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

Thomas Taylor

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
Thomas Taylor  
236 James  
Chubbuck ID 83202

Dear Mr. Taylor:

- During their meeting on January 28-29, 2010, 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to accept the Findings of Fact, Conclusions of Law and Final Order in which your professional nurse license, N-36160 was revoked.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 January 29, 2010. 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

*The Mission of the Board of Nursing is to regulate nursing practice and education for the purpose of safeguarding the public health, safety and welfare.*
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: ) Case No. BON 09-071

THOMAS TAYLOR, ) FINDINGS OF FACT,
License No. N-36160 ) CONCLUSIONS OF LAW AND
) FINAL ORDER
Respondent. )

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

FINDINGS OF FACT

1. Thomas Taylor ("Respondent") has been licensed by the Idaho State Board of Nursing under License No. N-36160 to engage in the practice of nursing in the State of Idaho.

2. On or about September 29, 2009, Respondent called the Board to self-report that he had diverted patient medications that were out dated or no longer needed by the patient for his personal use. Respondent further stated that he had been using for approximately two years and hydrocodone was his drug of choice. In addition, Respondent indicated that he had recently been hospitalized for an overdose and was currently in a nine-month treatment program.

3. On October 5, 2009, Respondent voluntarily surrendered his license, further admitting that he diverted patient medications that were out dated or no longer needed by the patient for his personal use. Respondent agreed to enter treatment immediately and to participate in the Program for Recovering Nurses (PRN), a monitoring program, and to resume the practice of nursing only at such time as a conditional limited license was issued to him. A true and correct copy of Respondent’s Voluntary Surrender of License is attached hereto as Exhibit A.

4. On or about October 14, 2009, Board staff sent Respondent a letter verifying receipt of his voluntary surrender and instructed Respondent to contact John
Southworth, PRN Coordinator within seven (7) days. A true and correct copy of the October 14, 2009, letter to Respondent is attached hereto as Exhibit B.

5. On or about November 16, 2009, the PRN notified the Board that Respondent failed to enroll in PRN. PRN sent an enrollment packet to Respondent on September 22, 2009, and was given a deadline to return the required documentation by November 9, 2009. A true and correct copy of the November 16, 2009, letter from PRN to the Board is attached hereto as Exhibit C.

6. On November 16, 2009, Board staff sent Respondent a letter allowing him until November 23, 2009, to submit the enrollment paperwork to PRN. A true and correct copy of the November 16, 2009, letter from Board staff to Respondent is attached hereto as Exhibit D.

7. On January 5, 2010, the PRN notified the Board that Respondent failed to return the required enrollment paperwork by November 23, 2009. A true and correct copy of the January 5, 2010, letter from the PRN to the Board is attached hereto as Exhibit E.

CONCLUSIONS OF LAW

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

2. Respondent’s Idaho License No. N-36160 is conditioned upon him complying with the laws and rules of the Idaho State Board of Nursing.

3. Respondent admitted to diverting medications from patients for his personal use and that he had been using for approximately two years.

4. Respondent voluntarily surrendered his license and agreed to enroll in and comply with the terms of the PRN. He has failed to enroll in the PRN.

5. Respondent’s acts as set forth above constitute violations of the laws and rules governing the practice of nursing in the State of Idaho; specifically:
   a. Idaho Code § 54-1413(1)(e) and Board Rule (IDAPA 23.01.01) 100.06 (a nurse shall not habitually use alcoholic beverages 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 and practice);

c. Idaho Code § 54-1413(1)(h) and Board Rule 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.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); and

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

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

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-36160 issued to Thomas Taylor is hereby:

   ☒ Revoked: 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.

   _____ 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. At such time as Respondent requests reinstatement of licensure, he shall comply with the requirements of Idaho Code § 54-1411(3) and IDAPA 23.01.01.120, if Respondent’s license is revoked, or IDAPA 23.01.01.61.04, if Respondent’s license is suspended. 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;
   b. Documentation that he is rehabilitated and competent to practice nursing by submitting:
      i. A comprehensive drug/alcohol evaluation completed by a Board-approved health care provider 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 documentation of an active recovery program.

3. The Board reserves the right to hold additional hearings should Respondent seek reinstatement of his license.

4. 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 ___, 2010.

IDAHO STATE BOARD OF NURSING

[Signature]
Susan Odom, Ph.D., R.N.
Chair

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER - 4
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 issuance 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 29th day of January, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Thomas Taylor
236 James
Chubbuck, ID 83202

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail

Karin Magnelli
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Facsimile
☒ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
RULE 132
TEMPORARY VOLUNTARY SURRENDER OF LICENSE

1. _____ Thomas Taylor__________, by affixing my signature hereto, acknowledge that:

1. I admit that I have engaged in the following conduct: __diverting (took) patient medication (controlled substance) when the medication was out dated or no longer needed by the patient for my own for personal use.

2. I understand that the admitted facts constitute grounds for disciplinary action pursuant to the Nursing Practice Act, Idaho Code, §54-1413 (1) and the rules of the Board, IDAPA 23.01.01, et seq. I also understand that the Board of Nursing has the authority to accept this voluntary surrender pursuant to Idaho Code §54-1404(2).

3. I am aware that, without my consent, no legal action can be taken against me, except pursuant to the Idaho Administrative Procedures Act, Chapter 52, Title 67, Idaho Code.

4. I understand that I have the following rights, among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, to present evidence and testimony on my behalf, to compel the testimony of witnesses, and to cross-examine witnesses against me; and

5. I waive all such rights, including the right to a formal disciplinary hearing.

6. I also waive the right to challenge the Board for bias in the event that charges concerning these admitted facts or any other matter involving my license are brought before the Board.

7. In lieu of a formal disciplinary hearing, I voluntarily surrender my license on a temporary basis. Attached is my license, number RN-36160______; I agree to immediately discontinue the practice of nursing in Idaho.

8. I will enter treatment as required by the Board, and fully participate in the Program for Recovering Nurses (PRN) monitoring program. I will resume the practice of nursing only at such time as a conditional limited license has been issued to me. If I do not fully participate in and cooperate with the PRN, the Board may enter an order revoking or otherwise disciplining my license, including any conditional license that may have been issued, without further notice or hearing or other process given to me.

9. I understand that Board of Nursing representatives will, if questioned, report the status of my license as "surrendered".

DATED 10/15/09

Signature of Licensee

234 James

Address

Chubbuck, ID 83202

City, State, Zip

Signature of Witness

DATED

Revised 1008 – PRN

Exhibit A
Page 1 of 2
IDAHO BOARD OF NURSING
PO BOX 83720
BOISE, IDAHO 83720-0061
(208) 334-3110

Detach Here

2009-2011
License Number
N-36160
Expires: August 31, 2011

State of Idaho
Board of Nursing
This is to certify that:

THOMAS TAYLOR
236 JAMES
CHUBBUCK, ID 83202

has complied with the requirements of the law and is entitled
to practice as a LICENSED PROFESSIONAL NURSE (RN)

Valid when signed by licensee.

RECEIPT
90.00 RENEWAL  X
125.00 REINSTATEMENT  
25.00 TEMP LIC  N
110.00 ENDORSEMENT
90.00 RN EXAM
75.00 PN EXAM
10.00 DUPLICATE

BY
DATE
09/02/2009

PLEASE KEEP THE BOARD INFORMED OF NAME AND ADDRESS CHANGES.

RECEIPT NO. 15105
Dear Mr. Taylor:

We are in receipt of your statement of Temporary Voluntary Surrender of License. At this time, please contact John Southworth, Coordinator, Program for Recovering Nurses at (800) 386-1695, regarding enrollment in the Program, within seven (7) days of receipt of this letter.

At this time, we have completed our investigation into this concern and have determined that there has been a violation of the Nursing Practice Act and Rules of the Board of Nursing. As long as you remain compliant with the contract requirements and further information does not come to the Board’s attention, no action will be taken regarding this issue. Should you decide to withdraw from this program or otherwise become non-compliant with any of the conditions, the investigation will be activated and action initiated as appropriate.

You will be authorized to return to work when you meet the requirements of the “Return to Nursing Practice” guideline (enclosed) and Rule 23.01.01.132. Should you become non-compliant with any of the conditions of your monitoring contract, your file will be referred to the members of the Program for Recovering Nurses Advisory Committee, who may recommend that disciplinary action be initiated.

If you need additional information at this time, please contact this office.

Sincerely,

[Signature]

JANET EDMONDS, MSN, RN
Director for Professional Compliance

The Mission of the Board of Nursing is to regulate nursing practice and education for the purpose of safeguarding the public health, safety and welfare.
November 16, 2009

Idaho State Board of Nursing
ATTN: Sandra Evans
P.O. Box 83720
Boise, ID 83720-0061

RE: Thomas Taylor

Dear Ms. Evans,

This letter is being sent to notify you that Mr. Thomas Taylor, a Board of Nursing referral, has failed to enroll in and return his Program for Recovering Nurses (PRN) Contract. Mr. Taylor was sent his enrollment packet on October 28, 2009 and given a deadline of November 9, 2009 to return all related documentation for enrollment in the program and begin monitoring.

As of date, PRN has not received anything from Mr. Taylor.

We look forward to receiving further guidance from the Board of Nursing regarding this issue. If you have any questions or concerns, please feel free to contact either me at (208) 323-9555.

Sincerely,

Ashley Gochnour
Compliance Monitor
Southworth Associates

Cc: Thomas Taylor

The Program for Recovering Nurses: Protecting the public safety, health and welfare by assisting nurses in their recovery and return to safe practice.
Thommas Taylor  
236 James  
Chubbuck, ID 83202  

Dear Mr. Taylor:  

On September 30, 2009, you were sent information regarding the Board's Program for  
Recovering Nurses (PRN). You had indicated that you were interested in surrendering your  
license and enrolling in the Program. Your licensure certificate was surrendered on October 5,  
2009, and you were instructed to contact the PRN program regarding enrollment within seven (7) days.  

We have been notified by the Compliance Monitor for the PRN, that you have failed to  
return the signed contract by the required date of November 9, 2009. No later than  
NOVEMBER 23, 2009, you must return your signed contract to your Compliance Monitor.  
Failure to return your signed contract will result in your file being referred to the Board of  
Nursing for possible disciplinary action against your license.  

Please contact me if you have questions regarding this information.  

Sincerely,  

SANDRA EVANS, MAEd, RN  
Executive Director  

SE: lhc  
cc: Southworth Associates  

The Mission of the Board of Nursing is to regulate nursing practice and education  
for the purpose of safeguarding the public health, safety and welfare.
January 5, 2010

Idaho State Board of Nursing
ATTN: Sandra Evans
P.O. Box 83720
Boise, ID 83720-0061

RE: Thomas Taylor

Dear Ms. Evans,

This letter is being sent to notify you that Mr. Thomas Taylor, a Board of Nursing referral, has failed to enroll in and return his Program for Recovering Nurses (PRN) contract by the Board’s allotted deadline of November 23, 2009.

As of date, PRN has not received anything from Mr. Taylor.

We look forward to receiving further guidance from the Board of Nursing regarding this issue. If you have any questions or concerns, please feel free to contact either me at (208) 323-9555.

Sincerely,

[Signature]

Ashley Gochman
Compliance Monitor
Southworth Associates

Cc: Thomas Taylor

The Program for Recovering Nurses: Protecting the public safety, health and welfare by assisting nurses in their recovery and return to safe practice.
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**Sent To**

THOMAS TAYLOR  
236 JAMES  
CHUBBUCK, ID. 83202

**SENDER: 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:**
   
   THOMAS TAYLOR  
   236 JAMES  
   CHUBBUCK, ID. 83202

2. **Article Number** (Transfer from service label)
   
   7009 0820 0000 2802 0604

**COMPLETE THIS SECTION ON DELIVERY**

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