

IN THE MATTER OF \* BEFORE THE MARYLAND  
JOHN HOWARD FAULKNER \* BOARD OF NURSING  
LICENSE NO: R176326 \*

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**ORDER OF TERMINATION OF PROBATION OF  
REGISTERED NURSE LICENSE**

On October 2, 2018, the Maryland Board of Nursing (the "Board") executed an "Order of Reinstatement of Registered Nurse License/Order of Probation " hereinafter "Probation Order"),<sup>1</sup> which placed the license of **JOHN HOWARD FAULKNER** ("the Licensee"), to practice as a registered nurse, license number **R176326**, in the State of Maryland on probation for a minimum of three (3) years, subject to certain probationary terms and conditions.

The Licensee has satisfied all the terms and conditions of probation that were imposed in the Probation Order, therefore it is hereby:

**ORDERED** that the probation ordered upon the Licensee by the Probation Order dated October 2, 2018, is hereby **TERMINATED** and the Probation Order is of no further force and effect; and it is further

**ORDERED** that this is a Final Decision and Order is a **PUBLIC RECORD** under Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014)

August 26, 2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document

<sup>1</sup> The Probation Order is incorporated by reference into this Order and is attached to this Order as Exhibit A.

IN THE MATTER OF  
HOWARD JOHN FAULKNER  
LICENSE NO.: R176326

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BEFORE THE  
MARYLAND BOARD  
OF NURSING

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**ORDER OF REINSTATEMENT OF REGISTERED NURSE LICENSE/  
ORDER OF PROBATION**

**I. PROCEDURAL BACKGROUND**

Between April 2014 and June 2015, the Maryland Board of Nursing (the "Board") received five (5) complaints regarding the nursing practice of Howard John Faulkner (the "Respondent"), license number R176326. The complaints alleged: multiple incidents of overprescribing medications, including antidepressants, antipsychotics and benzodiazepines, to vulnerable mental health patients, resulting in serious consequences to the patients under the Respondent's care; that the Respondent was impaired while treating patients; and that the Respondent had an inappropriate relationship with a mental health patient.

The Board conducted an investigation. Based on that investigation, on August 4, 2015 the Board issued an Order for Summary Suspension of Registered Nurse License and Certified Registered Nurse Practitioner-Psychiatric Mental Health Certification and Notice of Disciplinary Charges Under the Maryland Nurse Practice Act ("Summary Suspension and Charges"), which summarily suspended the Respondent's license to practice as a registered nurse ("RN") and certification to practice as a certified registered nurse practitioner-psychiatric mental health ("CRNP-PMH") in the State of Maryland and notified the Respondent that the Board was charging the Respondent's license and certification with violations of the Maryland Nurse Practice Act, Md. Code Ann., Health Occ. §§ 8-101 *et seq.* (2014 Repl. Vol.), specifically Health Occ. § 8-316(a)(8), (9), (25), (26), and (30). The Summary Suspension and Charges also advised the Respondent of



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his right to appear at the show cause hearing before the Board to argue why the Board should not continue the summary suspension of his RN license and CRNP-PMH certification.

The Board held a show cause hearing on August 25, 2015, and a quorum of the Board was present. The Respondent was present and testified on his own behalf. The Administrative Prosecutor presented the State's case. By Order dated August 28, 2015, the Board continued the summary suspension of the Respondent's RN license and CRNP-PMH certification. This Order also notified the Respondent of his right to request an evidentiary hearing before the Board on the Summary Suspension and Charges.

In lieu of an evidentiary hearing on the Summary Suspension and Charges, the Respondent voluntarily surrendered his license to practice as an RN and certification to practice as a CRNP-PMH in the State of Maryland for a minimum of two (2) years. The Board accepted the Respondent's voluntary surrender of his RN license and CRNP-PMH certification on February 9, 2016.

**II. CONSIDERATION OF REINSTATEMENT REQUEST**

On or about May 14, 2018, the Respondent submitted a written request to the Board seeking reinstatement of his RN license and CRNP-PMH certification in the State of Maryland. In support of his reinstatement request, the Respondent provided a personal statement, numerous positive letters of reference, letters from treatment providers, CompTIA certifications in A+, Network+ and Security+, AWS Certifications as a Developer, Solutions Architect and SysOps Administrator, and copies of certificates of completion of several nursing educational courses.

The Board has considered the materials submitted by the Respondent in support of his reinstatement request and concludes that the Respondent is suitable for reinstatement of his license to practice as a RN only. The Respondent's CRNP-PMH certification shall remain voluntarily

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surrendered. However, upon consideration of the Respondent's file and the history of this case, the Board will place the Respondent's reinstated RN license on probation for a minimum of three (3) years subject to terms and conditions that the Board considers necessary.

**III. ORDER**

It is hereby:

**ORDERED** that the Respondent's application for reinstatement of his license to practice registered nursing in the State of Maryland is **GRANTED**; and it is further

**ORDERED** that the Respondent's license to practice registered nursing in the State of Maryland is **REINSTATED**; and it is further

**ORDERED** that, beginning on the effective date of this Order, the license of the Respondent to practice as a registered nurse in the State of Maryland is placed on **PROBATION** for a minimum of **THREE (3) YEARS** subject to the following terms and conditions:

1. The Respondent's status as a registered nurse will be listed in the Board's records and on the Board's website as being on "**Probation**".
2. The Respondent shall immediately notify all employers of the probationary status of the Respondent's license and arrange for all employers to submit, in writing, confirmation that they have reviewed this Order.
3. The Respondent may seek employment as an RN, but shall obtain Board approval before accepting any new position as an RN.
4. The Respondent shall submit to the Board written **monthly self reports** describing the Respondent's progress, even if the Respondent is not working in the nursing field. Failure to provide written self reports on time shall constitute a violation of probation and this Order.

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5. The Respondent shall arrange for the Respondent's supervisor at the Respondent's place of employment to submit written quarterly work-site reports to the Board evaluating the Respondent's work performance and nursing practice. If the Respondent's employment terminates at any of the Respondent's place(s) of employment before the due date of a quarterly report, then a final work-site report is due on the last day of employment. It is the Respondent's responsibility to ensure that work-site reports are submitted to the Board and to notify the Respondent's supervisor when these reports are due. An unsatisfactory report will be considered a violation of probation and this Order.
6. The Respondent shall notify the Board in writing of any nursing position from which the Respondent is terminated by the Respondent's employer and/or of any nursing position from which the Respondent voluntarily resigns within **THREE (3) BUSINESS DAYS** of the date of termination/resignation. The Respondent shall include the reasons for the termination or resignation in the written notification.

**WORK-SITE RESTRICTIONS**

7. The Respondent shall not seek employment or be employed in the following work environments: Emergency Room, Critical Care Unit, Intensive Care Unit, Operating Room, Nursing Home, Delivery Room, Neonatal Intensive Care, Palliative Care, Psychiatric Unit, School Setting, Temporary Agency, Assisted Living, Hospice, Staffing Agency, or Home Health Care.
8. The Respondent shall not work night shifts (11 p.m. to 7 a.m.) and/or more than forty (40) hours per week.
9. The Respondent shall only work where there is a registered nurse physically present and immediately available.

**DRUG AND ALCOHOL TESTING**

10. The Respondent shall submit to random drug and alcohol testing, at any time, of urine, breath, hair, or blood at least once a month, but not more than 40 times per year as required by the Board and cause the results to be submitted to the Board in addition to the following additional drug-monitoring terms and conditions:
- a. Registering with "First Source Solutions" (First Hospital Laboratories, Inc., Professional Health Monitoring) by contacting them by phone at 1-800-732-3784 or on their website at www.firstsourcesolutions.com **within five (5) days from the effective date of this order**. After registering, the Respondent is responsible for contacting First Source Solutions on a daily basis (Monday through Sunday) and submitting to all First Source Solutions testing requirements and policies and procedures;
  - b. Any positive or missed test directed or ordered by First Source Solutions, the Board, or the Respondent's employer(s) shall be reported to the Board and be considered a violation of the Order;
  - c. Any tampering with a test sample or other improper attempt to avoid a positive drug or alcohol test result is a violation of the Order;
  - d. The Respondent shall not consume poppy seeds, quinine water, hemp tea, or other products containing substances that could trigger a false positive drug or alcohol test;  
and
  - e. The Respondent shall remain drug and alcohol free.

**CDS-RELATED WORK-SITE RESTRICTIONS**

11. The Respondent shall not work **in a setting or role** in which the Respondent has access, by any means, automated or key, to controlled dangerous substances ("CDS"), including

any mood-altering drugs.

12. The Respondent shall not work in a setting or role in which the Respondent may dispense, access, control, or administer CDS, including mood-altering drugs.

**PRESCRIPTION MEDICATIONS**

13. The Respondent shall not take any CDS or mood-altering drugs unless approved by the Respondent's healthcare provider.
14. The Respondent shall show this Order to any healthcare provider who prescribes for the Respondent, including, but not limited to, dentists, physicians, pain management clinicians, emergency and urgent care providers, nurse practitioners, and physician assistants.
15. If the Respondent is prescribed any medication, the Respondent shall notify the Board immediately and send a copy of the prescription or the pharmacy report to the Board within **THREE (3) DAYS**.
16. If the Respondent is prescribed any CDS or mood-altering medication, the Respondent shall, in addition to immediately notifying the Board in writing, consent to have the Respondent's prescribing provider(s) provide to the Board a medication report or pharmacy report pertaining to the condition that necessitated the prescription **within TEN (10) DAYS of each time** that the Respondent is prescribed any mood-altering substance or any Schedule II-V controlled substance. It is the Respondent's responsibility to ensure that these reports are submitted timely to the Board.

**PSYCHIATRIC/PSYCHOLOGICAL/OTHER EVALUATION**

17. At any time during the probationary period, the Board may, in its discretion, order the Respondent to submit to an examination by a healthcare provider designated by the Board. If so ordered, the Board shall pay for the cost of the examination. The Respondent shall

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sign all necessary consent forms required to authorize disclosure of the healthcare provider's written report to the Board. Furthermore, the Respondent consents to the use and disclosure of the healthcare provider's report, as well as any other medical, mental health, or substance use disorder treatment records, in any subsequent Board proceeding, including, but not limited to, any final, public order issued by the Board.

**TRAVEL PLANS**

18. The Respondent must notify the Board of Nursing's Compliance Unit and First Source Solutions of any and all vacation or travel plans at least two weeks prior to the date of departure; and it is further

**ORDERED** that the Respondent shall have contacted, and scheduled an appointment with, the Board of Nursing's Discipline/Compliance unit no later than **TEN (10) business days from the effective date of this Order** for the purpose of beginning compliance with the terms and conditions of probation imposed in this Order; and it is further

**ORDERED** that, pursuant to the Nurse Licensure Compact,<sup>1</sup> the multistate status of the Respondent's RN license shall be deactivated during the pendency of this Order. Accordingly, the Respondent's RN license shall be designated as single-state only, and the Respondent shall not have a multistate licensure privilege to practice as an RN in any party state to the Nurse Licensure Compact. The multistate status of the Respondent's RN license shall not be reactivated unless and until the probation imposed by this Order is terminated; the Respondent's RN license is restored to full unencumbered and active status; and the Respondent is not otherwise disqualified from

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<sup>1</sup> The Nurse Licensure Compact is an agreement between boards of nursing of party states to the Compact under which registered nurses and licensed practical nurses may have one "multistate" nursing license in their primary state of residence that allows them to practice in any other party state pursuant to a "multistate licensure privilege." *See generally* HO §§ 8-7A-01 *et seq.* Maryland is a party state to the Compact.



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holding a multistate license at that time; and it is further

**ORDERED** that the Respondent shall disclose a copy of this Order to the nursing board of any other state where employed and submit to the Board written acknowledgement that the other board(s) has reviewed this Order; and it is further

**ORDERED** that the Respondent shall obey all state and federal laws. If the Respondent is convicted of, or pleads guilty to, any crime(s), whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, the Respondent shall notify the Board, in writing, of any conviction(s) or guilty plea(s) within **TEN (10) DAYS** of the conviction or guilty plea. Failure to report a conviction or guilty plea to the Board in writing within **TEN (10) DAYS** is a violation of probation and this Order; and it is further

**ORDERED** that in the event that the Respondent moves, permanently or temporarily, either within or outside of Maryland, the Respondent shall notify the Board of the new address and phone number within **THREE (3) DAYS** of the move; and it is further

**ORDERED** that the Respondent shall submit to an in-person, face-to-face annual meeting with Board staff throughout the entire duration of the probationary period **if** requested to do so; and it is further

**ORDERED** that the Respondent shall be responsible for paying all costs required to comply with the terms and conditions of the probation and this Order; and it is further

**ORDERED** that there shall be no early termination of the probation; and it is further

**ORDERED** that after **THREE (3) YEARS** from the effective date of this Order has passed, the Board will consider a written petition for termination of the Respondent's probationary status, provided that the Respondent has been compliant with all of the probationary terms of this Order and safely employed as a registered nurse for at least **NINE (9) MONTHS** immediately

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preceding the petition for termination of probationary status; and it is further

**ORDERED** that failure to comply with any of the terms and conditions in this Order shall constitute a violation of this Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing, may impose, by further public Order of the Board, any sanction(s) authorized by Health Occ. § 8-316, including reprimand, additional probation, suspension, revocation, and/or monetary penalty; and it is further

**ORDERED** that this Order of Reinstatement of Registered Nurse License/Order of Probation is a **PUBLIC RECORD** under Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

10/2/2018  
Date

Karen E. B. Evans, MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document