

FILED

Final Order No. DOH-17-0427 ^{FOF}-MQA

FILED DATE - FEB 28 2017

Department of Health

By: Angela Sankau
Deputy Agency Clerk

2017 MAR -1 AM 9:08
STATE OF FLORIDA
BOARD OF NURSING

DIVISION OF
ADMINISTRATIVE HEARINGS
DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2015-30567
DOAH CASE NO.: 16-4101PL
LICENSE NO.: RN 9375240

LISA MICHELLE JACKSON, RN,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on February 2, 2017, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (a copy of which is attached hereto as Exhibit A) in the above-styled cause.

Petitioner was represented by Matthew Witters, Assistant General Counsel. Respondent was not present but was represented by Paul Drake, Esquire.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 464, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

PENALTY

Upon a complete review of the record in this case, the Board determines that the penalty recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The licensee must pay an administrative fine of \$250.00 within 12 months of the date this Final Order is filed. Payment shall be made to the Board of Nursing and mailed to, DOH- Compliance Management Unit, 4052 Bald Cypress Way, Bin C76 Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. **Payment must be made by cashier's check or money order ONLY.** Personal checks will not be accepted.

The license of LISA MICHELLE JACKSON is suspended for ONE YEAR and thereafter until she personally appears before the Board and can demonstrate her present ability to engage in the safe practice of nursing. That demonstration shall include at least an in-depth psychological evaluation coordinated through the Intervention Project for Nurses, with appropriate testing from a psychiatrist, psychologist or other licensed mental health

counselor experienced in the treatment of addiction. The licensee shall supply a copy of this Order to the evaluator. The evaluation must contain evidence that the evaluator knows of the reason for referral. The evaluator must specifically advise this Board that the licensee is presently able to engage in the safe practice of nursing or recommend the conditions under which safe practice could be attained. The licensee must also submit prior to appearance before the Board proof of continued treatment and counseling if recommended in the psychological evaluation and a reentry plan. The Board reserves the right to impose reasonable conditions of reinstatement at the time the licensee appears before the Board to demonstrate the present ability to engage in the safe practice of nursing.

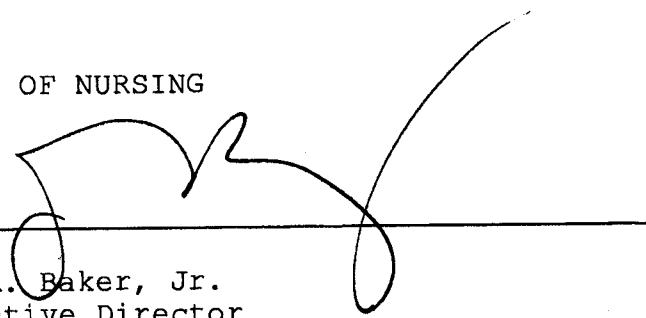
RULING ON MOTION TO ASSESS COSTS

Petitioner's motion to bifurcate its motion to assess costs was granted.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 27th day of Feb, 2017.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director
for Jody Bryant Newman, EdD, EdS, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to LISA MICHELLE JACKSON, RN, 2358 York Street, Jacksonville FL 32207-3541; by U.S. Mail to E. Gary Early, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060 and Paul Drake, Esquire, 2022 Raymond Diehl Road, Suite 102, Tallahassee FL 32308; and by email to Matthew.Witters@flhealth.gov, Department of Health-PSU, this 20th day of February, 2017.

Michelle Jackson, RN
2358 York St.
Jacksonville, FL 32207-3541

Certified Article Number

9414 7266 9904 2090 7592 52

SENDERS RECORD

Bryce Sanders

Deputy Agency Clerk

Reg. US Mail to

Honorable Gary Earli
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Bldg.
1230 Apalachee Parkway
Tallahassee, FL 32399-3060