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

Dawnelle Roberts

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. 04-048
DAWNELLE ROBERTS, FINAL ORDER
License No. N-19465,

Respondent.

ORDER

Based upon the SUMMARY SUSPENSION of Respondent's license, N-19465, entered on June 7, 2005, upon Respondent's failure to defend against charges of professional misconduct, and good cause being shown, it is hereby ordered that License No. N-19465 issued to Dawnelle Roberts, is hereby:

Suspended indefinitely X ___.
Suspended for ________ years.
Revoked ________.

This is effective immediately.

DATED this 28th day of July, 2005.

IDAHO STATE BOARD OF NURSING

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

FINAL ORDER - 1
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 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

Dawnelle Roberts  
4200 Philbin Road, #1  
Pocatello, ID 83202

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
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: 
DAWNELLE ROBERTS, 
License No. N-19465, Respondent. 

Case No. 04-048 

ORDER OF SUSPENSION

On April 2, 2004 the Board of Nursing ("Board") received a Report of Violation from Idaho Department of Correction, setting forth information that Dawnelle Roberts (‘Respondent’) had pled guilty to one count of Possession of a Controlled Substance, Hydromorphone, a felony. Respondent admitted to Board staff that she had entered the plea as alleged. On April 28, 2005 a formal Complaint was filed by the Board against Respondent. On May 13, 2005 a letter was received from the Idaho department of Health and Welfare that Respondent was a patient at State Hospital South and that it was unknown when her condition would improve to the degree that she will be ready for discharge.

The formal Complaint filed April 28, 2005 is held in abeyance until such time as Respondent contacts the Board and verifies that she is able to proceed with the formal disciplinary process.

Be advised that, pursuant to Idaho Code Section 67-5247, on the 7th day of June, 2005, the Idaho State Board of Nursing has summarily SUSPENDED INDEFINITELY the license of Dawnelle Roberts, N-19465 for violating Idaho Code Sections 54-1413 (1)(c),(f), (g), and (h), and IDAPA 23.01.01.100.02.,100.07, 100.08. and .09.a and 23.01.01.101.04.e.

ORDER OF SUSPENSION - 1
IT IS SO ORDERED.

Dated this 7th day of June, 2005.

Sandra Evans
Executive Director,
Board of Nursing

NOTIFICATION OF RIGHTS

Respondent has the right to appeal this decision to the Board of Nursing. The appeal must be submitted in writing to the Board with twenty-eight (28) days and a hearing requested at the next regularly scheduled Board meeting.

An appeal and request for hearing must be sent to the Board office at:

Idaho Board of Nursing
280 N. 8th Street, Suite 210
Boise, ID 83702

A Copy of any appeal or other writing must be sent to:

Cheri L. Bush, Deputy Attorney General
Office of the Attorney General, Civil Litigation Division
P.O. Box 83720
Boise, ID 83720-0010

Sandra Evans, M.A.Ed., R.N.
Executive Director,
Board of Nursing
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 2005, I caused to be served a true and correct copy of the foregoing ORDER OF SUSPENSION 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

X U.S. Mail, postage prepaid
X Certified U.S. Mail, return receipt
X Hand Delivery
X Overnight Mail
X Facsimile: ____________
X Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
**ORDER: 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

   DAWNELLE ROBERTS  
   4200 PHILBIN RD #1  
   POCATELLO ID 83202

**COMPLETE THIS SECTION ON DELIVERY**

<table>
<thead>
<tr>
<th>A. Received by (Please Print Clearly)</th>
<th>B. Date of Delivery</th>
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<th>C. Signature</th>
<th>D. Is delivery address different from item 1?</th>
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<td>X D. Roberts</td>
<td>□ Yes</td>
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<tr>
<td></td>
<td>□ No</td>
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</tbody>
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**3. Service Type**

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

**4. Restricted Delivery? (Extra Fee)**

- □ Yes
- □ No

**2. Article Number (Copy from service label)**

7003 0500 0003 1989 8860

PS Form 3811, July 1999

** Domestic Return Receipt 12595-00-M-0052**

**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**

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

**OFFICIAL USE**

Postage $1.05

Certified Fee

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

DAWNELLE ROBERTS  
4200 PHILBIN RD #1  
POCATELLO ID 83202
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: 
DAWNELLE ROBERTS, 
License No. N-19465, 
Respondent. 

) ) ) ) Case No. 04-048
COMPLAINT

To: Dawnelle Roberts
4200 Philbin Road
Pocatello, ID 83642

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.

Dawnelle Roberts (hereinafter “Respondent”) is licensed to engage in the practice of nursing by the Idaho State Board of Nursing under License No. N-19465.

3.

On or about April 2, 2004, the Board received a Report of Violation of the Nursing Practice Act from the Idaho Department of Correction, setting forth information that Respondent had pled guilty to one count of Possession of a Controlled Substance, Hydromorphone, a felony, in Bannock County, Idaho.

4.

On July 20, 2004, a Board staff member spoke with Respondent by telephone about the information in the Report of Violation. She acknowledged she had plead guilty to one felony count and had received a withheld judgment and placed on probation. Respondent also advised she would send a copy of the court ordered drug/alcohol evaluation to the Board once it was completed.

COMPLAINT - 1
5.

On December 27, 2004, the evaluation was received. This indicated that Respondent did not have an addiction problem but it did note Respondent is on numerous prescription medications. Later that same day Respondent spoke with a Board staff member and advised she was not employed as a nurse and was receiving Social Security Disability for anorexia, chronic pain, PTSS, and hypoglycemia.

6.

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

a. 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;

b. For violations of Idaho Code § 54-1413 (1)(c) and IDAPA 23.01.01.100.02—Conviction of, or entry of a withheld judgment or plea of nolo contendere, to conduct constituting a felony;

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

d. For violations of Idaho Code Section 54-1413 (1)(h) and IDAPA 23.01.01.100.09- Conduct to deceive, defraud or endanger patients or the public; and

e. For violation of IDAPA 23.01.01.101.04.e- The 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.

7.

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.

COMPLAINT - 2
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 Dawnelle Roberts 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 28th day of April, 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 may enter a default against you 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  
faxsimile: (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 _28th_ day of __April__ __________, 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  
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Dawnelle Roberts  
4200 Philbin Road #1  
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☐ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.  
Executive Director  
Board of Nursing

COMPLAINT - 5