



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 691097 §
issued to AMY ELIZABETH ELEY (SINK) §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 691097, issued to AMY ELIZABETH ELEY (SINK), hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Lutheran College, Fort Wayne, Indiana on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas in October 10, 2002.
4. Respondent's complete professional nursing employment history is unknown.
5. On or about July 30, 2010, Respondent was issued a Suspend/Probate Order by the Ohio Board of Nursing. A copy of Order dated July 30, 2010 is attached and incorporated herein by reference as part of this Order.

6. On or about September 14, 2010, Respondent voluntarily surrendered her license to practice registered nursing in the State of Arkansas. A copy of the September 14, 2010 Order for Voluntary Surrender is attached and incorporated herein by reference as part of this Order.
7. On March 9, 2011, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated March 1, 2011, is attached and incorporated herein by reference as part of this Order.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 691097, heretofore issued to AMY ELIZABETH ELEY (SINK), to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice professional nursing in the State of Texas.

Effective this 11 day of March, 2011.

TEXAS BOARD OF NURSING



By:

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board

Amy Elizabeth Eley (Sink)
623 Maple Wood Drive
Lima, Ohio 45805
Texas RN License #691097

Voluntary Surrender Statement

November 19, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Amy Eley F.K.A. Amy Sink
Date 3-1-11
Texas Nursing License Number/s 691097

The State of Texas

Before me, the undersigned authority, on this date personally appeared Amy Elizabeth Eley (Sink) who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 4th day of March, 2011.



KAREN S. BURDEN
Notary Public, State of Ohio
My Commission Expires February 10, 2013
Karen S. Burden
Notary Public in and for the State of OHIO

**ORDER FOR
VOLUNTARY SURRENDER**

IT IS SO ORDERED that the Board hereby accept the voluntary surrender of RN License No. R63114 issued to Amy Elizabeth Sink.

A written request and appropriate documentation must be submitted to the Board's General Counsel for consideration of reinstatement. Documentation requirements will vary dependent on each Respondent's circumstance. Appropriate documentation includes but is not limited to medical, employment and criminal records.

Nurses reinstating a nursing license to active status after the expiration date of the current license shall document completion of continuing education as required by the Board. On the backside of this form, please explain the reason for your voluntary surrender.

Respondent may apply for reinstatement of said license after one (1) year provided there are no other violations of the Nurse Practice Act.

SUBMIT YOUR LICENSE WITH THIS FORM.

Amy Eley F.K.A. Amy Sink
Date 9-5-2010
Respondent Signature Date

ARKANSAS STATE BOARD OF NURSING

By: Sue A. Tedford
Sue A. Tedford, MNsc, RN, Executive Director

Dated: 9-14-10



Ohio Board of Nursing

www.nursing.ohio.gov

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**CONSENT AGREEMENT
BETWEEN
AMY E. ELEY, R.N.
F.K.A. AMY E. SINK, R.N.
AND
OHIO BOARD OF NURSING**

This Consent Agreement is entered into by and between **AMY E. ELEY, R.N. (MS. ELEY)** and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723. of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

MS. ELEY voluntarily enters into this Consent Agreement being fully informed of her rights under Chapter 119, ORC, including the right to representation by legal counsel and the right to a formal adjudicative hearing on the issues considered herein.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend, or place restrictions on any license issued by the Board; reprimand or otherwise discipline a licensee; or impose a fine of five hundred dollars (\$500.00) or less per violation. Section 4723.28(B)(10), ORC, authorizes the Board to discipline a licensee for impairment of the ability to practice according to acceptable and prevailing standards of safe nursing care because of habitual or excessive use of drugs, alcohol, or other chemical substances that impair the ability to practice. Section 4723.28(B)(19), ORC, authorizes the Board to discipline a licensee for failure to practice in accordance with acceptable and prevailing standards of safe nursing care. Section 4723.28(B)(16), ORC, authorizes the Board to discipline a licensee for violation of Chapter 4723, ORC, or any rules adopted under it. Specifically, Rule 4723-4-06(H), OAC, states that a licensed nurse shall implement measures to promote a safe environment for each client.
- B. **MS. ELEY's** license to practice nursing as a registered nurse, RN-272162, in the State of Ohio has been inactive since April 2010. **MS.**

~~ELEY was initially licensed as a nurse in Ohio in June 1997. MS. ELEY~~
also has inactive or lapsed nursing licenses in Indiana, North Carolina,
South Carolina, Georgia, Florida, Arkansas, Texas, Washington,
California and Massachusetts.

C. **MS. ELEY** knowingly and voluntarily admits to the following:

1. On or about December 4, 2009, while working as a pediatric registered nurse at St. Rita's Medical Center in Lima, Ohio, **MS. ELEY** appeared impaired at work, was screened for drugs/alcohol and tested positive for alcohol. **MS. ELEY** was subsequently terminated.
2. On or about April 28, 2010, **MS. ELEY** underwent a chemical dependency evaluation at Lutheran Social Services, in Lima, Ohio and was diagnosed with Alcohol Abuse. Lutheran Social Services recommended that **MS. ELEY** attend alcohol/drug education and relapse prevention counseling.
3. **MS. ELEY** reports that she is now attending weekly counseling sessions at ASTOP, Inc., substance abuse services, in Lima, Ohio.
4. **MS. ELEY** has not worked as a nurse since December 2009 and placed her license on inactive status on April 29, 2010.
5. **MS. ELEY** was also convicted of a DUI in Allen County, Ohio in December 2008, which she properly reported on her renewal application and has complied with the terms and conditions of the case.
6. **MS. ELEY** is willing to cooperate with the Board to resolve the issues described herein in order to maintain her nursing license.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **MS. ELEY** knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations: **MS. ELEY's** license to practice nursing as a registered nurse shall be reinstated and suspended indefinitely. Such suspension shall be stayed, subject to the following PROBATIONARY terms, conditions, and limitations for a **minimum period of two (2) years**:

1. **MS. ELEY** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.

2. **MS. ELEY** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **MS. ELEY** agrees that she will submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. ELEY**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. ELEY**'s criminal records check reports to the Board. **MS. ELEY**'s completed criminal records check, including the FBI check, must be received by the Board **within six (6) months following the effective date of the Consent Agreement.**

Monitoring of Rehabilitation and Treatment

4. **MS. ELEY** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ELEY**'s history of chemical abuse and recovery status. **MS. ELEY** shall self-administer the prescribed drugs only in the manner prescribed.
5. **MS. ELEY** shall abstain completely from the use of alcohol.
6. **Within forty-five (45) days of the effective date of this Consent Agreement, MS. ELEY** shall begin submitting, at her expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day she is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MS. ELEY** shall be negative, except for substances prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of **MS. ELEY**'s history of chemical abuse and recovery status.
7. **Within forty-five (45) days of the effective date of this Consent Agreement and on a quarterly basis thereafter, MS. ELEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the ASTOP, Inc. until released. Further, **MS. ELEY** agrees that the Board may use ASTOP, Inc.'s recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. ELEY**'s license and that the terms, conditions, and limitations shall be incorporated by an addendum to this Consent Agreement.
8. **Upon request by the Board or its designee and within forty-five (45) days of such request, MS. ELEY** shall, at her expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall

provide the Board complete documentation of this evaluation. Prior to the evaluation, **MS. ELEY** shall provide the chemical dependency professional with a copy of this Consent Agreement and her assessment at Lutheran Social Services. Further, **MS. ELEY** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The chemical dependency professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions to be placed on **MS. ELEY's** license to practice, and a statement as to whether **MS. ELEY** is capable of practicing nursing according to prevailing and acceptable standards of nursing.

9. **If a chemical dependency evaluation is requested, MS. ELEY** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional until released. Further, **MS. ELEY** agrees that the Board may use the professional's recommendations and conclusions from the evaluation as a basis for additional terms, conditions, and limitations on **MS. ELEY's** license and that the terms, conditions, and limitations shall be incorporated by an addendum to this Consent Agreement.
10. **MS. ELEY** shall attend a minimum of one (1) meeting per week of a support or peer group meeting approved in advance by the Board, or a Twelve Step program. **MS. ELEY** shall provide satisfactory documentation of such attendance to the Board every six (6) months during the probationary period beginning within thirty (30) days of the effective date of this Consent Agreement.

Treating Practitioners and Reporting

11. **Within thirty (30) days of the effective date of this Consent Agreement, MS. ELEY** shall provide a copy of this Consent Agreement to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MS. ELEY** shall be under a continuing duty to provide a copy of this Consent Agreement, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.
12. **MS. ELEY** shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to **MS. ELEY** throughout the duration of this Consent Agreement.

13. Within twenty-four (24) hours of release from hospitalization or medical treatment, **MS. ELEY** shall notify the Board of any and all medication(s) or prescription(s) received.

Employment Conditions

14. **Prior to accepting employment as a nurse, MS. ELEY** shall notify the Board, in writing, of the name and address of any new employer.
15. **MS. ELEY** is under a continuing duty to provide a copy of this Consent Agreement to any new employer, if working in a position in which a nursing license is required, **prior to accepting employment. MS. ELEY** shall have her employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis **beginning within thirty (30) days of accepting employment as a nurse. MS. ELEY** shall have her employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Consent Agreement, including the date the Consent Agreement was received.

Reporting Requirements of Licensee

16. **MS. ELEY** shall report to the Board, in writing, any violation of this Consent Agreement within thirty (30) days of the occurrence of the violation.
17. **MS. ELEY** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
18. **MS. ELEY** shall submit any and all information that the Board may request regarding her ability to practice according to acceptable and prevailing standards of safe nursing practice.
19. **MS. ELEY** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
20. **MS. ELEY** shall submit the reports and documentation required by this Consent Agreement on forms specified by the Board. All reporting and communications required by this Consent Agreement shall be made to the Compliance Unit of the Board.
21. **MS. ELEY** shall submit the reports and documentation required by this Consent Agreement to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.

22. **MS. ELEY** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office.
23. **MS. ELEY** shall inform the Board within five (5) business days, in writing, of any change in work status or address and/or telephone number.

Temporary Practice Restrictions

MS. ELEY shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MS. ELEY** to provide nursing services for fees, compensation, or other consideration or as a volunteer.

MS. ELEY shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include but are not limited to the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

FAILURE TO COMPLY

MS. ELEY agrees that her license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. ELEY** has violated or breached any terms or conditions of the Consent Agreement. Following the automatic suspension, the Board shall notify **MS. ELEY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. ELEY** may request a hearing regarding the charges.

The above described terms and conditions shall constitute "restrictions placed on a license" for purposes of Section 4723.28(B), ORC. If, in the discretion of the Board, **MS. ELEY** appears to have violated or breached any terms or conditions of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

DURATION/MODIFICATION OF TERMS

The terms, limitations, and conditions of this Consent Agreement may be modified or terminated, in writing, at any time upon the agreement of both **MS. ELEY** and the Board.

The Board may only alter the probationary period imposed by this Consent Agreement if: (1) the Board determines that **MS. ELEY** has complied with all aspects of this Consent Agreement; and

(2) the Board determines that MS. ELEY is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with MS. ELEY and review of the reports as required herein. Any period during which MS. ELEY does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

MS. ELEY acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. ELEY waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

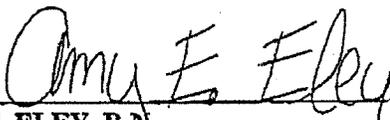
MS. ELEY waives any and all claims or causes of action she may have against the Board, and its members, officers, employees and/or agents arising out of matters that are the subject of this Consent Agreement.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

This Consent Agreement is not an adjudication order as discussed in Chapter 119, ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119, ORC.

EFFECTIVE DATE

MS. ELEY understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.



AMY E. ELEY, R.N.
F.K.A. AMY E. SINK, R.N.

7-15-10
DATE



BERTHA LOVELACE, President
Ohio Board of Nursing

7/30/10
DATE