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

DIANA WINMILL
PN-8288

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
May 17, 1999

Diana Renee Winmill  
690 Pearl Drive  
Blackfoot ID 83221  

Dear Ms. Winmill:

During their meeting on May 13, 1999, the Board of Nursing members took action to issue a formal Order of Revocation of license. Enclosed are the Findings of Fact, Conclusions of Law and Final Order.

The Order revoking your license became effective May 13, 1999. Please be advised that you may not practice nursing in the State of Idaho during the time your license is revoked.

Sincerely,

Sandra Evans  
MAEd, RN  
Executive Director  

SE:llc

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 BOARD OF NURSING

STATE OF IDAHO

In the Matter of: )
) Case No. 98-065
) )
DIANA RENEE WINMILL, ) FINDINGS OF FACT,
License No. PN-8288, ) CONCLUSIONS OF LAW,
) AND FINAL ORDER
Respondent. )

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho Board of Nursing (hereinafter the "Board") hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent DIANA RENEE WINMILL ("Respondent") is a duly licensed nurse in the State of Idaho holding License No. PN-8288.

2. On or about September 15, 1998, the Board of Pharmacy received a complaint from Dr. Brent W. Mueller, M.D., of suspected drug use and prescription fraud by Respondent. The Board of pharmacy conducted an investigation, and submitted its report to the Board of Nursing on or about September 17, 1998. A true and copy of the Board of Pharmacy's investigation report and complaint by Dr. Mueller is attached here to as Exhibit 1.

3. On or about October 13, 1998, Respondent voluntarily surrendered her license, admitting to violations of the Nursing Practice Act. A true and correct copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit 2.

4. Respondent entered the Program for Recovering Nurses ("PRN"). On or about March 25, 1999, the Respondent notified the Board of her voluntary withdrawal from the PRN. A true and correct copy of the letter received by the Board from the Respondent regarding withdrawal is attached hereto as Exhibit 3.
5. On or about April 2, 1999, the PRN Advisory Committee reviewed Respondent’s file, and determined she was non-compliant with her PRN monitoring contract. A true and correct copy of the Advisory Committee recommendation is attached hereto as Exhibit 4.

6. Respondent knowingly and freely waived her right to a hearing, and waived all rights granted to her pursuant to the Administrative Procedures Act, chapter 52, title 67, Idaho Code.

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, and the rules and regulations promulgated by the Board thereunder.

2. Respondent’s admission of violations of the Nursing Practice Act and Rules constitutes grounds for revocation or suspension of Respondent’s license to practice nursing pursuant to Idaho Code § 54-1413(1)(e), 54-1413(1)(g), 54-1413(1)(h), IDAPA 23.01.01100.06 and 100.09.e.

3. Respondent’s voluntary surrender of licensure authorizes the Board to revoke or suspend Respondent’s license without further process pursuant to Idaho Code § 54-1413(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, that Nursing License No. PN-9865 issued to Respondent DIANA “RENEE” WINMILL is

✓ Revoked

___ Suspended ____ days/year(s) ____ indefinitely

based upon voluntary surrender, and is subject to subsequent review pursuant to Idaho Code § 54-1413(3).
It is further ordered that, should Respondent request reinstatement of licensure in the future, that she present the following information to the Board with her application for reinstatement:

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 comprehensive drug/alcohol evaluation completed by a licensed mental health care provider at the time of application for reinstatement;
   b. A detailed summary of employment since licensure revocation or suspension;
   c. Documentation of activities engaged in to address drug/alcohol issues, to include documentation of an active recovery program; and

3. Evidence of financial compliance with NCPS and the Program for Recovering Nurses.

This order is effective immediately.

DATED this 15th day of May, 1999.

IDAHO BOARD OF NURSING

By Charles Moseley, CRNA
Chairman
NOTICE OF DUE PROCESS RIGHTS

NOTE: THIS NOTICE IS PROVIDED SOLEY FOR COMPLIANCE WITH IDAHO CODE § 67-5248, AND IS NOT INTENDED TO REINSTATE ANY RIGHTS PREVIOUSLY WAIVED BY RESPONDENT.

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 Board 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 Board 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.

If respondent’s license was revoked, then pursuant to Board Rule 121, Respondent may apply to the Board for reinstatement one (1) year after the execution of this Order. At the time of application, the Board may conduct further evidentiary hearings to determine whether to grant a license, extend a limited license, or deny application for reinstatement.

If respondent’s license was suspended, then pursuant to Board Rule 120, Respondent may apply to the Board within a reasonable time after the execution of this Order, or as specified by the term of suspension. At the time of application, the Board may conduct further evidentiary hearings to determine whether to grant a license, extend a limited license, or deny application for reinstatement.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17TH day of MAY, 1999, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail, postage prepaid, certified mail, return receipt requested, and regular mail, postage prepaid, addressed to:

Diana Renee Winmill
690 Pearl Dr.
Blackfoot, ID 83221

Sandra Evans, M.A.Ed., R.N.
Executive Director
Idaho Board Of Pharmacy
INFORMATION / INCIDENT REPORT

File Number

Received By: C. Domeny Date: 9-14-98

COMPLAINANT / REQUEST FOR ASSISTANCE:
Name: Mike Beazer Phone: 525-7195
Representing: Bop

Address:

SUBJECT INFORMATION:
Name: Renee Winmill DOB: 3-24-64 SSN:
Professional: Lic. No. Specialty
Sex: F Height: Weight: Hair: Eyes:
Address: 690 Pezal Dr.
Blackfoot
Tel:

Scars, Marks, Occupation, Other:

AKA's:

OFFENSE: DR. Shopping

DRUG(S): Hydrocodone / Butalbital / Lod

SYNOPSIS: DR. Shopping - see attached, checked w/Board of Nursing - Not a registrant of any kind. Police notified.

Investigator/Agency Referred To:

Evidence Location:

Exhibit 1
Page 1 of 2
September 15, 1998

Idaho State Board of Pharmacy
280 N. 8th St. Suite 204
Boise, ID. 83720

Re: Renee D. Winmill

To Whom It May Concern;

Regarding the above referenced patient and after reviewing the information presented to me concerning the procurement of controlled medications, it is my decision to not press criminal charges at this time. I further require that her nursing license be surrendered and she voluntarily enters a drug treatment center.

If she refuses to comply, it is my wish to pursue criminal charges to the full extent of the law.

I will assist and participate in any way possible with this situation.

Sincerely,

Brent Mueller, MD
VOLUNTARY SURRENDER OF LICENSURE

I

Diana Renée Winmill, admit that:

- I may have a disability or a mental condition
- from chemical dependency that may impair my
ability to practice nursing safely, and that I may have tampered
with a couple of my medications.

II

I understand and acknowledge that the admitted facts constitute grounds for
disciplinary action under Section 54-1413, of the Nursing Practice Act,
IDAHO CODE.

III

I hereby voluntarily surrender license number PN - 8288, and I
shall forthwith discontinue the practice of nursing in Idaho.

IV

I hereby waive the right to a hearing concerning the foregoing admitted
facts, and waive my rights under the provisions related to contested cases in
the Administrative Procedures Act, Chapter 52, Title 67, IDAHO CODE.

Dated: 10-13-98

1998-2000

Dianna Renée Winmill
Signature of Licensee

License Number PN-8288

1690 Peace Dr.
Address

DIANA RENEE WINMILL
City, State, Zip

630 Pearl Dr
BLACKFOOT, ID 83221

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

Signature of Witness

Diana Renée Winmill
Valid when signed by licensee

Exhibit 2 1/89/93/98
Page 1 of 1
To the PRN, The Board of Nursing, and whom else it may concern,

I'm writing in regards to my financial situation that has recently affected my recovery and my enrollment in the PRN program. I am grateful to the consideration that you all have shown me with my plight. I feel that maybe in the beginning I misunderstood your purpose and/or intentions for me. I also feel the need to apologize for my attitude earlier on and offer my apologies if I offended any of you. The decision that I have made to temporarily leave the program was not as easy to make as I thought it would be. Perhaps I won't even need a whole year to get back on my feet financially. I do hope that I will be allowed to reapply then and continue where I left off in the program. I also hope I may continue my attendance in the aftercare group with Art. Thank You for all your patience and assistance with my care and treatment in the program.

Sincerely,

Renee Winmill

Renee Winmill  
3/29/74
TO: SANDRA EVANS, MAEd, RN
Executive Director
Idaho Board of Nursing

FROM: Analyn Frasure, LPN, Chairperson
Program for Recovering Nurses

DATE: APRIL 2, 1999

The file of Renee Winmill was reviewed at the Advisory Committee meeting on April 2, 1999, and found to be in non-compliance of recommendations because of the following:

Failing to comply with all terms and conditions of the Contract for Monitoring

The Committee made the following recommendation(s):

Refer to Board for disciplinary action.

File reviewed by Executive Director:

Signature: [Signature]
Date: 4-6-99

Action Recommended to Board: Rescission based on voluntary surrender.

An Alternative to Disciplinary Action program offered by the Idaho Board of Nursing.
April 6, 1999

Renee Winmill
690 Pearl Drive
Blackfoot ID 83221

Dear Ms. Winmill:

During their April 2, 1999 meeting, the members of the Program for Recovering Nurses reviewed your file and the report of non-compliance. The Advisory Committee took action to refer your file to the Board of Nursing for disciplinary action at their meeting on May 12-14, 1999.

If you wish to meet with the Board members at this meeting, you must make your appointment by contacting Linda Coley, (208) 334-3110 ext. 25 no later than April 13, 1999.

Please contact me if you wish to discuss this information.

Sincerely,

SANDRA EVANS, MAEd., RN
Executive Director

SE: lhc
cc: PRN Program
RENEE WINMILL
690 PEARL DRIVE
BLACKFOOT ID 83221

3. Article Addressed to:

RENEE WINMILL
690 PEARL DRIVE
BLACKFOOT ID 83221

4a. Article Number

4b. Service Type

- Certified
- Registered
- Express Mail
- Return Receipt for Merchandise

5. Received By: (Print Name)

RENEE WINMILL

6. Signature: (Address or Agent)

RENEE WINMILL

7. Date of Delivery

AER 9-2-94

8. Address of Addressee (Only if requested and fee is paid)

RENEE WINMILL
690 PEARL DRIVE
BLACKFOOT ID 83221

Domestic Return Receipt

PS Form 3811, December 1994