

FILED DATE - APR 17 2020  
Department of Health

By: Aimee Mauer  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOAH CASE NO.: 19-5216PL  
DOH CASE NO.: 2017-18254  
LICENSE NO.: RN 9344420

JANINE MARIE LEONARD, R.N.,

Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Nursing (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, by teleconference call on April 2, 2020, for the purpose of considering the Administrative Law Judge's Recommended Order, which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by Matthew J. Witters, Chief Legal Counsel. Respondent was not present but was represented by counsel, Sara A. Bazzigaluppi, Attorney at Law.

Upon review of the Recommended Order 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 in the record to support the findings of fact.

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DIVISION OF  
ADMINISTRATIVE HEARINGS

CONCLUSIONS OF LAW

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

4. 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 ACCEPTS the recommendation of the Administrative Law Judge of: payment of an administrative fine of \$500, payable within **12 months** of the filing date of this Final Order; suspension of license until Respondent undergoes an evaluation coordinated through the Intervention Project for Nurses (IPN) and complies with any and all recommendations and contract conditions; and completes eight (8) hours of ethics, two (2) hours of Critical Thinking, and sixteen (16) hours of medication administration continuing education within **six (6) months** of the filing date of this Final Order. These continuing education hours are in addition to the hours required for license renewal.

The Department filed an uncontested Motion to Assess Costs and the Board agreed to bifurcate costs and retain jurisdiction to impose costs at a later date.

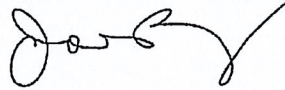
WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The Board finds that Respondent violated Section 464.018(1)(h), Florida Statutes, by violating rule 64B9-8.005(2), Florida Administrative Code and Section 464.018(1)(i), Florida Statutes; imposes a \$500 fine to be paid within 12 months; suspends Respondent's registered nurse license until she undergoes an evaluation coordinated through IPN and is compliant with all terms and conditions imposed by IPN; and completes 26 hours of additional continuing education as specified above.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

**DONE AND ORDERED** this 16th day of April, 2020.

BOARD OF NURSING



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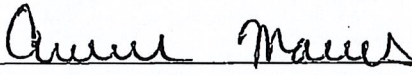
Joe R. Baker, Jr., Executive Director  
*for* Deborah McKeen, CD-LPN, BS, Chair

**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 THE FILING DATE OF THE ORDER TO BE REVIEWED.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified and U.S. Mail to: **Janine Leonard**, 2901 West Mark Drive, Sarasota, Florida 34232; by US Mail to: **Elizabeth W. McArthur**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by electronic mail to: Respondent's counsel of record: **Sara Bazzigaluppi**, [sbazzigaluppi@chapmanlawgroup.com](mailto:sbazzigaluppi@chapmanlawgroup.com); **Matthew Witters**, Chief Legal Counsel, Department of Health, [Matthew.Witters@flhealth.gov](mailto:Matthew.Witters@flhealth.gov); and **Deborah B. Loucks**, Senior Assistant Attorney General, Office of the Attorney General, [deborah.loucks@myfloridalegal.com](mailto:deborah.loucks@myfloridalegal.com); on April 17, 2020.

  
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**Deputy Agency Clerk**

|||||  
Janine Leonard  
2901 West Mark Drive  
Sarasota, FL 34232

**Certified Article Number**

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**SENDER'S RECORD**