

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Applicant for  
Licensure by Endorsement  
LORI CARLA ZIMBECK

§  
§  
§

AGREED ORDER

#62319c



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

An investigation by the Board produced evidence indicating that LORI CARLA ZIMBECK, hereinafter referred to as Applicant, may have violated Article 4525(b)(2) & (7), Revised Civil Statutes of Texas, as amended.

An informal conference was held on August 29, 1995, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Applicant was not present. Applicant was notified of his right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Louise Waddili, Ph.D., RN, Executive Director; Roy Rawls, Assistant General Counsel; and Noemi Leal, Senior Investigator.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Applicant and Applicant was given an opportunity to show compliance with all requirements of the law.
2. Applicant waived representation by counsel, notice, hearing, and consented to the entry of this order.
3. Applicant submitted an application for Temporary License/Registration by Endorsement to the office of the Board of Nurse Examiners for the State of Texas, dated July 7, 1995.
4. Applicant graduated from an Associate Nursing Program from Ellsworth Community College, Iowa Falls, Iowa, in July 1994.
5. On or about September 16, 1991, Applicant's license to practice Practical Nursing was suspended by the State of Colorado, Board of Nursing.

6. On or about March 4, 1992, Applicant's license to practice Practical Nursing was placed on probation for two (2) years by the State of Iowa, Board of Nursing.
7. On or about May 12, 1993, Applicant's license to practice Practical Nursing was reinstated with the requirement that she successfully complete the probation period imposed by the Iowa Board of Nursing.
8. Applicant successfully completed her two (2) year probationary period in the State of Iowa on March 17, 1994.
9. Applicant used deceit in attempting to procure a license to practice professional nursing in that she submitted an application for Temporary License/Registration by Endorsement to the office of the Board of Nurse Examiners for the State of Texas dated July 7, 1995, on which she answered "No" to the questions numbered 9 and 12, which are quoted here:
  - "9. Have you ever had disciplinary action taken against you by a licensing/certifying authority for nurses (RN/LVN/PN or Nurse Aide) in any state, province, territory or country?"
  - "12. Have you been hospitalized or treated for chemical dependency within the past five (5) years?"

#### CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received was sufficient to prove violation(s) of Article 4525(b)(2) and (7), TEX. REV. CIV. STAT. ANN.
4. The activities of the Applicant constituted sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against the license of LORI CARLA ZIMBECK.

## AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that upon payment of all fees and completion of all documentation required by the Board to process APPLICANT's application for Temporary License/Registration by Endorsement, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, with the sanction of Remedial Education, and APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 27 TEX. ADMIN. CODE §211.01 et. seq., and this Order.

IT IS FURTHER AGREED that APPLICANT SHALL comply with the following stipulations for one (1) year:

(1) APPLICANT SHALL deliver the wallet-size license issued to Lori Carla Zimbeck, to the office of the Board of Nurse Examiners within ten (10) days of the date of this order for appropriate notation.

(2) APPLICANT SHALL within one (1) year of entry of this order, successfully complete a course in Nursing Jurisprudence. APPLICANT SHALL obtain Board approval of the course prior to enrollment. Home Study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should include the Nursing Practice Act, Standards of Practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify APPLICANT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this order, APPLICANT SHALL be issued an unencumbered license to practice professional nursing in the State of Texas.

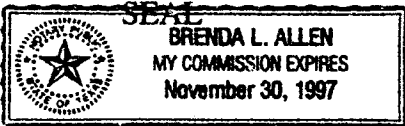
APPLICANT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this order. I neither admit nor deny the violation(s) alleged. By my signature on this order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any stipulation(s) of this order to avoid further disciplinary action in this matter. I consent to the issuance of the Agreed Sanctions. I waive judicial review of this order. I understand that this order is subject to ratification by the Board. When the order is ratified, the terms of this order become effective, and a copy will be mailed to me.

Signed this 16 day of Sept, 1995.

Lori Carla Zimbeck  
LORI CARLA ZIMBECK  
Lori Carla Zimbeck

Sworn to and subscribed before me this 16 day of September, 1995.



Brenda L. Allen  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 16th day of September, 1995, by LORI CARLA ZIMBECK, and said order is final.

Effective this 12th day of October, 1995.

Kathy Thomas  
Kathy Thomas, MSN, RN, CPNP  
Interim Executive Director on behalf  
of said Board

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Proceeding No. RG NU DLHCP

Tx  
Lic # 623190

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STIPULATION AND ORDER  
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IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE  
TO PRACTICE PRACTICAL NURSING IN THE STATE OF COLORADO OF  
OF LORI CARLA ZIMBECK, L.P.N., LICENSE NO. 26748  
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IT IS HEREBY STIPULATED by and between the Colorado State Board of Nursing ("the Board") and Lori Carla Zimbeck, L.P.N. (respondent") as follows:

1. The Board has jurisdiction over the person of the respondent and the subject matter of this Stipulation.

2. The respondent has been licensed as a practical nurse in the State of Colorado at all relevant times herein.

3. Respondent admits the following:

a. In August 1991, the Board suspended respondent's nursing license after an administrative hearing. The suspension was to be in effect until respondent submitted to a Board ordered psychiatric examination and provided proof of such examination to the Board.

b. In April and in June 1992, respondent was examined by Damini Parulekar, M.D. Dr. Parulekar submitted a written report to the Board which was reviewed at its March 1993 meeting. The Board approved Dr. Parulekar, who opined that respondent was able to practice nursing with reasonable skill and safety to patients under her care.

c. Respondent is also licensed to practice practical nursing in the State of Iowa, holding Certificate and License No. P29361.

d. On or about March 4, 1992, respondent and the

Iowa Board of Nursing entered into a Stipulation, Settlement, and Order (collectively, the "Iowa Order") in which respondent's license was placed on probation.

e. At its March 1993 meeting, the Board voted to reinstate respondent's Colorado nursing license, contingent upon respondent's compliance with the Iowa Order.

4. A true and correct copy of the Iowa Order is attached hereto as Attachment A and the terms of the Iowa Order are incorporated herein by reference as if fully set forth.

5. The respondent agrees to comply with the terms of the Iowa Order. Respondent further agrees that at the end of the probation period, respondent will submit proof to the Board that all terms and conditions of the Iowa Order were satisfied and the case has been terminated in the State of Iowa.

6. Respondent shall comply with all the provisions of the Colorado Nurse Practice Act and the rules and regulations of the Board.

7. In the event of relocation to another state, respondent shall notify the Board of the change of address within 30 days of such relocation and hereby gives consent to the Board that it may notify the Board of Nursing or the equivalent regulatory agency in any state to which respondent relocates, of the existence and terms of this Stipulation and Order.

8. Respondent is aware of and understands the right to receive a formal notice of hearing and charges and to have a formal disciplinary hearing pursuant to § 12-38-120, C.R.S. (1991) and hereby waives those rights and requests that this Stipulation and Order be accepted by the Board with the same force and effect as an Order entered as a result of a formal disciplinary proceeding.

9. Respondent understands that if, during the pendency of this Stipulation and Order, the Board has reasonable grounds to believe that respondent has violated this Stipulation or is otherwise in violation of the Nurse Practice Act, the Board may refer the respondent to hearing or may suspend, on a summary and immediate basis, the license of respondent pending a prompt post-suspension formal disciplinary hearing. In the event an alleged violation of this Stipulation and Order is taken to hearing and the facts that constitute the violation are determined to be not proven, no disciplinary action shall be taken by the Board, and this Stipulation and Order shall remain operative and in full

force and effect. The pendency of any disciplinary action pursuant to this Stipulation and Order shall not affect the obligation of respondent to comply with the terms of this Stipulation and Order.

10. Should respondent return to Colorado the Board will review respondent's status and compliance with the Iowa Order. The probationary period of respondent shall be subject to further continuance, amendment or revision as the Board determines in its discretion that is necessary to protect the public health, safety and welfare.

11. If, at the end of the Iowa Order probation period, the Board finds that respondent adhered to all the terms of this Stipulation and Order, then this proceeding shall be dismissed.

12. This Stipulation and Order is entered into by respondent voluntarily, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Stipulation and Order.

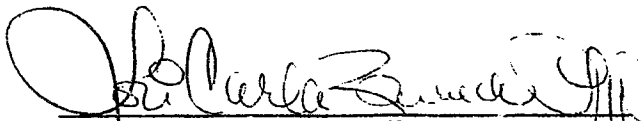
13. In the event this Stipulation and Order does not become an Order of the Board, it shall be void and respondent shall not be bound by any provisions hereof or admissions herein.

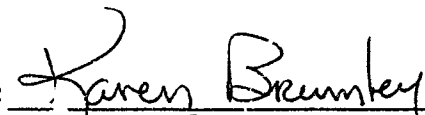
14. This Stipulation and Order shall become an Order of the Board when accepted by the Board and signed by an authorized Board member.

15. This Stipulation and Order shall be a public record in the custody of the Board at all times.

RESPONDENT

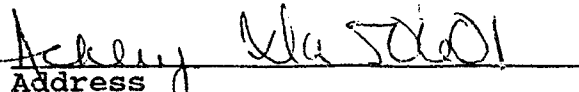
COLORADO STATE BOARD OF NURSING

  
LORI CARLA ZIMBECK, L.P.N.

By:   
1560 Broadway  
Denver, Colorado 80202

RR#2 - Bx#83  
Address

Effective Date: This 12 day  
of May 1993.

  
Address

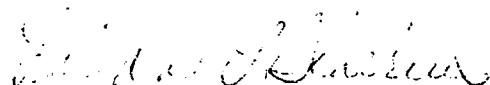
GALE A. NORTON  
Attorney General

Phone Number

RAYMOND T. SLAUGHTER  
Chief Deputy Attorney General

TIMOTHY M. TYMKOVICH  
Solicitor General

MERRILL SHIELDS  
Deputy Attorney General

  
LINDA L. SIDERIUS, 12931\*  
First Assistant Attorney General  
Regulatory Law Section

Attorneys for State Board  
of Nursing

1525 Sherman Street, 5th Floor  
Denver, Colorado 80203  
Telephone: (303) 866-5245  
FAX: (303) 866-5395  
\*Counsel of Record  
AG Alpha No. RG NU DLHCP  
AG File No. E93RATL.893



BEFORE THE BOARD OF NURSING  
OF THE STATE OF IOWA

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In the matter of:	)	
	)	
LORI C. ZIMBECK	)	CASE NO. 91-041
318½ Stevens Street, Apt. 2	)	
Iowa Falls, IA 50126	)	
	)	STIPULATION, SETTLEMENT,
Certificate and License No.	)	AND ORDER
P29861,	)	
	)	
Respondent.	)	

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COMES NOW, the Respondent, Lori C. Zimbeck, and stipulates to the following:

1. The Respondent is licensed by the state of Iowa as a licensed practical nurses as evidenced by license no. P29861.
2. The Respondent admits that the Iowa Board of Nursing has jurisdiction in this matter.
3. The Respondent admits that she received the Statement of Charges and Notice of Hearing and admits to the charges therein.
4. The Respondent consents to her license being placed on probation by the Iowa Board of Nursing for a period of two (2) years.
5. The Respondent agrees to submit written reports on her progress to the Board office every month during the first year of probation and each third month thereafter for the duration of the sanction.
6. The Respondent agrees that if employed in nursing during the period of probation, she shall have her employer(s) submit

progress reports to the Board office every three (3) months. Progress reports showing less than average performance may be cause for Board review.

7. The Respondent agrees to notify the Board office within one (1) week of change in address or employment status.

8. The Respondent agrees to continue treatment and attend aftercare during the probation as recommended by the treatment discharge plan. She agrees to have progress and attendance reports submitted by the program to the Board office every three (3) months until the program has been satisfactorily completed and the Respondent is discharged.

9. The Respondent agrees to attend Alcoholics Anonymous, Narcotics Anonymous, or a similar twelve step recovery program at a minimum of twice weekly during the period of sanction. The Respondent will obtain a sponsor prior to the end of the first reporting period. The sponsor must be willing to submit a progress report each month during the first year of probation and each third month thereafter for the duration of the sanction. Reports will verify Respondent's attendance and participation in AA/NA or similar group.

10. The Respondent shall report to the Board office, in writing, all use of controlled substances and include documentation for use from the prescribing physician. Reports shall be provided within two (2) weeks of receipt of the prescription or a period otherwise deemed reasonable by the Board staff. On the basis of information received under this order,

the Board retains discretion to order the Respondent to submit to medical and/or psychiatric evaluations.

11. The Respondent agrees not to consume alcohol during the period of probation.

12. The Respondent agrees to submit to witnessed random blood or urine samples at the request of Board staff or the staff's designee. The samples will be used for drug or alcohol screens and all costs shall be borne by the Respondent.

13. The Respondent agrees that she will continue personal issue counseling during the period of probation. She will have the counselor submit progress reports to the Board office every three (3) months during the probation.

14. Immediately upon receipt of the Board's order, the Respondent shall return her license to the Board office. It will be marked "Probation" and returned. If license renewal occurs during the period of probation, another license marked "Probation" will be issued until satisfactory completion of the probationary period.

15. The Respondent agrees that if at any time during this probation she violates any provision of this settlement, the Iowa Board of Nursing may hold a hearing pursuant to Iowa Code § 258A.3(2)(a) (1991), because of failure of the licensee to comply with the stipulations of this order.

16. The Respondent has been made aware of the allegations in the Statement of Charges and voluntarily and with full knowledge enters into this Stipulation, Settlement, and Order.

17. Successful completion of the probationary period shall constitute a final disposition of this matter.

Approved P.:

Maureen McGuire  
Maureen McGuire  
Office of Attorney General

3-4-92  
Date

R. C. Miller  
R. C. Miller  
Associate Director  
Enforcement  
Iowa Board of Nursing

1-16-92  
Date


Lori C. Zimbeck  
Lori C. Zimbeck  
Respondent

1-23-92  
Date

ORDER


Based upon this settlement signed by the Respondent, it is hereby ordered that the license of Lori C. Zimbeck, license no. P29861, be placed on probation for two (2) years from the date this order is signed by the Chairperson. The Respondent may practice as a licensed practical nurse in Iowa during the period of probation subject to any requirements as set forth in the stipulation. The Respondent shall conform to the provisions of paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, which are incorporated into this order. Any violations of this order by the Respondent may subject her to a hearing for further disciplinary action on her license. Successful completion of the probationary period shall constitute a final disposition of this matter.

Dated this 4th day of March, 1992.

  
Marjorie M. Matzen, R.N., M.S.  
Chairperson  
Iowa Board of Nursing

Copy to:

Maureen McGuire  
Office of Attorney General  
2nd Floor, Hoover Building  
Des Moines, IA 50319  
(515) 281-5164

IOWA BOARD OF NURSING  
This is to certify that this is a true and correct  
copy of records on file in this office pertaining  
to ~~LORI C. ZIMBECK~~  
, Enforcement

AUTHORIZATION FOR RELEASE  
OF INFORMATION

I hereby authorize any doctor or health care facility providing care to release information pertaining to the treatment of:

Lori C. Zimrick  
Name

\* March 06, 1970  
Date of Birth

to the Colorado Board of Nursing; 1560 Broadway, Suite 670, Denver, Colorado 80202.

Information to be released is:  
urinalysis or other chemistry records  
progress reports  
history and physical exams  
discharge summaries  
diagnosis, prognosis  
copy of outpatient or inpatient admissions  
complete hospital charts

This information is required for probation requirements of the Colorado Board of Nursing.

\* Jac C Zimrick  
Signature

Dec 13, 1991  
Date

\* Shirley A. Zimrick  
Witness

12/17/91  
Date

This information has been disclosed to you from records whose confidentiality is protected by Federal law. Federal regulations (42 CFR Part 2) prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is not sufficient for this purpose. This consent will expire when probation with the Colorado Board of Nursing has been completed and dismissed.

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Case No. NB 91-06

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AMENDED FINAL AGENCY ORDER

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IN THE MATTER OF DISCIPLINARY PROCEEDINGS CONCERNING THE LICENSE TO  
PRACICE PRACTICAL NURSING OF LORI ZIMBECK, L.P.N. License No. 26748.

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The Colorado State Board of Nursing (the "Board"), pursuant to and after formal proceedings before a duly qualified Administrative Law Judge in accordance with the provisions of the Nursing Practice Act and the Administrative Procedure Act, and having reviewed the Administrative Law Judge's Initial Decision, hereby enters the following findings and order:

1. The respondent was served with an Order of Summary Suspension, Notice of Hearing, and Notice of Charges on February 27, 1991 to all last known addresses on file with the Board.

2. A disciplinary hearing was held pursuant to § 12-38-108, 117, and 120, 24-4-104, and 105, C.R.S. (1985 and 1991) before Nancy A. Hopf, Administrative Law Judge (ALJ), on May 21, 1991.

3. The Initial Decision was rendered on May 22, 1991 and transmitted to the Board. The Initial Decision is incorporated herein by reference.

4. The program administrator, Karen Brumley, exercised her authority to act on behalf of the Board to grant an extension of time for considering this decision until its meeting on July 24-26, 1991.

5. The Initial Decision was served on the respondent and the Board on May 28, 1991.

6. No exceptions were filed by either party.

7. At its meeting on July 26, 1991 the Board considered

the Initial Decision. Neither the respondent or counsel for the Board was present.

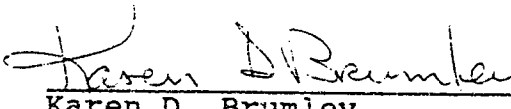
8. The Board voted to accept the findings of fact and conclusions of law as determined by the ALJ.

9. The Board next voted to accept the recommended sanction as set forth by the ALJ in the Initial Decision.

IT IS THEREFORE ORDERED by the Board, based upon the above findings: that the license to practice practical nursing of Lori Zimbeck, L.P.N. is suspended until such time as the Respondent submits to a Board ordered psychiatric examination and provides such proof to the Board.

Dated this 29 day of August 1991.

BY THE BOARD OF NURSING:

  
\_\_\_\_\_  
Karen D. Brumley  
Program Administrator

IOWA BOARD OF NURSING

This is to certify that \_\_\_\_\_ and correct  
copy of record \_\_\_\_\_ pertaining

to Lori C Zimbeck  
Renae Kleffman Enforcement



BEFORE THE BOARD OF NURSING  
OF THE STATE OF IOWA

COPY

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In the matter of:	)	
	)	
LORI C. ZIMBECK	)	CASE NO. 91-041
721 Stevens Street	)	
Iowa Falls, IA 50126	)	
	)	STATEMENT OF CHARGES
Certificate and License No.	)	
P29861,	)	
	)	
Respondent.	)	

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COMES NOW, the Complainant, David M. Lamb, and states:

1. He is an investigator for the Iowa Board of Nursing and files this Statement of Charges solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 152, and 258A (1991).
3. On July 2, 1990, Lori C. Zimbeck, the Respondent, was issued certificate and license no. P29861 by the Board to engage in the practice of a licensed practical nurse subject to the laws of the state of Iowa and the rules of the Board.
4. Certificate and license no. P29861 were issued by endorsement from the state of Colorado.
5. License no. P29861 is current and in full force until March 15, 1993.

COUNT I

The Respondent is charged with violation of Iowa Code § 152.10(2)(d) (1991), in that she had disciplinary action taken

by a licensing authority of another state when the Colorado Board of Nursing suspended her license to practice practical nursing until such time as she submits herself to a board ordered psychiatric examination and provides such proof to the Board.

#### COUNT II

The Respondent is charged with violation of Iowa Code § 147.55(3), in that she engaged in unethical conduct, as defined in Iowa Administrative Code, Nursing Board [655], § 4.18(4)(i), when she intentionally misappropriated medications, property, supplies, or equipment from her place of employment.

#### THE CIRCUMSTANCES

1. On September 16, 1991, this agency received certified copies of the documents pertaining to Count I above from the Colorado Board of Nursing.

2. These documents constitute prima facie evidence of the proceedings of the Colorado Board regarding the Respondent's license to practice in that state.

3. The Colorado Board of Nursing has found as follows:

(See attached.)

4. In an interview with the Complainant on August 29, 1991, the Respondent admitted that she had misappropriated syringes from Fejervary Health Care Center, Davenport, Iowa, during her employment there between November of 1990 and March of 1991. The Respondent stated that she took the syringes for the purpose of injecting herself with the drug Valium that she claims was stolen from the facility by another nurse.

WHEREFORE, the Complainant prays that a hearing be held in this matter and that the Board take such action as it deems to be appropriate under the law.

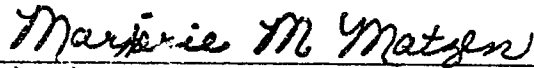
Dated this 15th day of November, 1991.



David M. Lamb  
Health Professions Investigator  
Iowa Board of Nursing

Complainant

On this 4th day of December, 1991, the Iowa Board of Nursing found probable cause to file a Statement of Charges and ordered a hearing in this matter.



Marjorie M. Matzen, R.N., M.S.  
Chairperson  
Iowa Board of Nursing

Copy to:

Maureen McGuire  
Office of Attorney General  
2nd Floor, Hoover Building  
Des Moines, IA 50319  
(515) 281-5164