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

LORI SCOFIELD
N-34070
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
)
LORI LYNN SCOFFIELD, ) Case No. BON 06-059
License No. N-34070, ) STIPULATION AND CONSENT ORDER
)
Respondent. )
)

WHEREAS, information having been received by the Idaho State Board of Nursing (hereinafter the “Board”) which constitutes sufficient grounds for the initiation of an administrative action against Lori Lynn Scoffield (hereinafter “Respondent”); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code.

2. Respondent Lori Lynn Scoffield is a licensee of the Idaho State Board of Nursing and holds License No. N-34070 to practice professional nursing in the State of Idaho. Respondent’s license is subject to the provisions of title 54, chapter 14, Idaho Code.

3. On September 7, 2006, a Report of Violation of the Nursing Practice Act was received by the Board which alleged that on August 5, 2006, while Respondent was employed with Blaine Manor in Hailey, Idaho, Respondent signed for narcotics that had been delivered to the facility but did not check in the narcotics. The narcotics could not thereafter be located. Respondent’s employment with Blaine Manor was terminated on August 9, 2006.
4. On or about September 12, 2006, the Board received information that the Montana State Board of Nursing had initiated disciplinary action against Respondent’s Montana nursing license. A true and correct copy of the April 28, 2005, Notice of Proposed Board Action and Opportunity for Hearing in Montana State Board of Nursing Docket No. CC-05-201-NUR is attached hereto as Exhibit A. The Montana State Board of Nursing alleged that Respondent, while working as a licensed nurse in Montana in 2004:

   a. Failed to appropriately administer medications by not witnessing the medications being swallowed by residents;
   b. Failed to distribute all ordered medications to residents;
   c. Substituted Tylenol for Percocet; and
   d. Charted the administration of morphine and other narcotics to residents when no one had administered the medications.

5. On or about November 27, 2006, the Montana State Board of Nursing entered a Final Order of Default against Respondent and ordered that Respondent’s Montana nursing license be suspended and that Respondent enroll in the Nurses Assistance Program. A true and correct copy of the November 27, 2006, Final Order of Default in Montana Board of Nursing Docket No. CC-05-201-NUR is attached hereto as Exhibit B.

6. The above-stated allegations, if proven, would constitute a violation of the laws and rules governing the practice of nursing, specifically Idaho Code § 54-1413(1)(d) and (g) and Board Rules (IDAPA 23.01.01) 100.05, 100.08, 101.05.e and 101.05.f. (collectively proscribing, in sum, gross negligence, inaccurate recordkeeping, and diversion of drugs or property), and Idaho Code § 54-1413(1)(i) and Board Rule 100.10 (the Board may discipline a licensee for having a license to practice nursing suspended or revoked in any jurisdiction).

7. Respondent, in lieu of proceeding with a formal disciplinary action to
adjudicate the allegations as set forth above, hereby admits the violations and agrees to
the discipline against her license as set forth in Section C below.

B.

I, Lori Lynn Scoffield, by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated
above in section A. I further understand that these allegations, if proven, constitute cause
to discipline my license to practice nursing in the State of Idaho, and I agree that the
Board has jurisdiction to proceed in this matter.

2. I understand that I have the right to a full and complete hearing; the right to
confront and cross-examine witnesses; the right to present evidence or to call witnesses,
or to so testify myself; the right to reconsideration; the right to appeal; and all rights
accorded by the Administrative Procedure Act of the State of Idaho and the laws and
rules governing the practice of nursing in the State of Idaho. I hereby freely and
voluntarily waive these rights in order to enter into this stipulation as a resolution of the
pending allegations.

3. I understand that in signing this consent order I am enabling the Board to
impose disciplinary action upon my license without further process.

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a
decision and order upon this Stipulation whereby:

1. Respondent agrees to voluntarily surrender her license to the Board within
seven (7) days of receipt of the Board’s Order. A copy of the Voluntary Surrender of
License form is attached hereto as Exhibit C. Respondent shall complete and sign the
Voluntary Surrender of License form and return it, along with her license, to the Board of
Nursing at 280 N. Eighth Street, Suite 210, Boise, ID 83720-0061. Respondent shall also
provide the Board with a current address and phone number where Respondent can be
contacted.
2. After the Board is in receipt of the Voluntary Surrender of License and Respondent’s license, Respondent will be contacted by Board staff concerning voluntary enrollment in the Program for Recovering Nurses (PRN). Respondent voluntarily agrees to contact the PRN no later than seven (7) days of being notified by Board staff that they have received the Voluntary Surrender of License and Respondent’s license.

3. Respondent agrees to comply with all terms and recommendations of the PRN and understands that she will not be eligible for reinstatement of her license, restricted or otherwise, if she fails to comply with terms and conditions of the PRN.

4. Respondent further agrees to comply with all terms and recommendations of the Montana Nurses Assistance Program. Respondent will not be eligible to receive an unrestricted license in the State of Idaho until the Board receives notice that the State of Montana has issued Respondent an unrestricted license to practice nursing in the State of Montana, and receives proof that Respondent has complied with all of the provisions in the Final Order of Default entered by the State of Montana Board of Nursing. The Board retains discretion to grant Respondent an unrestricted license, deny Respondent’s request for reinstatement, or issue a conditional license.

5. During the term of Respondent’s suspension, Respondent’s license shall be a single-state license and Respondent shall not be eligible to practice in any other state participating in the Nurse Licensure Compact with the State of Idaho.

6. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

7. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this settlement agreement shall be presented to the Board with a recommendation for approval from the Deputy Attorney
General responsible for prosecution before the Board at the regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent’s approval, or reject this settlement agreement, and if rejected by the Board, an administrative Complaint will be filed. By signing this document, Respondent waives any right Respondent may have to challenge the Board’s impartiality to hear the allegations in the Complaint based on the fact that the Board has considered and rejected this settlement agreement. Pursuant to Idaho Code § 67-5252, Respondent retains the right to otherwise challenge the impartiality of any Board member to hear the allegations in the Complaint based upon bias, prejudice, interest, substantial prior involvement in the case or any other reason provided by law or for any cause for which a judge is or may be disqualified.

3. If the Board does not accept this Consent Order then, except for Respondent’s waiver set forth in Paragraph D(2), above, it shall be regarded as null and void. Admissions by Respondent in the settlement agreement will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. With the exception of Paragraph D(2), above, which becomes effective upon Respondent signing this document, this Consent Order shall not become effective until it has been approved by a majority of the board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Respondent understands that the Board will not refund, in whole or in part, any monies paid to the Board for initial licensure or renewal licensure.

7. Any default of this Consent Order shall be considered a violation of Idaho Code § 54-1413. If Respondent violates or fails to comply with this Consent Order, the Board may impose additional discipline pursuant to the following procedure:
a. The Board’s executive director shall schedule a hearing before the Board to assess whether or not Respondent has defaulted under this agreement. The director shall also serve notice of the default hearing and charges to Respondent and to Respondent’s attorney, if any. Within twenty-one (21) days after the notice of default hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations of default will be deemed admitted.

b. At the default hearing, Board staff and Respondent may submit affidavits made on personal knowledge and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Consent Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the default hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent’s practice or suspension or revocation of Respondent’s license.

8. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

9. This Stipulation and Consent Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Consent Order as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as
proposed, the Board will issue an Order on this stipulation according to the aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

DATED this 20th day of April, 2007.

Lori Lynn Scottfield
Respondent

I concur in this stipulation and order.

DATED this 20th day of April, 2007.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Karl T. Klein
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-1404, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 3rd day of March, 2006. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By Susan Odom, Ph.D., R.N.
Chair

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of MAY, 2007, I caused to be
served a true and correct copy of the foregoing by the following method to:

Lori Lynn Scoffield
124 W. 25 S.
Jerome, ID 83338

Karl T. Klein
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

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