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

PATRICK WALSH
N-29242

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. 02-038

PATRICK S. WALSH,
License No. N-29242,

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER

On November 11, 2005, the Idaho State Board of Nursing (Board) rejected a consent agreement proposed by its prosecutor and Patrick S. Walsh, Respondent, as settlement in full of an on-going disciplinary investigation and related activities. Having rejected the proposed consent agreement, the Board took up the matter for hearing during its meeting of April 27, 2006. Following is the decision of the Board.

FINDINGS OF FACT

1. Respondent herein is licensed to engage in the practice of nursing by the Idaho State Board of Nursing. Respondent holds nursing license N-29242.

2. On June 14, 2002, Respondent was involved in a traffic accident in north Idaho, having diverted Lorazepam from his employer's facility and then injecting himself with this controlled substance while driving between patients' residences.

3. Respondent admitted to this conduct and, in return for Board's agreement to hold further disciplinary action in abeyance so long as he was compliant, voluntarily surrendered his license to practice nursing and entered into the Program for Recovering Nurses (PRN). His monitoring agreement with the Idaho PRN was signed July 29, 2002.

4. On June 27, 2005, Respondent notified the Board that he intended to withdraw from the PRN. He offered to permit the board to suspend his license.

5. Rather than proceed with a formal disciplinary hearing, Respondent agreed to enter into a proposed consent agreement in which he would voluntarily surrender his license to the Board and the Board would enter an order indicating that the status of the license was "indefinite suspension." The Board subsequently rejected the proposed Consent Agreement.

CONCLUSIONS OF LAW

A. The Board may regulate the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code; accordingly, Respondent's continued retention of his Idaho nursing license is subject to the provisions of title 54, chapter 14, Idaho Code.
B. The facts as stated above fall within the regulatory jurisdiction of the Board as set forth in title 54, chapter 14, Idaho Code.

C. The Board has power to revoke, suspend, or amend any license issued pursuant to the act if the licensee has engaged in behavior that constitutes grounds for imposition of discipline. Idaho Code Section 54-1413(1) and IDAPA 23.01.01.100.08 and 23.01.01.101.01.

D. Violating the nursing practice act or rules and standards of practice and conduct as adopted by the Board is behavior that constitutes grounds for imposition of discipline. Idaho Code Section 54-1413(1)(g).

E. Endangering patients or the public is a violation of the standards of practice and conduct as adopted by the Board. IDAPA 23.01.01.100.09.

F. Obtaining, possessing, furnishing or administering prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs is a violation of the standards of conduct. IDAPA 23.01.01.101.04.e.

G. Respondent's acts as set forth above and his failure to act in accord with the standards of practice and conduct as adopted by the Board constitute a violation of the practice act and rules of the Board and as such, his violations constitute grounds for the Board's imposition of sanctions against him. Idaho Code Section 54-1413(1)(g) and IDAPA 23.01.01.101, 100.09, and 101.04.e.
FINAL ORDER

WHEREAS, based upon the Respondent’s admitted violation of the practice and rules of the Board, and good cause being shown, IT IS HEREBY ORDERED and this does ORDER that Respondent’s license to practice nursing, number N-29242, be and is hereby REVOKED.

DATED this 19 day of June, 2006.

IDAHO STATE BOARD OF NURSING

By: RANDALL HUDSPETH, NP, CNS, RN Chairman.

NOTICE OF APPEAL RIGHTS

This is a Final Order of the agency. Any party may file a motion for reconsideration of this Final Order within fourteen (14) days of the service date of this Order. The agency 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:

i. a hearing was held,

ii. the final agency action was taken,

iii. the party seeking review of the order resides or operates its principal place of business in Idaho, or

iv. 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 __19TH__ day of June, 2006, I caused to be served a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER, via certified U.S. Mail, postage prepaid, return receipt requested, and addressed to Patrick S. Walsh, 3407 W. 48th Ct., Spokane, WA 99223.

I further certify that copies of these Findings of Fact, Conclusions of Law and Final Order were mailed to Deputies Attorney General Karl Klein and Kay Christensen, at Post Office Box 83720, Boise, ID 83720-0010.

SANDRA EVANS, M.A.Ed., R.N.
Executive Director
Board of Nursing