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

JUDITH RICH
PN-5526

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
February 15, 1996

CERTIFIED MAIL

Judith Rich
PO Box 3231
Bonners Ferry ID 83805

Dear Ms. Rich:

Upon formal action by the Idaho Board of Nursing on February 15, 1996, your practical nurse license PN-5526, was revoked. Enclosed are the Findings of Fact and Conclusions of Law.

You may not practice nursing in the State of Idaho during the time your license is revoked. Please submit your current certificate by return mail.

Sincerely,

LEOLA DANIELS, M.S., R.N.
Executive Director

LD:lh
enclosure
BEFORE THE BOARD OF NURSING, STATE OF IDAHO

In the matter of

Judith Joan Scalph
RICH
License No: PN-5526

FINDINGS
OF
FACT
CASE #: 95-70

Based upon information in the file, the Board finds that:

1. Judith Joan Scalph Rich was issued practical nurse license number PN-5526 on December 1, 1975 pursuant to qualifications specified in the Idaho Nursing Practice Act. The licensee holds a current licensure certificate, number PN-5526, which expires August 31, 1996.

2. A Complaint for Revocation or Suspension of License was initiated by the Board of Nursing on November 21, 1995, delivered by Certified Mail, and signed for on November 24, 1995. The Answer to Complaint was not returned and no hearing was requested.

3. On or about August, 1995, while employed as a licensed practical nurse at Boundary Community Hospital, Bonners Ferry, Idaho:
   a. Signed out for Resident Number 1, between August 17-23, 1995, 6 dosages of Lortab 5 mg. Recorded only 5 dosages on the medication sheet and recorded only 3 dosages on the nurses notes. On August 23, 1995, signed out for the medication at 0130 and recorded in the nurse's notes medication administration at 2345.
   b. Signed out for Resident Number 2, between August 12-23, 1995, 7 dosages of Hydrocodone. Recorded only 3 dosages on the medication sheet and only one dosage on the nurse's notes.
   c. Signed out for Resident Number 3, between August 9-20, 1995, 6 dosages of Lortab 5 mg. Recorded only 3 dosages on the medication sheet. Recorded in the nurse's notes 4 dosages that were not signed out.
   d. Signed out for Resident Number 4, between August 16-23, 1995, 9 dosages of Lortab 7.5 mg. Recorded only 7 dosages on the medication sheet. Recorded on the medication sheet a dosage not signed out and recorded only 5 dosages on the nurse's notes.
   e. Made similar errors of discrepancies from sign-out sheets to medication sheets and nurse's notes in the records of 8 other residents.
   f. Signed out for 50% of the narcotics and had 79% of the documentation errors for narcotics by review of an administrative staff person of 12 resident records and sign outs for narcotics for the month of August, 1995.
2. The licensee has not had submitted a drug alcohol evaluation as requested during a telephone conversation on August 25, 1995 and by a letter sent by Certified Mail on September 21, 1995 and signed for on September 29, 1995. The licensee telephoned the Board of Nursing Office on September 29, 1995 and reported that the evaluation was coming. A letter received from the licensee on November 1, 1995, stated that she did not have the money for a drug alcohol evaluation.

3. A urine drug screen report for urine collected on August 28, 1995, was received from the licensee on October 3, 1995. The urine drug screen was reported as positive for Norpropoxyphene. A letter received from the licensee on November 1, 1995 stated that she had a prescription for Darvocet received through the VA and she had taken 3 pills on August 24 because of a severe headache. No copy of the prescription label or a physician's statement confirming the medication was submitted.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board of Nursing makes the following Conclusions of Law:

1. Pursuant to the Nursing Practice Act, Idaho Code, Title 54, Chapter 14, the Board of Nursing has jurisdiction over this matter.

2. By virtue of the Findings of Fact, the licensee was grossly negligent or reckless in performing nursing functions, violated standards of conduct and practice as adopted by the Board of Nursing and engaged in conduct of a character likely to deceive, defraud or endanger patients or the public and otherwise violated provisions of the Nursing Practice Act and Board of Nursing Rules.

3. The acts specified in number 2 above constitute grounds for disciplinary action under provisions in Idaho Code, 54-1412 (a) (4), (7) and (8) and rules, IDAPA 23.01.01100.05., .09(d, j), .10; and 23.01.01370.16 and .22 and 23.01.01460.03.h.

4. That such conduct constitutes sufficient cause pursuant to the Nursing Practice Act to revoke or suspend the license, Number PN-5526, issued to Judith Joan Scalp Rich to practice nursing in the State of Idaho.

ORDER

IT IS HEREBY ORDERED that the practical nurse license, number PN-5526 issued to Judith Scalp Rich, be and it hereby is revoked subject to Subsequent Review under 54-1412 (c), IDAHO CODE.

BE IT FURTHER ORDERED, that should Judith Scalp Rich, request reinstatement of licensure in the future, that she present:

FINDINGS - 2
1. Evidence of abstinence from the use of non-medically prescribed drugs and alcohol.

2. Documentation that she is rehabilitated and competent to practice nursing by submitting:
   a. A drug/alcohol evaluation completed by a qualified evaluator at the time of application for reinstatement.
   b. A detailed summary of employment since licensure revocation.
   c. Documentation of activities engaged in to address drug/alcohol issues, to include drug/alcohol education and any subsequent recommendations following completion of education program.

DATED THIS February 15, 1996

FAITH PETERSON, R.N.
Chairman
Idaho Board of Nursing

FINDINGS - 3
November 21, 1995

CERTIFIED MAIL

Judith Rich
PO Box 3231
Bonners Ferry ID 83805

Dear Ms. Rich:

Enclosed please find the Complaint for Revocation or Suspension of License initiated by the Board of Nursing and an Answer to Complaint.

Sincerely,

LEOLA DANIELS, M.S., R.N.
Executive Director

LD:lhc enclosure
BEFORE THE BOARD OF NURSING, STATE OF IDAHO

In the matter of
Judith Joan Scalph
RICH
License No: PN-5526

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COMPLAINT FOR
REVOCATION OR
SUSPENSION OF
LICENSE
CASE NO: 95-70

COMES NOW, Complainant, Leola Daniels, R.N., Executive Director of the Idaho Board of Nursing, and requests the Board to revoke or suspend the license of Judith Joan Scalph Rich to practice nursing in the State of Idaho. This Complaint and these proceedings are instituted upon the following grounds:

That the licensee was grossly negligent or reckless in performing nursing functions, violated standards of conduct and practice as adopted by the Board of Nursing and engaged in conduct of a character likely to deceive, defraud or endanger the public based upon the following actions:

1. On or about August, 1995, while employed as a licensed practical nurse at Boundary Community Hospital, Bonners Ferry, Idaho:
   a. For Resident Number 1, between August 17-23, 1995, signed out 6 dosages of Lortab 5 mg. Recorded only 5 dosages on the medication sheet; only 3 dosages were recorded on the nurse’s notes. On August 23, 1995, signed out for the medication at 0130 and recorded it in the nurse’s notes as administered at 2345.
   b. For Resident Number 2, between August 12-23, 1995, signed out 7 dosages of Hydrocodone. Four dosages were not recorded on the medication sheet; only one dosage was recorded on the nurse’s notes.
   c. For Resident Number 3, between August 9-20, 1995, signed out 6 dosages of Lortab 5 mg. 3 dosages were not recorded on the medication sheet; recorded in the nurse’s notes 4 dosages that were not signed out.
   d. For Resident Number 4, between August 16-23, 1995, signed out 9 dosages of Lortab 7.5 mg. 2 dosages were not recorded on the medication sheet; recorded on the medication sheet a dosage not
signed out; 4 dosages were not recorded on the nurse’s notes.
e. Similar patterns were found on the records of 8 other residents—
with discrepancies from the sign-out sheets to medication sheets
and nurse’s notes.
f. A review of 12 resident records with sign outs for narcotic
medication for the month of August, 1995, by an administrative
staff person, revealed that the licensee signed out for 50% of the
narcotics and had 79% of the documentation errors.

2. The licensee was requested on August 25, 1995, during a telephone
conversation to obtain a drug alcohol evaluation. This request was
followed by a letter sent by Certified Mail on September 21, 1995. The
licensee telephoned the Board of Nursing Office on September 29, 1995
and reported that the evaluation was coming. A letter received from the
licensee on November 1, 1995, stated that she did not have the money
for a drug alcohol evaluation. No drug/alcohol evaluation has been
received.

3. A urine drug screen report for urine collected on August 28, 1995, was
received from the licensee on October 3, 1995. The urine drug screen
was reported as positive for Norpropoxyphene. A letter received from
the licensee on November 1, 1995, stated that she had a prescription for
Darvocet received through the VA and she had taken 3 pills on August
24 because of a severe headache. No copy of the prescription label or
a physician’s statement confirming the medication was submitted.

The undersigned Leola Daniels, believes that the described conduct of the
licensee is in violation of Section 54-1412, (a), (4), (7), and (8) IDAHO CODE,
and of Board of Nursing Rules, IDAPA 23.01.01100.05, .09(d.,j), .10; and
23.01.01370.16, and 22., and 23.01.01460.03.h.

DATED THIS 21st day of November, 1995.

[Signature]
LEOLA DANIELS, M.S., R.N.
Executive Director
Idaho Board of Nursing

COMPLAINT - 2
PROOF OF SERVICE

I hereby swear that I have this 21st day of November, 1995, served the foregoing Complaint for Revocation or Suspension of License and Answer to Complaint upon all parties of record named in this proceeding, by mailing a copy thereof, certified mail, return receipt requested, properly addressed with postage prepaid, to:

JUDITH RICH
PO BOX 3231
BONNERS FERRY ID 83805

[Signature]
Leola Daniels, M.S., R.N.
Executive Director
Idaho Board of Nursing

COMPLAINT - 3