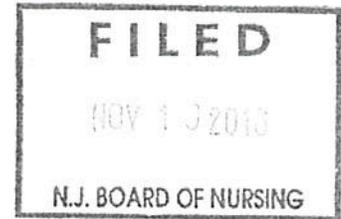


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF

LEIGH BUTLER, RN
LICENSE NO. 26NO12319200

TO PRACTICE AS A REGISTERED NURSE
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of a request for reinstatement of the license of Leigh Butler, RN ("Respondent"). By Order filed Mach 11, 2015, Respondent's license to practice nursing in the State of New Jersey was suspended pending further order of the Board for violating the terms of a Private Letter Agreement she had entered into. The PLA required her participation in the Board's designated intervention program, the Recovery and Monitoring Program ("RAMP"). The PLA and Respondent's RAMP

participation stemmed from a history of one arrest for DUI and substance abuse dating to at least 2007. The Order provided that prior to any reinstatement of her license Respondent would be required to demonstrate that she is fit and competent to resume nursing practice, that she is in full compliance with the terms of the PLA, or that she has entered into a new, modified agreement with the Board.

To begin this reinstatement process, Respondent underwent a mental health/substance abuse evaluation by a Board approved evaluator. Around the time of the March 2015 Order, Respondent also began participating in the Professional Assistance Program of New Jersey ("PAP"), a treatment program similar to RAMP.

In or around June 2015, Respondent underwent an evaluation by John J. Blum, a Licensed Clinical Alcohol and Drug Counselor. Based on his evaluation of Respondent, Mr. Blum noted Respondent's relapse history and stated that he was concerned by her pattern of decision-making regarding exposing herself to relapse-inducing situations. He recommended that Respondent undergo the following: 1) continued PAP oversight lasting five years including urine drug screens occurring between two and four times per month; 2) one-on-one outpatient drug and alcohol counseling focusing on relapse prevention, completed outside of PAP, twice monthly for 36 months; 3) a psychiatric evaluation independent of PAP relating to her history of depression and the

possibility of her being prescribed psychotropic medication; and
4) ongoing 12-step meetings five times per week.

Respondent applied to the Board for reinstatement in or around February 2016. The Board considered Respondent's application and found that, although Respondent had been compliant with PAP's treatment, including twice weekly urine screening lasting one year, she should undergo psychiatric evaluation by a Board-approved evaluator and should be required to document attendance at AA meetings.

Accordingly, Respondent underwent evaluation with Dr. Sean Evers, Ph.D., on March 2, 2016. After the evaluation, Dr. Evers relayed to the Board his concerns about Ms. Butler via a written report. In the report, Dr. Evers noted Respondent's manifestation of personality traits indicative of fragile impulsivity, low frustration tolerance and reduced insight into her troubling behaviors, as well as indications of her being at risk for substance abuse. Dr. Evers recommended that her license be reinstated, but only with the following restrictions: Respondent must 1) continue to participate in ongoing random monitoring program for at least 1 year with results provided to PAP and the Board; 2) continue to provide proof of attendance at AA at least twice per week; 3) enter into a course of psychotherapy for at least one year with a PAP and Board approved professional to treat her substance abuse issues and

underlying psychological difficulties that put her at heightened risk of relapse; 4) undergo an independent psychiatric evaluation to determine her appropriateness for psychopharmacological intervention; and that 5) Respondent's scope of practice must be limited.

The Board finds that, as a condition for reinstated and continued licensure, evaluation, testing, monitoring, treatment and compliance with the recommendations of Mr. Blum and Dr. Evers are required to determine whether Respondent's practice as a nurse may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and to ensure that Respondent can properly discharge licensee functions pursuant to N.J.S.A. 45:1-22(e).

The Board finding that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

IT IS on this 10th day of November, 2016

HEREBY ORDERED AND AGREED that:

1. Respondent's petition for reinstatement of her license to practice as a Registered Nurse in the State of New Jersey shall be granted pending Board review and approval of Respondent's reinstatement application and Respondent's completion of any criminal history background check. Respondent's application shall include payment of all necessary

fees and proof of required continuing education.

2. Respondent shall continue participating with PAP and shall comply with all of PAP's terms and conditions for a minimum of five years from January 1, 2016. As part of her participation with PAP, Respondent shall enter into a course of psychotherapy for a minimum of three years from the date of this Consent Order occurring at least twice monthly, and thereafter as required by PAP, with a professional pre-approved by both PAP and the Board to treat psychological issues, substance abuse, and relapse prevention.

3. Respondent shall undergo within three months of the date of this Consent Order a psychiatric evaluation by a board-approved evaluator independent of PAP relating to her history of depression and her medication use and to determine her appropriateness for pharmacological intervention.

4. Respondent shall cause PAP to inform the Board in writing if Respondent is non-compliant with, or is terminated or resigns from further participation in the program. Such report from PAP shall include the reason for and complete documentation of any non-compliance, termination and/or resignation. PAP shall notify the Board within 24 hours of PAP's determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide PAP with a complete copy of the within Order.

5. Respondent shall follow all recommendations made by PAP and/or an evaluator or other practitioner selected by PAP for further treatment and/or further enrollment in PAP. Respondent shall limit her nursing practice beyond the limitations required by this Consent Order if so recommended by PAP. Such recommendation may include Respondent's placing her license in inactive status.

6. Respondent shall provide a release to PAP allowing PAP to provide to the Board and RAMP any and all pertinent reports, records and other information pertaining to Respondent. Respondent's signature on this Consent Order signifies Respondent's waiver of any right to confidentiality with respect to these matters between Respondent, PAP, RAMP, and the Board; Respondent's agreement that the Board may utilize any such reports, records and other information it receives from PAP and/or RAMP in any proceeding regarding Respondent's licensure; and that the Board may release any pertinent information in its possession to PAP or RAMP.

7. Respondent shall refrain from the use of any and all potentially addictive substances, including alcohol, except as prescribed by an authorized health care practitioner who is made aware of Respondent's substance use history and the Board's requirement that Respondent participate with PAP. Respondent shall report any such prescription to PAP in writing within five

days of receiving such prescription, together with the name of the prescribing health care practitioner, the name of the drug, the dosage, quantity, frequency, expected length of use and any and all reasons for its use.

8. Respondent shall attend regular 12-step support group meetings or the equivalent, and nurse peer support group meetings at least five times per week for a period to be determined by PAP.

9. Respondent shall submit to random observed urine and or hair screens as required by PAP, which shall not occur less frequently than twice per month and for at least one year from the date of this Consent Order. Respondent's failure to submit to or provide a urine or hair sample when requested shall be deemed to be a violation of the terms of this Consent Order. To avoid being in violation of this Consent Order, all screens shall be negative for the presence of drugs, unless the drugs detected by screening were properly taken pursuant to a valid prescription from a health care practitioner aware of Respondent's substance use history.

10. Respondent shall be responsible for all costs of urine and/or hair screens, enrollment/participation fees associated with PAP, and/or further treatment and monitoring.

11. Respondent shall work only in settings approved by PAP, and shall only have access to and/or responsibility for

administering, dispensing and/or ordering potentially addictive substances in the course of her employment if approved by PAP. Respondent shall not work more than 12 hours (excluding any additional time needed to meet documentation requirements) within any 24 hour period nor more than 40 hours per week (excluding any additional time needed to meet documentation requirements), unless approved by PAP.

12. Respondent may work only in a position where she is supervised, such as an institutional setting. She may not be employed in home care.

13. PAP shall provide reports on a quarterly basis to the Recovery and Monitoring Program, which reports shall be sent to the Recovery and Monitoring Program, 1479 Pennington Road, Trenton, New Jersey 08618. These reports shall indicate Respondent's degree of compliance with the monitoring plan enacted by PAP.

14. Respondent shall provide to PAP any and all reports required pursuant to her PAP contract, including reports from her employer or self-evaluation reports.

15. Respondent shall notify PAP within ten (10) days of any change of address, or any termination, resignation or leave of absence from any place of employment.

16. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this

Consent Order and provide them with a copy of this Consent Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to PAP acknowledging receipt of a copy of this Consent Order and its terms.

17. Respondent shall not engage in deceptive practices that are material to the functioning of PAP, such as altering samples, working as a nurse while not authorized by PAP to do so, and/or working as a nurse without disclosing such employment to PAP, which deceptive practices shall be considered a violation of this Consent Order.

18. Upon successful release from PAP after a minimum of five years from January 1, 2016, Respondent shall notify the Board of such release in writing. Respondent may then be released from the requirements of this Consent Order by further order of the Board. Respondent may not modify the conditions of this Consent Order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification request. In the event the Board grants Respondent's petition for modification, Respondent must then enter into a new, modified agreement with the Board.

19. Respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all laws, rules and regulations pertaining to the

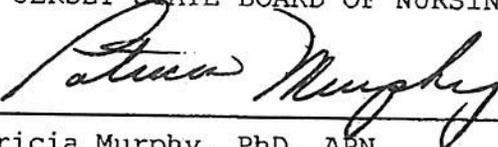
practice of nursing in the State of New Jersey or in any jurisdiction in which she practices nursing. Respondent shall report to the Board within ten (10) days any arrest, indictment or conviction for any crime or disorderly persons offense.

20. Any deviation from the terms of this Consent Order without prior written consent of the Board shall constitute a failure to comply with the terms of this Consent Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Consent Order, Respondent's license may be automatically suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding Respondent was materially false.

In addition, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President

I have read and understand this Order and agree to be bound by its terms. I understand that this Order has serious legal consequences, have been given the opportunity to consult with legal counsel and have decided not to consult with such counsel. I consent to the entry of this Order.


Leigh Butler, RN
License # 26N012319200

I have read the above Order and agree on behalf of PAP to

comply with its terms regarding
monitoring and reporting by PAP.

A handwritten signature in black ink, appearing to read "L. E. Baxter", written over a horizontal line.

Louis E. Baxter, M.D., FASAM
Executive Medical Director
Professional Assistance Program