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

GINGER RAGAN
N-28476
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
GINGER RAGAN, ) Case No. 12-076
License No. N-28476, ) FINDINGS OF FACT,
Respondent. ) 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. ("Respondent") has been licensed by the Board, under License No. N-28476, to engage in the practice of nursing in the State of Idaho.

2. On or about June 11, 2012, the Board received a complaint from St. Alphonsus Regional Medical Center, Respondent’s employer at the time, that Respondent had tested positive for Fentanyl and Ultram, and had admitted to diverting Fentanyl. Respondent denied diverting Ultram, but provided no explanation for the positive urinalysis. Respondent was subsequently terminated.

3. On or about June 13, 2012, Respondent informed the Board that she wanted to surrender her license, was not interested in Program for Recovering Nurses program enrollment, and does not think she will return to nursing. Respondent voluntarily surrendered her license on June 14, 2012.

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-28476 is contingent upon her compliance with the laws and rules of the Board.

3. Respondent voluntarily surrendered her license to practice nursing in Idaho.

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. IDAPA Rule 23.01.01.101.04(e) (a nurse shall not obtain, possess or administer prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs);
   e. IDAPA Rule 23.01.01.101.05(f) (a nurse shall respect the property of the patient and employer and 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-28476 issued to Ginger Ragan 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 § 54-1413(3) and IDAPA 23.01.01.61. 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 for a period of not less than 2 years;

c. Evidence of active recovery, including regular and sustained attendance at twelve-step meetings, endorsement by twelve-step sponsor of recovery, and evidence of completion of any treatment related to recovery process;

d. A recent, within 6 months, comprehensive drug/alcohol evaluation completed by a qualified Board approved evaluator at the time of application for reinstatement;

e. Medical provider statements of current medical status including a list of medications used/ prescribed.

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 ______ day of July, 2012.

IDAHO STATE BOARD OF NURSING

By ____________________________
Susan Ódom, 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 _____ day of July, 2012, I caused to be served a true and correct copy of the foregoing by the following method to:

Ginger Ragan
12770 W. Tevoit St.
Boise, ID 83709

× 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
colleen.funk@ag.idaho.gov

Sandra Evans, MAEd, RN
Executive Director
Board of Nursing

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER - 5
Ginger Ragan
12770 W Tevoit St
Boise, ID 83709

Dear Ms. Ragan:

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-28476 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,

SANDRA EVANS, MAEd, RN
Executive Director

SE: lhc
enclosure
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**Sent To**

GINGER RAGAN  
12770 W TEVOIT ST  
BOISE, ID 83709