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BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **TRUDY ANN MEEHAN** **640 Arrowhead Trail** **Evansville, WY 82636** **Registered Nurse License No. 687166** Respondent.	Case No. 2011-566 **ACCUSATION**

Complainant alleges:

PARTIES

1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

2. On or about August 21, 2006, the Board issued Registered Nurse License Number 687166 to Trudy Ann Meehan ("Respondent"). Respondent's registered nurse license expired on December 31, 2007.

STATUTORY PROVISIONS

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:

> The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:
>
> (a) Unprofessional conduct, which includes, but is not limited to, the following:
>
> . . . .
>
> (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action . . .

6. Code section 2762 states, in pertinent part:

> In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:
>
> . . . .
>
> (b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license . . .

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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FIRST CAUSE FOR DISCIPLINE

(Disciplinary Action by the Wyoming State Board of Nursing)

8. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the Wyoming State Board of Nursing ("Wyoming Board"), as follows: On or about April 6, 2010, pursuant to the Settlement Agreement, Stipulation and Order in the disciplinary proceeding titled "In the Disciplinary Matter of Trudy Meehan, Registered Professional Nurse, License Number 22387, Case No. 07-8-077, the Wyoming Board ordered that Respondent be issued a registered professional license, stamped "CONDITIONAL", with the conditions on the license to remain in place for a period of sixty (60) months. Respondent admitted that on or about January 20, 2008, while Respondent was working at Wyoming Medical Center in Casper, Wyoming, her co-worker detected the smell of alcohol on her breath and informed supervisors at the facility. Respondent's supervisors ordered her to perform a Breath Alcohol Test at Occupational Health Management. Respondent provided two (2) samples at 1:42 p.m. and 2:07 p.m., respectively. The first test yielded a result of .103 and the subsequent test yielded a result of .094. The Wyoming Board concluded that Respondent's ability to render competent and skilled care to patients was compromised when Respondent presented to work under the influence of alcohol. A true and correct copy of the Settlement Agreement, Stipulation and Order is attached hereto as Exhibit A and incorporated herein.

SECOND CAUSE FOR DISCIPLINE

(Use of Alcoholic Beverages to an Extent or in a Manner Dangerous or Injurious to Oneself or Others)

9. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762, subdivision (b), in that Respondent consumed alcoholic beverages to an extent or in a manner dangerous or injurious to herself, any other person, or the public, or to the extent that such use impaired her ability to conduct her nursing duties safely, as set forth in paragraph 8 above.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 687166, issued to Trudy Ann Meehan;

2. Ordering Trudy Ann Meehan to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 12/23/10

Louise R. Bailey

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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