



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
(207) 624-5275

April 10, 1992

Linda P. Armstrong, R.N.
P.O. Box 6484
Cheyenne, WY 82003

Dear Ms. Armstrong:

At its meeting on April 7-8, 1992 the Board reviewed (1) your letter dated March 20, 1992; (2) your 1992-93 Renewal Application for Registered Professional Nurse License; and (3) the Order of the Wyoming State Board of Nursing dated February 15, 1992.

This is to notify you that the Board voted to deny your request for renewal of your Maine registered professional nurse license. Based upon the conditions set forth in the Order of the Wyoming Board of Nursing, the Board determined that it is incumbent upon you to fulfill those conditions in that State.

You may apply for reinstatement of your Maine registered professional nurse license subsequent to receiving notice from the Wyoming Board of Nursing that you have fully met the conditions set forth in its Order.

Please do not hesitate to contact me if you have any questions regarding this matter. We are returning your check in the amount of \$20.00.

Sincerely yours,

MAINE STATE BOARD OF NURSING

Jean C. Caron, R.N., M.S.
Executive Director

JCC:vlc

Enclosure

pc: Timothy W. Collier, Assistant Attorney General



Wyoming State Board of Nursing

CHEYENNE, WYOMING 82002

PHONE (307) 777-7601

CERTIFICATION

I, Toma A. Nisbet, Executive Director for the Wyoming State Board of Nursing, hereby certify that the attached is a true and correct copy of the STIPULATION, FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR ACCEPTANCE OF CONDITIONAL LICENSURE, involving LINDA P. ARMSTRONG, License No. 8896.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THIS BOARD, IN THE CITY OF CHEYENNE, THIS 16TH. DAY OF MARCH, 1992.

Toma A. Nisbet, R.N., M.S.
Executive Director
Wyoming State Board of Nursing

BEFORE THE WYOMING STATE BOARD OF NURSING

STATE OF WYOMING)
) ss.
COUNTY OF LARAMIE)

IN THE MATTER OF REGISTERED)
PROFESSIONAL NURSE LICENSE)
NO. 8896 ISSUED TO LINDA P.)
ARMSTRONG, RESPONDENT)

STIPULATION

It is hereby stipulated between LINDA E. ARMSTRONG, and the members of the Board Disciplinary Committee, as follows:

1. On October 14, 1991, the Board Office received a complaint against Respondent's license from Marion Barnes of Memorial Hospital of Laramie Co., regarding the smell of alcohol.
2. On November 21, 1991, Linda P. Armstrong's attorney answered that complaint.
3. On December 9, 1991, the Disciplinary Committee decision was to issue a Letter of Warning to Respondent.
4. On December 19, 1991, the Respondent telephoned the Board Office to inform them that she had voluntarily entered the Chemical Dependency Center at DePaul Hospital on December 6, 1991.
5. On December 23, 1991, the Respondent requested permission to enter the Impaired Nurse Program and surrendered her license.
6. On January 4, 1992, the Disciplinary Committee reviewed the Respondent's request to enter the Impaired Nurse Program.
7. By her consent to the entry of the attached Order, and by signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the Board in rendering their final decision; and all other applicable rights afforded to LINDA P. ARMSTRONG under the United States Constitution, the Wyoming Constitution, the Wyoming Statutes, and the Wyoming Administrative Procedure Act.

8. The parties agree that this Stipulation and the attached Order shall be submitted to the Wyoming State Board of Nursing. If the Board accepts the Stipulation, it shall enter the attached Order without further pleading, appearance, notice, or consent of the Respondent. If the Board does not accept the Stipulation, the parties shall not be bound thereby and the matter will be returned to the Board for further action.
9. In the settlement of this matter, Linda P. Armstrong agrees to the adoption of the attached Findings of Fact, Conclusions of Law and Order by the Board of Nursing. The Findings of Fact, Conclusions of Law and Order, as attached, are incorporated as part of this Stipulation.
10. The Board's Disciplinary Committee joins Respondent in recommending to the Wyoming State Board of Nursing to adopt this Stipulation.

Linda P. Armstrong R.N.
 Linda P. Armstrong, RN
 Respondent

1-13-92
 Date

Janet L. Frith
 Janet Frith, RN
 Disciplinary Committee Member

Jan 19, 1992
 Date

Lura E. Kohrman LPN
 Lura Kohrman, LPN
 Disciplinary Committee Member

1-16-92
 Date

Reviewed and Approved as to form and execution by:

Ron Arnold
 Ron Arnold,
 Board Attorney

1/24/92
 Date

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JAN 24 1992

WYOMING STATE BOARD
 OF NURSING

BEFORE THE WYOMING STATE BOARD OF NURSING

STATE OF WYOMING)
) ss.
 COUNTY OF LARAMIE)

IN THE MATTER OF REGISTERED)
 PROFESSIONAL NURSE LICENSE)
 NO. 8896 ISSUED TO LINDA P.)
 ARMSTRONG, RESPONDENT.)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
 ORDER FOR ACCEPTANCE OF CONDITIONAL LICENSURE

This cause came to be reviewed by the Disciplinary Committee of the Wyoming State Board of Nursing on January 4, 1992.

The Board members of the Disciplinary Committee who entered into the Stipulation with Linda P. Armstrong:

Janet Frith, RN
 Lura E. Kohrman, LPN

The Board members who accepted the terms of the Stipulation and entered the Findings of Fact, Conclusions of Law, and Order are:

Mary K. Schaper, RN
 Michael W. McCleery, RN
 Sue Hackett, RN
 Katheryn Tripeny, Consumer

FINDINGS OF FACT

Based upon the stipulation by the Disciplinary Committee and Linda P. Armstrong, RN, the Board finds as follows:

1. On October 14, 1991, the Board Office received a complaint against Respondent's license from Marion Barnes of Memorial Hospital of Laramie Co., regarding the smell of alcohol.
2. On November 21, 1991, Linda P. Armstrong's attorney answered that complaint.
3. On December 9, 1991, the Disciplinary Committee decision was to issue a Letter of Warning to Respondent.

4. On December 19, 1991, the Respondent telephoned the Board Office to inform them that she had voluntarily entered the Chemical Dependency Center at DePaul Hospital on December 6, 1991.
5. On December 23, 1991, the Respondent requested permission to enter the Impaired Nurse Program and surrendered her license.
6. On January 4, 1992, the Disciplinary Committee reviewed the Respondent's request to enter the Impaired Nurse Program.

CONCLUSIONS OF LAW

1. In view of the seriousness of respondent's (her) past behavior in response to stress, her performance of unsafe nursing practice, and her failure to conform to the essential standards of acceptable and prevailing nursing practice, the Board directs that full licensure is not justified at this time.
2. The Wyoming State Board of Nursing has jurisdiction in this matter under W.S. 33-21-122, W.S. 33-21-146, W.S. 33-21-149, and the Wyoming State Board of Nursing Administrative Rules and Regulations, Chapter VII, Section 1. and Section 3.(b)(vi).
3. Pursuant to Wyoming State Board of Nursing Administrative Rules and Regulations, Chapter VII, Section 1. and Section 3.(b)(v)(vi), the Disciplinary Committee of the Wyoming State Board of Nursing may accept the voluntary surrender of a license, as well as recommend terms for conditional licensure.
4. Pursuant to W.S. 33-21-149, the Wyoming State Board of Nursing may issue a license subject to reasonable conditions, which may be imposed as a result of disciplinary action.
5. The Wyoming State Board of Nursing is granted the authority to act in this matter, pursuant to the Wyoming Nursing Practice Act and Board Administrative Rules and Regulations.

- a. any period of practice outside of the State of Wyoming shall not apply to the reduction of the period of conditional licensure under this agreement; [Provided, however, the Board may consider crediting the period of practice outside this state to the period of conditional licensure at the time Respondent reenters practice in this state when, at the Board's discretion, the Board determines that such period of practice has been under conditions substantially similar to the conditions of the Order, and the other state enforces said conditions, and Respondent successfully complies with said conditions];
6. Respondent shall, if employed in nursing within one week of date of this Order, or if unemployed within one week of obtaining employment in nursing practice, inform the Board of the name and address of her employing agency;
 7. Respondent shall:
 - a. request her immediate supervisor to acknowledge in writing to the Board that the employer is aware of the terms of conditional licensure;
 - b. provide a copy of this Order to the employer. Employer shall make reference to the Board's decision in reports to the Board;
 - c. submit to the Board a job description of any position in nursing practice;
 - d. request of employer, if employed in nursing, to submit a report to the Board. The report shall address work attendance, reliability, ability to carry out assigned nursing functions, ability to handle stress, and sobriety, and any other information the employer or supervisor feels would assist the Board in its ultimate review of Respondent's case.
 - e. Written reports will be submitted from the employer to the Board on the following schedule. Initial report will be due 30 days following the date of this Order. Subsequent reports will be due on a quarterly basis for the remaining twenty three (23) months of this Order.

8. Respondent shall obtain or continue counseling from a qualified counselor and cause the counselor to submit monthly reports directly to the Board. Respondent shall ensure that her counselor knows the decision of the Board in this case and that the counselor shall make reference thereto in the written statement to the Board. Reports are to include treatment plan, objectives, progress, and prognosis of her treatment. Respondent shall notify the Board of any change in counselor. First report is due 30 days following the date of this Order;
9. Respondent shall execute, when necessary, a waiver of her physician/therapist - patient privilege as to confidential information for the purpose of the required progress reports;
10. Respondent shall not be employed by a temporary traveling nurse agency;
11. Respondent shall be employed in a setting in which full supervision by a registered nurse is provided. Respondent shall not function as a supervisor, head nurse, or charge nurse;
12. Respondent shall:
 - a. submit in writing to the Board, within 30 days of the date of this Order, her plan as to how the conditional terms of this Order will be accomplished;
13. The Respondent shall:
 - a. complete an inpatient substance abuse program. Upon completion of the program, the Respondent shall request the counselor, qualified in such discipline and experienced in substance abuse treatment, to submit a statement indicating Respondent's completion of program, success in treatment and the likelihood of continued abstinence;
 - b. within thirty (30) days of the date of this Order, enter a board approved substance abuse aftercare or outpatient rehabilitation program and shall request the counselor to submit to the Board reports verifying proof of continuance in such aftercare program during the remainder of the conditional period. Initial report will be due within one (1) month of entrance to the program. Subsequent counselor reports will be due on a monthly basis for the remainder of the first year and on a quarterly basis for the second year, or until it is certified by the counselor, in writing,

that the continued treatment is no longer necessary. In any case, such treatment must continue for at least one (1) year from the date of this Order. Reports must address Respondent's consistent and regular attendance and active participation in the program, her sobriety/abstinence, progression of treatment, and any other information the counselor feels would assist the Board in its ultimate review of the case;

- c. attend, on a regular basis, but at least weekly, a support group and/or Narcotics Anonymous or Alcoholics Anonymous, and submit to the Board reports from a therapist, or self progress reports, if attending Narcotics Anonymous or Alcoholics Anonymous, naming the number of meetings attended, the dates of said attendance, and the address of the meetings. Said reports shall be due on a monthly basis for the first year and a quarterly basis for the second year, commencing on the first day of the month immediately following the date of this Order;
- d. abstain from the personal use of alcohol, narcotics, controlled substances, chemicals, or any other mind-altering material, in any form, except when a bona fide patient of a licensed physician or dentist, and when the same are lawfully prescribed;
- e. fully cooperate with the Board in submission of random biological fluid samples for drug and alcohol testing. The Respondent shall bear the cost of such required drug and alcohol testing. The Board shall determine when the Respondent is to submit the biological fluid samples for testing. Random laboratory tests will requested directly by the Board and all related laboratory reports are to be sent directly to the Board on a monthly basis. The first testing is to be completed and related laboratory report(s) submitted to the Board within thirty (30) days from the date of this Order. Subsequent testing is due on a monthly or more frequent basis for the next six (6) months and on a quarterly or more frequent basis for the remaining seventeen (17) months;
- f. have no access to the administration of controlled substances while employed as a nurse during the two (2) years of conditional licensure; removal of this condition will be based upon:
 - (1) the counselor's reports;
 - (2) the biological fluid testing;

- (3) other matters brought to the attention of the Board within the two (2) years of conditional licensure.
- g. at the Board's discretion, make an appointment to meet with the Board in person with her counselor, together and/or separately to discuss progress with respect to her rehabilitation.
15. Requirements for modification of Order:
- a. Respondent may submit written request of modification of the Board's Order no sooner than one (1) year from the date of the Board Order;
16. Requirements for reinstatement of licensure:
- a. satisfactory compliance with the terms of the Order, may not require an appearance before the Board.

Dated this 15th day of February, 1992

WYOMING STATE BOARD OF NURSING

Mary K. Schaper, President
Mary K. Schaper, President

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WYOMING STATE BOARD
OF NURSING