-1413(1)(g) and Board Rule 100.08 (a nurse shall not violate the Board’s laws, rules, or standards of conduct);
   c. Idaho Code § 54-1413(1)(h) and IDAPA Rule 23.01.01.100.09 (a nurse shall not engage in conduct of a character likely to deceive, defraud or endanger patients or the public).
d. Board Rule 101.03.e. (a nurse shall not practice nursing while the ability to practice is impaired by alcohol or drugs or physical, mental or emotional disability).

e. Board Rule 101.04.a. (a nurse shall have knowledge of the statutes and rules governing nursing and shall function within the defined legal scope of nursing practice).

f. Board Rule 101.04.e. (a nurse shall not obtain, possess, furnish or administer prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs).

g. Board Rule 101.05.d. (a nurse shall not sign any record attesting as a witness to the wastage of controlled substance medications unless the wastage was personally witnessed, and shall not solicit the signatures of a person as a witness to the wastage of controlled substances when that person did not witness the wastage).

h. Board Rule 101.05.e. (a nurse shall not falsify, destroy, alter or knowingly make incorrect or unintelligible entries into patients' records or employer or employee records).

i. Board Rule 101.05.f. (a nurse shall not take or divert equipment, materials, property or drugs without prior consent or authorization).

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. N-29471 issued to Holly Pardue is hereby:
   
   ✔ Revoked.

   ___ Suspended. _____ days _____ year(s) ____ indefinitely. Respondent's license shall be a single-state license during the term of suspension and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.
2. Respondent may not apply for reinstatement for a two (2) year period after entry of this Order or a _____ year period after entry of this Order, whichever period is greater. At such time as Respondent requests reinstatement of licensure, she shall comply with the requirements of Idaho Code § 54-1411(3) and IDAPA 23.01.01.061. This will include, but is not limited to, providing the following information to the Board:

   a. **Health Care Providers**: Respondent must provide Board Staff with a written list of her attending health care providers (including without limitation any therapists, counselors, or other mental health care providers);

   b. **Health Care Provider’s Evaluation**: Respondent’s health care providers (“provider”) must submit to the Board the provider’s evaluation describing Respondent’s current medical condition(s) and listing her prescriptions, including the dose/frequency and rationale for the medications prescribed. This evaluation shall be submitted on a form provided by the Board. The provider shall also identify any concerns that he/she may have about Respondent’s ability to safely practice nursing and what restrictions, if any, should be placed upon Respondent’s practice. When requesting such evaluations, Respondent shall provide the provider with, and request that the provider review, the Idaho Board of Nursing Position on Safety to Practice. A copy of the Idaho Board of Nursing Position on Safety to Practice is attached as Exhibit N;

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

   d. Documentation that she is rehabilitated and competent to practice nursing by submitting:

      i. A recent, within 6 months, comprehensive drug/alcohol evaluation completed by a qualified Board approved evaluator 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 at least ___ years of documented sobriety with 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 26th day of July, 2012.

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 issuance 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 24th day of July, 2012, I caused to be served a true and correct copy of the foregoing by the following method to:

Holly Pardue
615 E. Segundo
Meridian, ID 83646

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

Shasta Kilminster-Hadley
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:
☒ Email: shasta.k-Hadley@ag.idaho.gov
coleen.funk@ag.idaho.gov

Sandra Evans, MAEd. RN
Executive Director
Board of Nursing

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER - 7
Holly Pardue  
615 E Segundo  
Meridian, ID 83646  

Dear Ms. Pardue:

During their meeting on July 19-20, 2012, the Board of Nursing members took action to accept the Findings of Fact, Conclusions of Law and Final Order in which your professional nurse license, N-29471 was revoked. During the period of revocation, you may not practice nursing in the State of Idaho. Enclosed is a copy of the Final Order.

The Order became effective July 20, 2012. Please be advised that you may not apply for reinstatement for a period of two (2) years from the date of this order.

Sincerely,

[Signature]

SANDRA EVANS, MAEd, RN  
Executive Director  

SE: lhc  
enclosure