BOARD OF NURSING

- Establishes an additional ground upon which the Board of Nursing may impose discipline on the holder of a nursing license or dialysis technician certificate – that the holder failed to cooperate with a Board-conducted investigation.

Disciplinary grounds – failure to cooperate

(R.C. 4723.28)

The act establishes an additional reason for the Board of Nursing to impose professional discipline on the holder of a nursing license or dialysis technician certificate – that the holder failed to cooperate with an investigation conducted by the Board. Under its rulemaking authority, the Board could extend this additional basis for imposing discipline to its existing regulation of medication aides and community health workers.[121]

Failure to cooperate includes (1) failing to comply with a Board-issued subpoena or order or (2) failing to answer truthfully a question presented by the Board in an investigative interview, in an investigative office conference, at a deposition, or in written interrogatories.

The act also clarifies that failure to cooperate does not include (1) failing to comply with a subpoena quashed by a court or (2) withholding evidence or testimony, as permitted by court order.

[121] See R.C. 4723.652(A) and 4723.88(F), not in the act.