

VERMONT SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING

In re Debra D. Oliver }
License No. 026-0033066 }
Docket No. NU 04-0706 }

FINDINGS OF FACT
CONCLUSIONS OF LAW & ORDER

On Monday 14 January 2008, the Vermont Board of Nursing (Board) heard this contested case of alleged unprofessional conduct. The State of Vermont brought charges dated 23 August 2007 against Respondent Debra D. Oliver. ("Charges") Board members Jeanine Carr, Ellen W. Leff, Donarae Metcalf, Sandra J. Norton, Linda M. Y. Rice (Chairperson), Deborah Robinson, Alan H. Weiss, DeAnn Welch and William White were present and participated in the hearing.

The Respondent did not appear at, or participate in, the hearing. Edward G. Adrian represented the State of Vermont. Board counsel Kevin F. Leahy presided.

Findings of Fact &
Conclusions of Law:

1. The Board licenses the Respondent and may exercise its disciplinary authority if the Board finds that the State has proven allegations of licensee unprofessional conduct. 26 V.S.A. Chapter 28; 3 V.S.A. § 129(a); the Admin. Rules for the Bd. of Nursing and the Admin. Rules for the Office of Prof. Reg.
2. Respondent holds a Board issued State of Vermont registered nursing license, which is currently suspended.
3. In her answer to the State's Charges, the Respondent admitted the material factual allegation made against her. This Board therefore finds that the Respondent's Alabama nursing license was suspended for "one instance of falsifying records and because the results of a drug screen taken [from] the Respondent were positive for cocaine." Charges at ¶3.
4. In a disciplinary hearing, the state has the burden of proof. To satisfy its evidentiary burden, it must "show by a preponderance of the evidence that [a licensee] has engaged in unprofessional conduct." 3 V.S.A. § 129a (c).
5. The Respondent admits the factual allegations against her. The Board therefore finds that the State has met its burden of proving its factual allegations.
6. The Board also finds that the Respondent engaged in unprofessional conduct for the reasons she admitted in the Consent Order approved and accepted by the Alabama

Board of Nursing. See *In re Debra Danette Clark Oliver*, Dkt. 2006-0414 (entered 21 July 2006).

7. To protect the public health safety and welfare, the Board shall adopt the same disposition as its sister state and suspend the Respondent's Vermont license to practice nursing.

ORDER

Based on the findings of facts set forth above, the Board of Nursing SUSPENDS INDEFINITELY Respondent's Registered Nursing license.

- END -

(signature page to follow)

Vermont Board of Nursing:

By: Linda Rice APRN Date: 4-7-08
Linda M. Y. Rice, APRN
Board Chairperson

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 4/10/08

VERMONT SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
STATE BOARD OF NURSING

IN RE: DEBRA D. OLIVER } DOCKET No. NU04-0706
License No. 026-0033066 }

SUMMARY SUSPENSION ORDER

On August 14, 2006, this matter came before the Vermont State Board of Nursing on the prosecution's Request for Summary Suspension pursuant to 3 V.S.A. § 814(c). The hearing took place at the Heritage Building, 81 River Street in Montpelier, Vermont. The Board has authority to summarily suspend a license pending further proceedings if it determines that public health, safety or welfare imperatively require emergency action.

Findings of Fact & Conclusions of Law:

Based on a review of the evidence presented to the Board at the hearing on this matter, the Board finds:

1. The Respondent, Debra D. Oliver, is licensed by and subject to the disciplinary authority of this Board. 26 V.S.A. Chapter 28, 3 V.S.A. § 129(a), and the Administrative Rules of the Office of Professional Regulation.
2. The Respondent holds temporary license number 026-0033066 issued by the State of Vermont on June 2, 2006 and currently set to expire on September 2, 2006. The Respondent also holds a registered nursing license in the states of Alabama and California.
3. The State filed a "Request for Summary Suspension" dated July 31, 2006, alleging that Alabama Board of Nursing suspended the Respondent's Alabama nursing license, pursuant to a Consent Order, entered on July 21, 2006.
4. The State further alleges that Alabama suspended the Respondent's license due to falsification of records by the Respondent as well as a drug screen by the Respondent that gave a positive result for cocaine.
5. The State argues that public health, safety or welfare imperatively requires emergency action, and the state asks this Board to suspend summarily the Respondent's license prior to a full hearing on the merits.
6. The Board has considered the evidence related to the allegations in the State's Request for Summary Suspension.
7. The Board finds that the State has, in its presentation of evidence, met its burden to the necessary degree of showing the need for emergency action to protect the public health, safety and welfare.

8. The public health, safety, or welfare does imperatively require emergency action.
9. Pursuant to 3 V.S.A. § 814(c), the Board will issue the following temporary order which shall remain in effect until further action by the Board:

ORDER

The Board of Nursing GRANTS the State of Vermont's Request for Summary Suspension.

The Respondent's license is SUMMARILY SUSPENDED pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

Vermont Board of Nursing

By: Susan O. Farrell
Susan O. Farrell, RN, Chairperson

Dated at Montpelier: August 14, 2006

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 8/15/06

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING

IN RE:)
DEBRA D. OLIVER) DOCKET No. NU04-0706
License No. 026-0033066)

REQUEST FOR SUMMARY SUSPENSION

Board Authority

1. The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by Nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28 and; the rules of the Board and the Vermont Office of Professional Regulation.
2. The Board of Nursing is authorized by 3 V.S.A. § 814 to summarily suspend the license of a nurse when it finds that the public health, safety or welfare imperatively requires emergency action.

Statement of Facts

3. Debra D. Oliver (the "Respondent") of Jackson Gap, Alabama is a licensed registered nurse holding temporary license number 026-0033066, issued by the State of Vermont. This license was originally issued on or about June 2, 2006 and is currently set to expire on September 2, 2006. The Respondent is also licensed as a registered nurse in the State of Alabama and the State of California.
4. On or about July 21, 2006 the Board received a fax from the Alabama Board of Nursing (the "Alabama Board") indicating that the Respondent's Alabama nursing license was suspended by the Alabama Board pursuant to a Consent Order approved and accepted on July 21, 2006. Attachment A. The Respondent's license was suspended for one instance of falsifying records and because the results of a drug screen taken by the Respondent were positive for cocaine. Attachment A.

Request for Relief

5. The facts as set out above establish that in order to protect the public health, safety or welfare of the people of the State of Vermont emergency action is imperative.
6. The above acts and circumstances, alone or in combination, violate:
 - i) 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession); and
 - ii) 3 V.S.A. §129a(b)(2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct,

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

which includes, but is not limited to, failure to conform to the essential standards of acceptable and prevailing practice).

WHEREFORE, the State of Vermont respectfully requests that pursuant to 3 V.S.A. § 814(c), the Respondent's nursing license number 026-0033066 be summarily suspended, pending a hearing on the merits.

DATED at Montpelier, Vermont this 31st day of July, 2006.

STATE OF VERMONT
SECRETARY OF STATE

By:

Judith L. Cutler for
Edward G. Adrian
State Prosecuting Attorney

nu.oliver.sumsusp

STATE OF VERMONT



Prosecuting Attorney
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N. GENELL LEE, MSN, RN, JD
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FAX CORRESPONDENCE

ATTENTION: Anita
AGENCY: Vermont Bd of Nurs
CITY: Montpelier STATE: VT
FAX NUMBER: 802 828 2484
REFERENCE: Debra Oliver
WE ARE SUBMITTING 15 PAGES (INCLUDING COVER LETTER)

FROM: Caleb
TELEPHONE NO: above
DATE: 7/21/06

Copy
placed in
mail.
note pgs 38

CONFIDENTIALITY NOTICE: The material contained in this facsimile transmission may contain confidential information belonging to the sender who is legally privileged. This information is intended for use only by the individual or entity indicated above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received this facsimile in error, please notify this office immediately by telephone for return arrangements of the information.

ATTACHMENT A

ALABAMA BOARD OF NURSING

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BEFORE THE ALABAMA BOARD OF NURSING

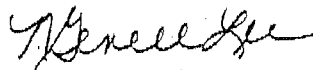
STATE OF ALABAMA)

MONTGOMERY COUNTY)

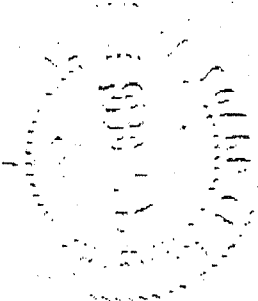
I, N. Genell Lee, RN, MSN, JD, Executive Officer of the Alabama Board of Nursing, do hereby certify that I am the legal Custodian of the Records of the Alabama Board of Nursing, and that the attached documents are true and correct copies of the original documents pertaining to **DEBRA DANETTE CLARK OLIVER** as they appear of record and on file in my office at Suite 250, RSA PLAZA, 770 Washington Avenue, in the City of Montgomery, County of Montgomery, State of Alabama, and that the laws of the State require said records to be kept.

WITNESS my hand and seal of the Alabama Board of Nursing on this 21 day of June 2006.

ALABAMA BOARD OF NURSING



N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER



BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:

DEBRA DANETTE CLARK OLIVER

LICENSE NO. 1-084480

CASE NO. 2006-0414

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CONSENT ORDER

The Alabama Board of Nursing, hereinafter referred to as Board, having evidence that **DEBRA DANETTE CLARK OLIVER**, hereinafter referred to as Respondent, is in violation of the Code of Alabama 1975, § 34-21-25, and the Alabama Board of Nursing Administrative Code, § 610-X-8; and Respondent, desiring to avoid the necessity of a formal hearing, do hereby enter into this Consent Order in lieu of proceeding with further disciplinary action. Respondent understands the right to a formal hearing in this matter and hereby knowingly waives such right. Respondent further understands and agrees that this is a non-appealable Order.

FINDINGS OF FACT

I.

On August 29, 1997, Respondent was licensed by the Alabama Board of Nursing as a Registered Nurse and was so licensed at all times relevant to matters stated herein. Respondent is currently licensed through December 31, 2006.

II.

On January 15, 2006, Respondent, while employed as a Registered Nurse at Bill Nichols State Veterans Home, Alexander City, Alabama, falsified medical records by pre-charting the administration of medication.

III.

On January 17, 2006, Respondent was asked to submit to a urine drug screen because a patient who had been assigned to her had an inaccurate narcotic count. Respondent's urine drug screen was positive for cocaine. Respondent did not provide a prescription for this medication.

CONCLUSIONS OF LAW

The conduct stated above constitutes sufficient grounds for the imposition of sanctions against Respondent's license to practice as a Registered Nurse in the State of Alabama pursuant to the Code of Alabama 1975, § 34-21-25, and the Alabama Board of Nursing Administrative Code, § 610-X-8-.03(4)(a); (6)(a)(b)(e)(f)(i)(ii)(iii)(g)(h)(v)(x).

ORDER

Respondent's Alabama Registered Nurse License, No. 1-084480, is hereby **SUSPENDED** until such time as the Board is in receipt of documentation of: (a) completion of required evaluations in accordance with Stipulation Number 4 below; (b) successful completion of the initial phase of an approved treatment program as specified in Stipulation Number 6 below, if treatment is recommended; (c) participation in an aftercare program as specified in Stipulation Number 7 below, if treatment is recommended; (d) negative random monthly drug screens as specified in Stipulation Number 15 below; (e) active participation in Twelve Step Programs as specified in Stipulation Number 9 below, if recommended; (f) accrual of requisite continuing education contact hours; and, (g) payment of appropriate fees. Should Respondent be deemed in need of treatment and upon documented completion of the above terms, Respondent's license will be reinstated on **PROBATION** for sixty (60) months pursuant to the following terms and conditions. If not deemed to be in need of treatment, Respondent's license will be placed on probation for twelve (12) months pursuant to the terms and conditions in this Order. In no event will this period of suspension extend longer than **TWELVE (12) MONTHS** past the effective date

of this Order. Should such occur, Respondent's licensure status will be considered as and listed as revoked.

1. **Return of Wallet ID Card**

Respondent's wallet ID card shall be **immediately** returned to the Alabama Board of Nursing office. Upon reinstatement, Respondent will be issued a wallet ID card which indicates probationary status.

2. **Fine**

Respondent shall pay a fine in the amount of \$750 if treatment is recommended or \$250 if treatment is not recommended. This fine must be paid within thirty (30) days of the effective date of Respondent's reinstatement. Respondent understands that failure to pay the fine is cause for additional disciplinary action by the Board of Nursing.

Should Respondent's probation extend beyond a period of thirty-six (36) months, Respondent shall pay an additional fine of \$250 prior to termination of this Order.

3. **Education - Completion of Course**
(If not deemed in need of chemical dependency treatment)

Respondent shall satisfactorily complete a Board-approved course/program on chemical dependency and provide documentation of completion to the Board. This course must be satisfactorily completed within three (3) months of the effective date of this Order.

4. **Evaluations (Chemical and Psychological)**

Respondent must submit the results of required comprehensive evaluations for chemical dependency, physical and mental illness from a Board-recognized treatment provider with Board consultation with the evaluating professional prior to making the assessment. Respondent must abide by any requests and recommendations from the providers that may include inpatient evaluation, outpatient evaluation, partial hospitalization evaluation and psychological testing.

Respondent is also required to undergo subsequent evaluations by a recognized provider

with a healthcare professionals tract should such be requested by the Board following a relapse or for other cause. Respondent must follow all treatment recommendations from the provider including inpatient treatment, outpatient treatment, halfway house, residential long-term treatment, counseling, etc.

If not eligible for early release, the Respondent shall return to the original treatment provider(s) or other Board-approved provider for required comprehensive evaluations and a determination of readiness to practice without supervision and/or monitoring. Said evaluations must be performed within the ninety (90) day period immediately prior to the scheduled termination of this Order. Based upon the evaluations, the Board may extend the period of this Order and require additional treatment, counseling, etc.

5. **Duration of Order**

The duration of this Order is for a period of sixty (60) months unless extended pursuant to Stipulation Number 4 above. Respondent may apply for early release after thirty-six (36) months of satisfactory compliance with all the stipulations of this Order. If Respondent applies for early release, a comprehensive chemical dependency, physical and mental evaluation from a treatment provider with a healthcare professionals tract which supports early release shall be submitted to the Board. Said evaluation must be performed within the ninety (90) day period immediately prior to submission of the application for early release. The duration of this Order is for a period of twelve (12) months if deemed not in need of chemical dependency treatment. These time periods are subject to Stipulation Number 25 below.

6. **Treatment Program (If chemical dependency treatment recommended)**

The program must be a Board-recognized chemical dependency treatment program. Respondent shall cause the director of the treatment program to submit to the Board proof of Respondent's entry into a primary intensive alcohol/drug treatment program in accordance with the recommendations made during the evaluation process which may include inpatient treatment, outpatient treatment, halfway house, residential long-term treatment and/or a combination thereof.

Respondent shall also cause the program director to provide the Board with documentation concerning Respondent's successful completion of the program, readiness to return to the safe practice of nursing and recommendations and arrangements for appropriate follow-up.

7. **Aftercare Program (If chemical dependency treatment recommended)**

Unless otherwise recommended by the treatment provider and approved by the Board, the Respondent, within one (1) week of the completion of the initial phase of the treatment program, shall enter a Board-acceptable chemical dependency aftercare program with said program to meet on a weekly basis and to extend for a minimum of one (1) year. Respondent shall also cause the program to submit to the Board, in writing, and on the Board-approved form, documentation of the Respondent's attendance, participation and progress in the program. Such reports are due quarterly, according to schedule, for the duration of the probationary period or until successful completion of the aftercare program. In the event the Respondent is discharged from the aftercare program for noncompliance, the Respondent and the program are to immediately notify the Board, in writing, of such occurrence. This is required regardless of whether Respondent is employed in nursing.

8. **Individual/Group Counseling (If recommended by chemical dependency evaluation)**

Respondent shall participate regularly in a Board-acceptable counseling program contingent upon the recommendations of the original treatment program. Respondent shall continue in counseling for as long as deemed necessary by the counselor/therapist. This stipulation is in addition to meeting the stipulation requiring aftercare participation. Respondent shall have the counselor/therapist notify the Board when continued counseling is no longer indicated and Respondent is discharged or when there is a failure to complete or comply with the course of therapy. Respondent shall also cause the program to submit to the Board, in writing and on the Board-approved form, evidence of satisfactory participation and progress in counseling. Such reports are due quarterly, according to schedule, as long as indicated during

the period of this Order. This is required regardless of whether Respondent is employed in nursing.

9. **Twelve Step Meetings (If recommended by chemical dependency evaluation)**

Respondent shall attend and participate in a minimum of three (3) Twelve Step meetings per week for the duration of this Order. The Respondent shall submit meeting attendance verification sheets monthly, according to schedule, on the Board-approved form, for the duration of the Order period. It is required that Respondent have a sponsor during the period of this Order. If there is a sponsor, the Board should be provided sufficient information as how to contact this individual. This is required regardless of whether Respondent is employed in nursing.

10. **Self-Report**

Respondent shall submit a written status report to the Board on a Board-approved form. This is to be submitted on a monthly basis, according to schedule, and must contain a self-assessment of current status. This report is required regardless of whether Respondent is employed in nursing. At the Board's discretion, Respondent may be allowed to make verbal contact with Board staff in lieu of a written report.

11. **Primary Physician -- Drug Use Exception**

The Respondent will have only one primary physician/group during the period of this Order. The primary physician must refer to any other physician, except in a documented emergency. All mood-altering medications or medications containing a mood-altering substance must be prescribed to Respondent by this primary physician for a bona fide medical condition, or if prescribed by the referred physician, must be immediately reported in writing by the Respondent to the primary physician with a copy to the Board. Respondent must notify the Board of the name, address, and telephone number of the primary physician within ten (10) days of the effective date of this Order and within ten (10) days in the case of a new physician. Respondent shall cause any and all prescriptions to be verified to the Board by the prescribing practitioner on a Board-provided form at the time of the issuance of a prescription and must also provide verification of all

medications prescribed prior to the Respondent's Board Order. No prescription over twelve (12) months old should be taken without an updated prescription verification. The Board or its designee may, at any time, request the practitioner to document the continued need for prescribed medications. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board. This is required regardless of whether Respondent is employed in nursing.

12. **Dentist – Drug Use Exception**

The Respondent will have only one dentist during the period of this Order. The primary dentist must refer to any other dentist or dental specialist, except in a documented emergency. All mood-altering medications or medications containing a mood-altering substance must be prescribed to Respondent by this primary dentist for a bona fide dental condition, or if prescribed by a referred dentist, must be immediately reported in writing by the Respondent to the primary dentist with a copy to the Board. Respondent must notify the Board of the name, address, and telephone number of the primary dentist within ten (10) days of the effective date of this Order. Respondent shall cause any and all prescriptions to be verified to the Board by the prescribing dentist on a Board-provided form at the time of the issuance of a prescription and must also provide verification of all medications prescribed prior to the Respondent's Board Order. No prescription over twelve (12) months old should be taken without an updated prescription verification. The Board or its designee may, at any time, request the practitioner to document the continued need for prescribed medications. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board. This is required regardless of whether Respondent is employed in nursing.

13. **Abstain from Alcohol Use**

Respondent shall abstain completely from the use of any substance containing alcohol.

14. **Abstain from Drug Use**

Respondent shall abstain completely from the non-prescribed use or possession of controlled substances as defined in the Alabama Uniform Controlled Substances Act, illegal drugs as defined by law, mood-altering substances, or any drugs requiring a prescription (legend) except as provided for in this Order.

15. **Drug Screening**

Respondent shall participate as directed in a Board-acceptable program for random drug testing. The drug screen will be a Board-approved drug screen and may include additional chemicals as designated by the Board or its designee. A minimum of one (1) random testing per month shall be done and may be required more frequently as requested by the Board or its designee. Further, the Board or its designee may at anytime require the Respondent to undergo additional drug screening of a type specified by the Board, including hair tests of a minimum of one time per year, to ensure that the Respondent is free of chemical substances. Refusal to provide a specimen suitable for testing within the requested time frame constitutes a violation of this Order and grounds for disciplinary action. Respondent waives any argument as to chain-of-custody of the sample or validity/accuracy of its testing regarding any positive screen received by the Board from an approved testing facility. The report of a positive drug screen which is not a result of documented, prescribed medications as provided for herein shall be considered a violation of this Order. This is required regardless of whether Respondent is employed in nursing.

16. **Employment - Monitoring**

Respondent shall practice only under the on-site monitoring of a Board-approved licensed health professional in good standing with their professional regulatory body. The employment monitor is not required to be on the same unit or ward as Respondent but should be on site and readily available to provide assistance and intervention in the event the Respondent appears impaired or otherwise unable to safely practice. The Respondent shall work only

regularly assigned, identified, and predetermined units. The on-site monitor shall be primarily one (1) person. The Respondent shall not be self-employed or contract for services.

17. **Employment-Increased Autonomy**

Following two (2) years of satisfactory compliance with stipulations, Respondent may request to work areas which have limited supervision. If such is granted, said employment will be with specified conditions as set forth by the Board. In no event may Respondent engage in unsupervised practice without prior written authorization from the Board or its designee.

18. **Restricted Employment**

Respondent shall not work for a nursing registry, traveling nurse agency, nursing float pool, hospice, home health agency, or temporary employment agency.

19. **Employment - Supervision Restriction**

Respondent shall not be employed as a supervising nurse.

20. **Employment - Access to Drugs (if treatment recommended)**

Respondent shall not administer or have access to controlled substance medications for a minimum of six (6) months of employment, and shall not have access to or administer controlled substance medications until written permission is received from the Board stating this stipulation no longer applies. Respondent shall work in nursing a minimum of six (6) months without this restriction prior to completing the Order.

21. **Employment - Hours of Practice**

Respondent shall not work more than eighty (80) hours in a two (2) week period without prior written authorization from the Board or its designee.

22. **Employment - Notification**

Respondent shall provide all health care employers, collaborative and covering physicians (if CRNP/CNM) and schools of nursing with a copy of this Order and cause each to acknowledge to the Board that a copy of this Order has been provided to them. Said notification shall be received by the Board no later than ten (10) days after the effective date of this Order or

within ten (10) days of Respondent's employment or advanced practice approval or entry into school and must be on the Board-provided form.

23. **Employment - Change in Status**

Respondent shall not accept or change employment without prior written notification to the Board. Said notification must include the name and number of the person who will be Respondent's supervisor.

24. **Employment - Evaluation of Performance**

Respondent shall cause the employer to provide to the Board, on a Board-approved form, a written evaluation of Respondent's nursing performance. Such reports are due quarterly, according to schedule. The receipt of an unfavorable report may be considered to be a violation of this Order. If Respondent is not employed as a nurse, Respondent is required to inform the Board of employment status in the monthly self-report.

25. **Not Employed in Nursing**

In order to complete the terms of this Order, the Respondent must have been employed as a practicing nurse for a minimum period of eighteen (18) months if chemical dependency treatment is recommended. If treatment is not recommended, Respondent must be employed as a practicing nurse for a minimum of twelve (12) months. During periods of employment in fields other than nursing, Respondent is not relieved from compliance with all other terms and conditions of this Order.

26. **Alabama Licensure Status**

Respondent must maintain a current license at all times during the period of probation. If for any reason Respondent allows the nursing license to lapse/expire, such may be cause for disciplinary action.

27. **Notification of Board**

If Respondent is arrested by any law enforcement agency or is admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on

any chemical substance, or for treatment for any emotional or psychological disorder, Respondent shall cause the Board to be notified immediately. Respondent also shall immediately report to the Board any relapse as well as any disciplinary action issued by an employer. Should Respondent test positive on any drug screen conducted by an employer, an employee assistance program, court referral program or other entity, the Respondent shall immediately report such to the Board.

28. Change of Address

Respondent shall immediately notify the Board, in writing, of any change of address.

29. Relocation

The Respondent must notify the Board of pending relocation outside the State of Alabama. If Respondent plans to relocate to another state, Respondent must inform that state's board of nursing as to licensure status and may request the Alabama Board to transfer monitoring to the other state. If monitored by another state, Respondent must successfully complete all requirements of the Board Order of the other jurisdiction in order to fulfill the terms of this Order. Respondent must submit to the Alabama Board a copy of the Order from the other state and official notification of successful completion or unsuccessful termination thereof. The Board retains the right to withdraw approval for out-of-state monitoring if circumstances indicate that such is appropriate.

30. Personal Interview

Respondent shall appear in person for interviews at the request of the Board or Board designee.

31. Obev the Laws

Respondent shall refrain from violation of any federal, state or local law or rule or Order of the Board. A conviction on any criminal charge pending at the time of the signing of this Order may result in further disciplinary action. Any arrest subsequent to the signing of this Order may result in further disciplinary action.

32. Release of Records and Information

Respondent hereby authorizes the Board of Nursing to submit information and all records necessary to ensure compliance with the stipulations of this Order and public safety. This includes communication with Respondent's employer (existing and prospective) and members of Respondent's treatment team regarding noncompliance and/or possible relapse. Respondent also agrees to execute all appropriate release of information forms so as to allow all treatment providers, healthcare providers, employers and all other necessary persons to inform the Board, in writing, of Respondent's status and progress.

33. Violation

Any deviation from the requirements of this Order without the written consent of the Board shall constitute a violation of this Order and will be cause for disciplinary action.

34. Subsequent Practice Act Violation

Should supplemental cause for disciplinary action arise during the period of this Order such is cause for disciplinary action.

35. Fraudulent Acts During Period of Order

Submission of fraudulent documents or reports or misrepresentation of facts relating to the terms and conditions stated herein shall constitute a violation of this Order.

36. Termination of Order

This Order shall terminate only upon receipt of documents to satisfy all terms and conditions of this Order, including receipt of official court records documenting successful completion of court-ordered probation, pretrial diversionary-type program, drug court, etc., where applicable. This period of probation will not terminate until notification by the Board to Respondent in writing that all terms and conditions have been met and the probation has been completed.

37. Public Information

This Order is public information. All disciplinary actions of the Board will be reported to all required data banks.

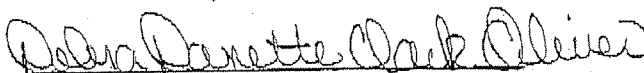
38. Effective Date

The effective date of this Order shall be the documented date of service or attempted service by certified mail or personal service.

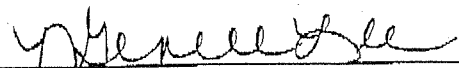
39. Final Order

This Order is subject to full Board consideration and acceptance before it shall be final.

EXECUTED on this the 26th day of May 2006


DEBRA DANETTE CLARK OLIVER

APPROVED AND ACCEPTED by the ALABAMA BOARD OF NURSING on this the 2nd
day of July 2006


N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER
ALABAMA BOARD OF NURSING