

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH PROFESSIONS
BOARD OF NURSING

In the Matter of

THERESA ANN TAYLOR, R.N.
License Number: 47-04-127023

File Number: 47-08-107447

FINAL ORDER GRANTING REINSTATEMENT

On or about January 18, 2008, Theresa Ann Taylor, R.N., hereafter Petitioner, filed with the Michigan Board of Nursing, hereafter Board, an application for *reinstatement of her registered nurse license in the state of Michigan with supporting affidavits*, in accordance with the provisions of 1996 AACRS, R 338.1635.

On February 6, 2008, the Department of Community Health, Bureau of Health Professions, hereafter Department, filed a letter taking no position on Petitioner's application for reinstatement.

The Board, having reviewed the application for reinstatement and response, considered the within matter at a regularly scheduled meeting held in Lansing, Michigan, on March 6, 2008. Now, therefore,

IT IS HEREBY ORDERED that within 30 days of the effective date of this Order, Petitioner shall submit to the Department satisfactory written evidence from the Health Professional Recovery Program, hereafter Contractor, verifying Petitioner's current

compliance with the terms of the non-disciplinary, confidential monitoring agreement, hereafter non-disciplinary monitoring agreement, entered into with the Contractor on September 21, 2007. Petitioner shall ensure that the contractor submit documentation verifying her compliance with the non-disciplinary monitoring agreement to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

IT IS FURTHER ORDERED that in the event that Petitioner fails to timely submit to the Department, within 30 days of the effective date of this Order, satisfactory written evidence verifying her compliance with the non-disciplinary monitoring agreement, Petitioner's license shall remain suspended and Petitioner shall be required to file an application for reinstatement of the suspended license. Application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Petitioner shall supply clear and convincing evidence to the Board that Petitioner is of good moral character and is able to practice the profession with reasonable skill and safety, that it is in the public interest for Petitioner to resume practice, and that Petitioner has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that within 60 days of the effective date of this Order, Petitioner shall enter into a disciplinary, non-confidential monitoring agreement, hereafter disciplinary monitoring agreement, with the Contractor. It shall be Petitioner's responsibility to contact the Contractor by telephone at 1-800-453-3784, and to comply with the requests of the Contractor regarding entry into the disciplinary monitoring agreement.

The disciplinary monitoring agreement shall contain the same terms and conditions as the non-disciplinary monitoring agreement that Petitioner previously entered into, unless the Contractor determines that a change in terms and conditions is required. Petitioner shall comply with all terms of the disciplinary monitoring agreement with the Contractor and all costs associated with this process shall be Petitioner's responsibility. In the event that Petitioner fails to enter into the disciplinary monitoring agreement within 60 days and/or fails to comply with the terms of the disciplinary monitoring agreement, the Contractor shall immediately notify the Department in writing. Upon Petitioner's successful completion of the disciplinary monitoring agreement, the Contractor shall promptly notify the Department in writing.

IT IS FURTHER ORDERED that Petitioner shall ensure that the Contractor submits a copy of the signed and fully executed monitoring agreement to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

IT IS FURTHER ORDERED that in the event that Petitioner fails to enter into the disciplinary monitoring agreement within 60 days of the effective date of this Order, Petitioner's license shall remain suspended and Petitioner shall be required to file an application for reinstatement of the suspended license. Application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Petitioner shall supply clear and convincing evidence to the Board that Petitioner is of good moral character and is able to practice the profession with reasonable skill and safety, that it is in the public interest for

Petitioner to resume practice, and that Petitioner has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that Petitioner shall take and earn a passing score on the National Council Licensure Examination for Registered Nurses, hereafter NCLEX-RN, examination within ONE YEAR of the effective date of this Order. Petitioner shall submit evidence of earning a passing score on the NCLEX-RN examination to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, Michigan 48909.

IT IS FURTHER ORDERED that in the event Petitioner fails to earn a passing score on the NCLEX-RN examination within one year of the effective date of this Order, Petitioner's license shall remain suspended and Petitioner shall file an application for reinstatement of the suspended license. Application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Petitioner shall supply clear and convincing evidence to the Board that Petitioner is of good moral character and is able to practice the profession with reasonable skill and safety, that it is in the public interest for Petitioner to resume practice, and that Petitioner has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that Petitioner shall be granted a LIMITED LICENSE as a registered nurse upon the Department's receipt of satisfactory written evidence verifying that Petitioner has earned a passing score on the NCLEX-RN

examination. Petitioner shall be granted a limited license for the sole purpose of completing a nursing refresher course within ONE YEAR of the date that Petitioner is issued the limited license. Petitioner shall seek and obtain from the Chairperson of the Board, or the Chairperson's designee, pre-approval of the nursing refresher course. Petitioner shall submit documentation concerning the proposed nursing refresher course for pre-approval, as well as evidence of successful completion of the nursing refresher course, to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, Michigan 48909.

IT IS FURTHER ORDERED that in the event Petitioner fails to timely and successfully complete the aforementioned nursing refresher course, as set forth above, Petitioner's limited license shall be automatically suspended and Petitioner shall be required to file an application for reinstatement of the suspended license. Application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Petitioner shall supply clear and convincing evidence to the Board that Petitioner is of good moral character and is able to practice the profession with reasonable skill and safety, that it is in the public interest for Petitioner to resume practice, and that Petitioner has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that upon timely receipt by the Department of evidence of successful completion of the aforementioned nursing refresher course, Petitioner's limited license shall be automatically reclassified to a FULL AND UNLIMITED LICENSE to practice as a registered nurse in the state of Michigan.

IT IS FURTHER ORDERED that Petitioner shall be placed on PROBATION for a period of ONE YEAR, commencing on the effective date of automatic reclassification. Reduction of the probationary period shall only occur while Petitioner is employed as a nurse. The terms of probation shall be as follows:

1. MONITORING AGREEMENT. In the event the duration of the disciplinary monitoring agreement extends into the period of probation, Petitioner shall continue to comply fully with the terms of the disciplinary monitoring agreement entered into with the Contractor.

If it is confirmed by the Contractor that Petitioner has failed to comply with the terms of the disciplinary monitoring agreement, the Contractor shall immediately notify the Department in writing.

To the extent that the terms of the disciplinary monitoring agreement call for reports, Petitioner shall submit all reports in the manner specified by the disciplinary monitoring agreement.

All information and documentation acquired by the Contractor in developing and implementing the disciplinary monitoring agreement required herein, including but not limited to urinalyses, reports of AA/NA attendance, reports of mental and physical evaluations, controlled substance logs, therapist reports, chemical dependency/substance abuse treatment facility or recovery program records or reports, shall be made available to the Department upon request to establish Petitioner's compliance or noncompliance with the disciplinary monitoring agreement and this Order.

The duration of the disciplinary monitoring agreement required pursuant to the terms of this Order may exceed the period of probation set forth in this Order.

Upon Petitioner's successful completion of the disciplinary monitoring agreement, the Contractor shall promptly notify the Department in writing.

2. EMPLOYER REPORTS. In the event Petitioner is employed as a nurse, Petitioner shall immediately

provide a copy of this Order to Petitioner's employer and supervisor. Petitioner's employer or supervisor shall be knowledgeable of Petitioner's history and shall file reports with the Department, as further provided herein, advising of Petitioner's work performance.

In the event Petitioner, at any time, fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the Department shall be immediately so notified by Petitioner's employer or supervisor.

3. EMPLOYMENT CHANGE. Petitioner shall report to the Department, in writing, any and all changes in Petitioner's employment within 15 days of such change if Petitioner's employment change requires Petitioner to have a license to practice nursing.

Petitioner shall provide a copy of this Order to each successor employer and supervisor, if the employment requires Petitioner to have a nursing license. The successor employer or supervisor shall be knowledgeable of Petitioner's history and shall continue to file reports with the Department advising of Petitioner's work performance, as set forth above.

4. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN. Periods of residency and practice outside Michigan shall not reduce the probationary period of this Order. Petitioner shall report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does not satisfy the requirements of sections 16192(1) and 16221(g) of the Public Health Code, supra, regarding Petitioner's duty to report name or address changes to the Department.
5. REPORT OF NON-EMPLOYMENT. If at any time during the period of probation, Petitioner is not employed as a nurse, Petitioner shall file a report of non-employment with the Department within 15 days after becoming unemployed. Petitioner shall continue to file a report of non-employment on a quarterly basis until Petitioner returns to employment as a nurse, at which time Petitioner shall notify the Department of this fact within 15 days after returning to practice.

6. COMPLIANCE WITH THE PUBLIC HEALTH CODE. Petitioner shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
7. REPORTING PROCEDURE. Unless requiring immediate notification as indicated above, all reports required herein shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports to be filed every three months thereafter until Petitioner is discharged from probation.

In addition to receiving reports as required herein, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Petitioner's progress.

Petitioner shall direct all communications required by the terms of this Order to: Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

The timely filing of all information relating to this Order shall be Petitioner's responsibility, and failure to file said information within the time limitations herein provided shall be deemed a violation of an order of the Board.

8. COSTS. Petitioner shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Petitioner shall be automatically discharged from probation at the end of the probationary period, PROVIDED Petitioner has complied with the terms of this Order and has not violated the Public Health Code.

IT IS FURTHER ORDERED that in the event Petitioner violates any provision of this Order, and if such violation is deemed to constitute an independent violation of the

Public Health Code or the rules promulgated thereunder, the Board's Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Board's Chairperson or authorized representative, as set forth below.

Dated: April 15, 2008

MICHIGAN BOARD OF NURSING

By Melanie B. Brim
Melanie B. Brim, Director
Bureau of Health Professions

This is the last and final page of a Final Order Granting Reinstatement in the matter of Theresa Ann Taylor, R.N., File Number 47-08-107447, before the Michigan Board of Nursing, consisting of nine pages, this page included.

**STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BOARD OF NURSING DISCIPLINARY SUBCOMMITTEE**

In the Matter of

File Number 47-98-2401-00

**THERESA ANN TAYLOR, R.N.
License Number 47-04-127023**

FINAL ORDER

On June 21, 1999, the Bureau of Health Services within the Department of Consumer & Industry Services filed an Administrative Complaint with the Disciplinary Subcommittee of the Michigan Board of Nursing, hereafter Disciplinary Subcommittee, charging Theresa Ann Taylor, R.N., hereafter Respondent, with having violated sections 16221(a), 16221(b)(ii), 16221(b)(iii), and 16221(c)(iv) of the Michigan Public Health Code, 1978 PA 368, as amended. An Order of Summary Suspension which summarily suspended Respondent's nursing license was also issued on that date.

The Administrative Complaint notified Respondent that pursuant to sections 16231(7) and (8) of the Public Health Code, supra, Respondent's failure to respond to the Complaint within 30 days from receipt would be treated as an admission of the allegations contained in the Complaint and would result in transmittal of the Complaint directly to the Disciplinary Subcommittee for the imposition of an appropriate sanction.

Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from receipt.

The Disciplinary Subcommittee, having read the Administrative Complaint and record, considered the within matter at a regularly scheduled meeting held in Lansing, Michigan, on August 19, 1999, and determined to impose a sanction pursuant to section 16231(8) of the Public Health Code, supra. Now therefore,

IT IS HEREBY ORDERED that the Order of Summary Suspension, dated June 21, 1999, shall be DISSOLVED, as of the effective date of this Order.

IT IS FURTHER ORDERED that for violating sections 16221(a), 16221(b)(ii), 16221(b)(iii), and 16221(c)(iv) of the Michigan Public Health Code, supra, Respondent's license to practice nursing in the state of Michigan is SUSPENDED for a period of six months and one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that reinstatement of a license which has been suspended for more than six months is not automatic and, in the event Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with 1996 AACRS, R 338.1635. Further, Respondent shall supply to the Michigan Board of Nursing, pursuant to section 16247 of the Public Health Code, supra, clear and convincing evidence that Respondent is of good moral character, is able to practice the profession

with reasonable skill and safety, and that it is in the public interest for Respondent to resume practice.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Disciplinary Subcommittee's Chairperson or authorized representative, as set forth below.

Dated: September 1, 1999

**MICHIGAN BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE**

By Carole Hakala Engle
Carole Hakala Engle, Director
Health Licensing Division

This is the last and final page of a Final Order in the matter of Theresa Ann Taylor, R.N., File no. 47-98-2401-00, before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of three pages, this page included.

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STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

THERESA ANN TAYLOR, R.N.
License Number: 47-04-127023

File Number: 47-98-2401-00

ORDER OF SUMMARY SUSPENSION

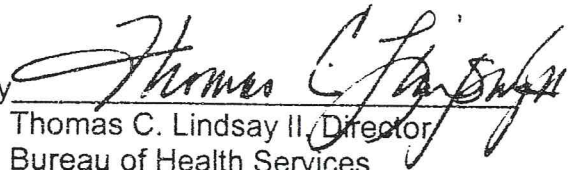
WHEREAS, an Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; and

WHEREAS, after careful consideration of the documentation filed in said cause and after consultation with the chairperson of the Board of Nursing pursuant to section 16233(5) of the Public Health Code, supra, the Department hereby finds that the public health, safety, or welfare requires emergency action; now, therefore,

IT IS HEREBY ORDERED that Respondent's license to practice as a registered nurse in the state of Michigan shall be and hereby is SUMMARILY SUSPENDED commencing the date this order is served.

MICHIGAN DEPARTMENT OF
CONSUMER & INDUSTRY SERVICES

By


Thomas C. Lindsay II, Director
Bureau of Health Services

DATED:

June 21, 1999

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STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

THERESA ANN TAYLOR, R.N.
License Number: 47-04-127023

File Number: 47-98-2401-00

ADMINISTRATIVE COMPLAINT

NOW/ COMES the Michigan Department of Consumer & Industry Services, hereafter Complainant, by Thomas C. Lindsay II, Director, Bureau of Health Services, and files this complaint against Theresa Ann Taylor, R.N., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Nursing, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice as a registered nurse in the state of Michigan.

TRUE COPY

3. Section 16233(5) of the Public Health Code, supra, as amended, provides, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Demerol is a schedule II controlled substance.

5. Pursuant to a Consent Order and Stipulation issued May 13, 1995, Respondent's license to practice nursing was limited for a minimum period of one year. Additionally, Respondent was placed on probation for a period of two years with the requirement that she abstain from alcohol and controlled substances, file quarterly employer reports and comply with the terms of her disciplinary monitoring agreement with the Department's contracted monitoring program for substance abuse recovery, hereafter the Contractor. This action was taken based on Respondent's misdemeanor conviction for the use of a controlled substance. On February 27, 1997, the Board issued a final order granting reclassification to an unlimited license. Respondent was automatically discharged from probation on May 18, 1997.

6. On November 13, 1998, staff at the Hayes Green Beach Memorial Hospital in Charlotte, Michigan, discovered a seal on an injectable Demerol cartridge broken and missing a small amount of the medication.

7. On November 16, 1998, the following occurred:

- a. While performing a narcotic count, hospital staff discovered that seals on 28 injectable Demerol cartridges were broken, with one dose of Demerol missing a stopper and another missing half of its contents.
- b. When confronted by hospital staff concerning the November 13, 1998, incident, Respondent admitted to taking the Demerol and also admitted that she had altered the opened narcotics with saline.
- c. Respondent submitted to a urine drug screen which tested positive for opiates.
- d. Respondent re-enrolled with the Contractor and during the intake process Respondent indicated that she was using 100 mg of Demerol intramuscularly, daily, for the past 30 days.

8. On November 17, 1998, during a routine narcotic count, it was discovered that seals on 40 injectable Demerol cartridges were broken, of which 21 Demerol cartridges contained less than the normal volume of Demerol. In addition, three empty 100 mg injectable Demerol cartridges were found and one 25 mg injectable Demerol cartridge was substituted for a 100 mg injectable Demerol cartridge.

9. On the same date, Respondent's employment with the hospital was terminated for her admitted diversion of Demerol for her own use.

10. On April 1, 1999, information was provided by the Contractor indicating that Respondent: a) revealed that she had multiple personalities; b) left Turning Point's

residential treatment program in Pontiac, Michigan, against the advice of her treating therapist; c) on some occasions was not straight-forward concerning her program participation; and d) was attempting to schedule a psychiatric evaluation to process her entry into a recovery monitoring agreement.

11. Based on these facts, the Department was unable to determine Respondent's ability to practice with reasonable skill and safety. Therefore, on April 16, 1999, the Department issued an Investigative Order Compelling Psychiatric and Chemical Dependency Evaluation, which ordered Respondent to submit to a psychiatric and chemical dependency evaluation within 30 days from the date of the Order was served.

12. On April 21, 1999, the Contractor received correspondence from Respondent indicating that due to her financial difficulties, she was unable to enter into a monitoring agreement with the Contractor and requested that her file be closed.

13. On April 30, 1999, the Contractor forwarded Respondent's file to the Department based on Respondent's request.

14. In May, 1999, Respondent underwent the evaluation as ordered. The evaluation indicated, a diagnosis of opiate dependence in partial remission; post traumatic stress disorder with delayed onset, including dissociative disorder traits; and personality disorder not otherwise specified. It was recommended that Respondent continue weekly

individual psychotherapy and attend a combination of Alcoholics Anonymous, Narcotics Anonymous or emotional recovery meetings three times per week.

COUNT I

Respondent's conduct, as set forth above, constitutes a conduct, practice, or condition which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, constitutes substance abuse, in violation of section 16221(b)(ii) of the Public Health Code, supra.

COUNT III

Respondent's conduct, as set forth above, indicates that Respondent suffers from a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

COUNT IV

Respondent's conduct, as set forth above, constitutes obtaining, possessing, or attempting to obtain or possess a controlled substance as defined in section 7104 without lawful authority, in violation of section 16221(c)(iv) of the Public Health Code, supra.

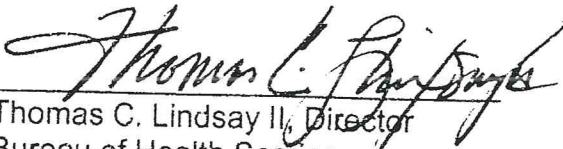
WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, and the rules promulgated thereunder.

FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety and welfare requires emergency action and Respondent's license to practice as a registered nurse should accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Thomas C. Lindsay II, Director, Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

DATED: *June 21, 1999*


Thomas C. Lindsay II, Director
Bureau of Health Services

This is the last and final page of an Administrative Complaint in the matter of Theresa Ann Taylor, R.N., File Number 47-98-2401-00, before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of seven pages, this page included.

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**STATE OF MICHIGAN
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BOARD OF NURSING DISCIPLINARY SUBCOMMITTEE**

In the Matter of

**TERESA ANN TAYLOR, R.N.
License No. 47-04-127023**

File No. 47-96-1709-00

Application for Reclassification

FINAL ORDER GRANTING RECLASSIFICATION

WHEREAS, the nursing license of Theresa Ann Taylor, R.N., hereafter Petitioner, was limited by Consent Order of the Michigan Board of Nursing's Disciplinary Subcommittee, hereafter Disciplinary Subcommittee, dated May 18, 1995; and

WHEREAS, on November 20, 1996, Petitioner filed an Application for Reclassification with supporting affidavits with the Disciplinary Subcommittee requesting that said license be reclassified from a limited license to an unlimited license; and

WHEREAS, on December 6, 1996, the Office of Health Services filed a letter in response to the application, taking no position on Petitioner's Application for Reclassification, and

WHEREAS, the Disciplinary Subcommittee, having reviewed the administrative record and considered the within matter at a regularly scheduled meeting held in Lansing, Michigan on January 22, 1996, now, therefore,

IT IS HEREBY ORDERED that Petitioner shall be and hereby is GRANTED an UNLIMITED LICENSE to practice as a registered nurse in the state of Michigan.

IT IS FURTHER ORDERED that Petitioner's nursing practice shall continue to be on PROBATION with the terms and conditions as set forth in the Consent Order, dated May 18, 1995, for the duration of the probationary period, to end May 18, 1997.

IT IS FURTHER ORDERED that any violation of the Public Health Code, 1978 PA 368, as amended, by Petitioner during said period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action by the Disciplinary Subcommittee.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Disciplinary Subcommittee's chairperson or authorized representative as set forth below.

Signed this 27th day of FEBRUARY, 1997.

**MICHIGAN BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE**

By Mary G. MacDowell
Mary G. MacDowell, Director
Health Licensing Division

This is the last and final page of the Final Order Granting Reclassification in the matter of Theresa Ann Taylor, R.N., File No. 47-96-1709-00, before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of two (2) pages, this page included.

STATE OF MICHIGAN
DEPARTMENT OF COMMERCE
BUREAU OF OCCUPATIONAL AND PROFESSIONAL REGULATION
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

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HEALTH SERVICES
Complaint and Allegation Division

In the Matter of

THERESA ANN TAYLOR, R.N.

CONSENT ORDER AND STIPULATION

CONSENT ORDER

WHEREAS, an administrative complaint was issued on January 26, 1995, charging Theresa Ann Taylor, R.N., hereafter Respondent, with having violated sections 16221(a),(b)(ii),(b)(v),(c)(iv) of the Public Health Code, 1978 PA 368, as amended: MCL 333.1101 et seq; MSA 14.15(1101) et seq; and

WHEREAS, pursuant to section 16233(5) of the Public Health Code, supra, Respondent's license to practice nursing in the State of Michigan has been summarily suspended by the Department of Commerce, Bureau of Occupational and Professional Regulation, based on the aforesaid administrative complaint dated January 26, 1995; and

WHEREAS, Respondent has admitted, by stipulation submitted herewith, that the facts alleged in the aforesaid complaint are true and constitute violations of the Public Health Code, supra, as set forth in said complaint; and

WHEREAS, the Disciplinary Subcommittee of the Board of Nursing, hereafter Board's Disciplinary Subcommittee, has reviewed said stipulation and, based upon the

matters asserted therein, agrees that the public interest is best served by resolution of the outstanding complaint; now, therefore,

IT IS HEREBY FOUND that the allegations of fact and law set forth in the aforesaid complaint are true and constitute violations of sections 16221(a),(b)(ii),(b)(v), (c)(iv) of the Public Health Code, supra, as set forth in said complaint.

Accordingly,

IT IS HEREBY ORDERED that for the aforesaid violations of the Public Health Code, supra, Respondent's license to practice nursing in the State of Michigan shall be and hereby is LIMITED as follows:

1. ACCESS TO CONTROLLED SUBSTANCES: Respondent shall be and hereby is prohibited from obtaining, possessing, prescribing, dispensing or administering controlled substances.
2. SUPERVISED PRACTICE: Respondent's practice of nursing shall be under the immediate supervision of a registered nurse who is knowledgeable of chemical dependency and Respondent's history, who shall be provided a copy of this order by Respondent, and who shall report to the Department on a quarterly basis as set forth below.
3. HOURS OF PRACTICE: Respondent shall not practice nursing from 12:01 a.m. to 7:00 a.m., for more than twelve (12) hours per shift, or for more than forty (40) hours per week.

IT IS FURTHER ORDERED that Respondent may petition for reclassification of the limited license as provided by 1980 AACR, R 338.989, one (1) year from the effective date of this order.

IT IS FURTHER ORDERED that for the aforesaid violations of the Public Health Code, supra, Respondent shall be and hereby is placed on PROBATION for a period of two (2) years, commencing on the effective date of this order. The terms of probation shall be as follows:

1. ABSTENTION FROM MOOD-/MIND-ALTERING SUBSTANCES. Except as herein provided, Respondent shall practice total abstinence from alcohol, controlled substances and other mood-or mind-altering substances. Respondent shall notify all treating practitioners of Respondent's chemical dependency. In the event Respondent is hospitalized or otherwise requires medical or dental treatment involving controlled substances as ordered by Respondent's treating physician or dentist, Respondent shall immediately report this fact and all relevant circumstances to the Board or its authorized representative.

2. MONITORING AGREEMENT/ASSESSMENT. Respondent shall enter into a monitoring agreement developed by the Department's authorized representative, Lee Young, RN/ACSW/CSW. If requested by the Department's representative, Respondent shall promptly submit to an independent evaluation to assist in ascertaining Respondent's treatment and monitoring needs.

Respondent shall comply with the terms of the aforesaid monitoring agreement between Respondent and the Department's representative. The monitoring agreement shall, at a minimum, include random witnessed urine/blood screens (or an alternative method acceptable to the Department's representative) that test for the presence/absence of alcohol and controlled substances at a frequency sufficient to demonstrate abstinence as determined necessary by the Department's representative.

In the event Respondent fails to enter into or comply with the terms of the monitoring agreement, or fails to abstain from the use of mood-/mind-altering substances (including alcohol), and the Department's representative learns of said relapse or breach of contract, the Department's representative shall immediately so notify the Department's designee of this situation.

All information and documentation acquired by the Department's representative in developing and implementing the monitoring agreement required herein, including but not limited to urinalyses, AANA attendance, reports of mental and physical evaluations, employer reports, controlled substance logs, therapist reports, chemical dependency treatment facility or recovery program records or reports, shall be made available to the Department upon request to establish Respondent's compliance or noncompliance with the monitoring contract and this order.

3. EMPLOYER REPORTS. Respondent's supervisor shall file quarterly reports with the Department, as further provided herein, advising of Respondent's work performance.

In the event Respondent, at any time, fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the Department shall be immediately so notified by said supervisor.

4. RESPONDENT'S REPORTS. Respondent shall file quarterly reports with the Department advising of Respondent's general health, employment situations, compliance with the monitoring agreement, involvement in Alcoholics Anonymous or Narcotics Anonymous and related activities, as required below.

5. EMPLOYMENT CHANGE. Respondent shall inform the Department in writing of any and all changes in Respondent's employment within ten (10) days of such change.

6. COSTS. Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this order.

7. REPORTING PROCEDURE. Unless requiring immediate notification as indicated above, all reports required herein shall be filed on a quarterly basis, the first report to be filed at the end of the third (3rd) month of probation, and subsequent reports to be filed every three (3) months thereafter until Respondent is discharged from probation or the reporting requirement is waived upon Respondent's release from treatment.

In addition to receiving reports as required herein, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Respondent's progress. Respondent authorizes release of said information as specifically set forth in the stipulation made a part hereof.

All reports required herein shall be filed with the Department, Compliance Section, Office of Health Services, Bureau of Occupational and Professional Regulation, Department of Commerce, P.O. Box 30018, Lansing, Michigan 48909.

The timely filing of all reports required herein shall be Respondent's responsibility, and failure to file said reports within the time limitations herein provided shall be deemed a violation of an order of the Board's Disciplinary Subcommittee.

8. SUCCESSORS. Respondent shall immediately provide copies of the within consent order and stipulation to Respondent's employer(s)/therapist(s)/primary care physician(s)/program director(s) and others who report to the Department as required herein. Further, in the event Respondent changes employers/therapists/primary care physicians/program directors, Respondent shall provide copies of the within consent order and stipulation to each successor employer/therapist/primary care physician/program director, which successor shall continue to comply with the terms of the within order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation at the end of the probationary period, PROVIDED Respondent has complied with the terms of this order and has not violated the Public Health Code, supra.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this order, the Board's Disciplinary Subcommittee may reconsider the disciplinary action taken in the present matter; further, if such violation is deemed by the Board's Disciplinary Subcommittee to constitute an independent violation of the Public

Health Code, supra, or the rules promulgated pursuant thereto, the Board's Disciplinary Subcommittee may proceed to take disciplinary action based upon such violation.

IT IS FURTHER ORDERED that the order of summary suspension previously entered in this matter shall be and hereby is DISSOLVED.

IT IS FURTHER ORDERED that this order shall be effective on the date signed by the chairperson, as set forth below.

Signed this 18 day of May, 1995.

MICHIGAN BOARD OF NURSING

By 
Kevin Even
Chairperson
Disciplinary Subcommittee

STIPULATION

1. The allegations of fact contained in the aforesaid complaint dated January 26, 1995, are true and constitute violations of sections 16221(a),(b)(ii),(b)(v), (c)(iv) of the Public Health Code, supra.

2. Respondent understands and intends that by signing this stipulation Respondent is waiving the right pursuant to the Public Health Code, supra, the rules promulgated pursuant thereto, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq, to require Complainant to prove the charges set forth in the administrative complaint by presentation of evidence and legal authority, and to appear with an attorney and such witnesses as Respondent may desire to present a defense to said charges.

3. Respondent hereby authorizes the individuals and entities required to report pursuant to the foregoing consent order, to release to the Office of Health Services and/or the Department of Attorney General any and all information that may have been obtained or made, necessary for full compliance with the foregoing consent order and to assure protection of the public health, safety and welfare.

4. Factors considered in the formulation of the within consent order were as follows:

Respondent contacted the Department's Representative to report her conviction as required by statute. Respondent knew that her license would be summarily suspended following the conviction and expressed a desire to begin developing an appropriate monitoring plan. An independent evaluation was performed and the monitoring agreement was finalized on or about March 6, 1995 through the Department's representative, Lee Young, RN/ACSW/CSW.

It appears that Respondent has confronted her chemical dependency and is taking the necessary steps to develop a solid recovery program.

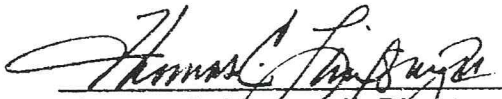
5. Margaret Hedlund, a member of the Board who supports this proposal, and Complainant's representative, are free to discuss this matter with the Disciplinary Subcommittee and recommends acceptance of the resolution set forth in the foregoing consent order.

6. The foregoing consent order is approved as to form and substance by Respondent and Complainant and may be entered as the final order of the Board's Disciplinary Subcommittee in said cause.

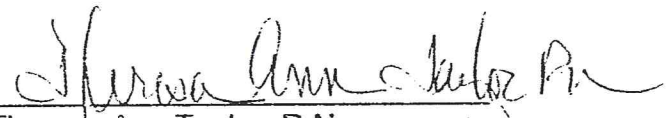
7. The foregoing proposal is conditioned upon acceptance by the Board's Disciplinary Subcommittee, Respondent and Complainant expressly reserving the right to further proceedings without prejudice should the consent order be rejected.

AGREED TO BY:

AGREED TO BY:



Thomas C. Lindsay, Director
Office of Health Services
Complainant
Dated: April 13, 1995

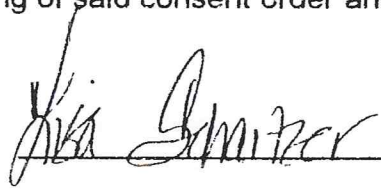


Theresa Ann Taylor, R.N.
Respondent
Dated: 4.4.95

State of Michigan)
County of Ingham) ss

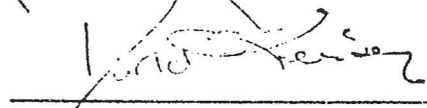
On the 4th day of April, 1995, before me, a Notary Public in and for said county, appeared Theresa Ann Taylor, R.N., who, upon oath, stated that s/he has read the foregoing consent order and stipulation by her/him subscribed, that s/he knows the

contents thereof to be true, and that the signing of said consent order and stipulation is her/his free act and deed.



Notary Public, Ingham County
State of Michigan
My Commission expires 11-11-95.

Approved as to form and substance by:



David S. Feinberg
Attorney for the Respondent

This is the last and final page of a Consent Order and Stipulation in the matter of Theresa Ann Taylor, R.N., before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of nine (9) pages, this page included.

STATE OF MICHIGAN
DEPARTMENT OF COMMERCE
BUREAU OF OCCUPATIONAL AND PROFESSIONAL REGULATION
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

THERESA ANN TAYLOR, R.N.
_____ /

ORDER OF SUMMARY SUSPENSION

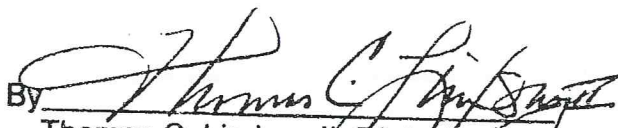
WHEREAS, an administrative complaint has been filed against the above named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated pursuant thereto, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; and

WHEREAS, section 16233(5) of the Public Health Code, supra, as amended by 1993 PA 79, mandates that the Department shall find that the public health, safety or welfare requires emergency action if a licensee or registrant is convicted of a felony, or convicted of a misdemeanor punishable by imprisonment for a maximum term of 2 years, or convicted of a misdemeanor involving the illegal delivery, possession, or use of alcohol or a controlled substance; and

WHEREAS, the Department, pursuant to section 16233(5) of the Public Health Code, supra, as amended by 1993 PA 79, finds that, based on Respondent's conviction as set forth in the aforesaid administrative complaint, the public health, safety or welfare requires emergency action; now, therefore,

IT IS HEREBY ORDERED that Respondent's license(s) to practice a health profession in the State of Michigan shall be and hereby is/are SUMMARILY SUSPENDED commencing the date this order is signed as indicated below.

MICHIGAN DEPARTMENT OF COMMERCE

By 
Thomas C. Lindsay II, Director
Office of Health Services

DATED:  January 26, 1995

STATE OF MICHIGAN
DEPARTMENT OF COMMERCE
BUREAU OF OCCUPATIONAL AND PROFESSIONAL REGULATION
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

THERESA ANN TAYLOR, R.N.
_____ /

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Commerce, Bureau of Occupational and Professional Regulation, Complainant herein, by Thomas C. Lindsay II, Director, Office of Health Services, and hereby files the within complaint against Theresa Ann Taylor, R.N., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Nursing, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, as amended by 1993 PA 79 effective April 1, 1994, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice as a registered nurse pursuant to the Public Health Code, supra.

3. Section 16233(5) of the Public Health Code, supra, as amended by 1993 PA 79 effective April 1, 1994, provides as follows:

"After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws. If a licensee or registrant is convicted of a felony or a misdemeanor punishable by imprisonment for a maximum term of 2 years or a misdemeanor involving the illegal delivery, possession, or use of alcohol or a controlled substance, the department shall find that the public health, safety, or welfare requires emergency action and shall suspend the licensee's license or the registrant's registration." (emphasis added)

4. Numorphan is a schedule 2 controlled substance.

5. On August 25, 1994, in 54A Judicial District Court, case no. J94-2972, Respondent pleaded guilty to and was convicted of the reduced charge of use of Numorphan in violation of MCL 333.7404(2)(a). The incident occurred on March 25, 1994. A copy of the record of conviction is attached hereto and made a part hereof.

COUNT I

Respondent's conviction, as set forth above, constitutes conviction of a misdemeanor punishable by imprisonment for a maximum term of 2 years, a misdemeanor involving the illegal delivery, possession, or use of alcohol or a controlled substance, or a

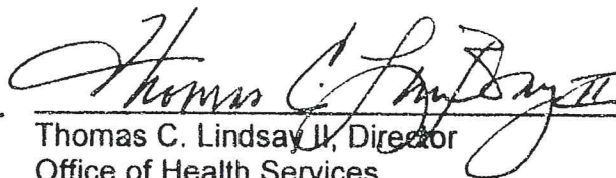
felony, in violation of section 16221(b)(v) of the Public Health Code, supra, and therefore constitutes grounds for summary suspension of Respondent's license as mandated by section 16233(5) of the Public Health Code, supra.

The within complaint is based on the records and files maintained by the Department and the attached affidavit of Connie L. Holben.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, supra, and the rules promulgated thereunder.

FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, the Department shall find that the public health, safety and welfare requires emergency action based on Respondent's conviction as noted herein, and shall accordingly summarily suspend Respondent's license to practice nursing.

DATED: *January 26, 1995*



Thomas C. Lindsay II, Director
Office of Health Services
Bureau of Occupational and Professional Regulation

Attachments

This is the last and final page of an Administrative Complaint in the matter of Theresa Ann Taylor, R.N., before the Disciplinary Subcommittee for the Michigan Board of Nursing, consisting of three (3) pages, this page included.

CERTIFICATION OF CONVICTION

5942972 A

RECEIVED

NOV 04 1994

STATE OF MICHIGAN }
CITY OF LANSING } SS

DEPT. OF COMMERCE
OFFICE OF HEALTH SERVICE
INVESTIGATION DIVISION

Pursuant to MCLA 768.22, MSA 28.1045, I, the undersigned official of the District Court for the (1) _____

54 A

_____ Judicial District, hereby certify that I have examined the original records of the said court and the same record and show that one (2) Theresa Ann Taylor was convicted on (3) 8-25-94 and sentenced on (4) 8-25-94 before the Honorable (5) James J. Wood of a violation of (6) 333.74042A, more commonly known as the offense of (7) Con Su'd = Alunordhan, and that said offense was committed on (8) 3-25-94, and said records

also show the following additional information concerning said defendant:

- 1. Address: (9) 5780 Buena Parkway Haslett MI 48840
- 2. Date of Birth: (10) 12-16-55
- 3. Operator's or Chauffer's Licence Number: (11) _____
- 4. Registration Number of Vehicle Driven in Charged Offense: (12) _____
- 5. Represented by Attorney (13) David Feinberg

(I hereby certify that the said records do not disclose the information referred to in items numbered (14) 3, 4 immediately above.)

I hereby certify that the foregoing is a true and correct abstract of the conviction, as provided by law, of said defendant; that I have compared the same with the original records; and that it is true and correct.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court this date.

Dated: (15) November 2, 1994
At: (16) Lansing MI 48933

(17) Jeanette Patterson
Deputy Clerk/District Judge of the said District Court

(18) (SEAL OF COURT)

I. Obtain Fraud
 II. CS FALSE RE

Case No.
 J942972 FY

REGISTER OF ACTIONS

Theresa Ann TAYLOR

| DATE | CODE | ACTIONS, JUDGMENTS, CASE NOTES | Initials |
|-----------------------|------|--|-------------------------|
| 5/24/94 AP 24 1994 | | Exam - 6/2/94 @ 9:00am Ettrande (Woo) Δ returned D. Feinberg; Δ Request P.X: Δ waived 12 days of P.X Misdemeanor P.R. Date _____ Δ att on vacation 5-28 to 6-5-94 Police officer NOT AVAILABLE 6-7, 8, 9, 10, 1994 2,000 PR w/ CONDITIONS Reset D.X A/F 6-10-94; | (S) |
| 5-25-94 | | Exam 6-24-94 @ 9:00am (Feinberg) | Jeanette |
| 6-22-94 | | Call from Feinberg's Secretary (11:20am) defendant going to hospital for 8 weeks new date 8-25-94 @ 9:00am | Jeanette |
| JUN 24 1994 | | Hating - call from Pitman counsel Feinberg - attempt suicide 1. Meet to discuss re 8-25-94 at 9 AM 2. Motely P, D & D att | Jeanette [Signature] |
| 8/15/94 | | New notice sent Hating - Feinberg - D has Charge reduced Mt to Adv ex III Use of N U MORPHAN - | Jeanette [Signature] |

Plea agreement

(Incl A)

(OVER)

Case No.

594 297254

REGISTER OF ACTIONS

Theresa Ann Taylor

Con Sub

| DATE | CODE | ACTIONS, JUDGMENTS, CASE NOTES | Initials |
|--------|------|----------------------------------|------------|
| | | PGH to be III | |
| | | not to Deems be I & II | |
| | | judgment | |
| | | costs \$150 on 30 days | |
| 9-6-94 | | File checked even for 10 v / day | J. Gasella |
| | | NOT KILBREW: Pres appears 7/11 | |
| | | Pres not interested in funds | |

THIS IS TO CERTIFY THAT THIS IS A TRUE AND COMPARED COPY OF THE REGISTER OF ACTIONS ISSUED IN SAID CASE

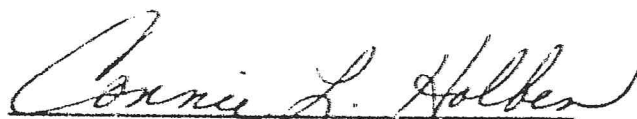
Date 9/29/94

Carol Ballard
Signature

Upon checking the Department's records relative to Michigan licensure, Affiant learned that Respondent is licensed to practice nursing in the State of Michigan.

Affiant obtained certified copies of the documents comprising the record of the criminal conviction, which includes Register of Actions and Certificate of Conviction.

Further Affiant sayeth not.


Connie L. Holben

Subscribed and sworn to before me
this 22nd day of December, 1994



Martha Jo Blackwell
Notary Public, Eaton County, Michigan
Acting in Ingham County, Michigan.
My Commission expires March 15, 1995

This is the last and final page of the Affidavit of Connie L. Holben, in the matter of Theresa Ann Taylor, R.N., before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of two (2) pages, this page included.