

IN THE MATTER OF
DEBORAH GRACE SMITH

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BEFORE THE MARYLAND
BOARD OF NURSING
OAG Case No: 22-BP-026

License No: R178576

* * * * *

CONSENT ORDER TERMINATING ORDER MODIFYING MAY 23, 2019, ORDER OF REINSTATEMENT OF REGISTERED NURSE LICENSE AND ORDER OF PROBATION
AND
CONSENT ORDER OF REPRIMAND OF REGISTERED NURSE LICENSE/ ORDER OF PROBATION

On or about June 29, 2022, the Maryland Board of Nursing (the “Board”) charged the license of **DEBORAH GRACE SMITH** (the “Respondent”), License Number **R178576**, pursuant to the Maryland Nurse Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 8-101 *et seq.* (2021 Repl. Vol.).

The pertinent provisions of the Act are as follows:

§ 8-316 (a) *In general.* – Subject to the hearing provisions of § 8-317 of this subtitle, the Board may...reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the... licensee:

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(30) Violates regulations adopted by the Board or an order from the Board; *to wit:* Order Modifying May 23, 2019 Order of Reinstatement of Registered Nurse License/Order of Probation¹ issued on March 16, 2020.

On September 13, 2022, the Respondent attended a case resolution conference (“CRC”) with members of the Board in an effort to resolve the pending charges in lieu of an evidentiary hearing. The Assistant Attorney General – Administrative Prosecutor, also attended the CRC on behalf of the State. At that CRC, the Respondent and the State agreed to, and the Board hereby

¹ In December 2019, the Respondent petitioned the Board asking them to modify Condition 8 of the Order of Reinstatement of Registered Nurse License/Order of Probation issued May 23, 2019. Condition 8 addresses night shift work and overtime. On March 16, 2020, the Board modified Condition 8 and incorporated the Order of Reinstatement of Registered Nurse License/Order of Probation into the new Order Modifying May 23, 2019 Order of Reinstatement of Registered Nurse License/Order of Probation.

accepts, the following Findings of Fact, Conclusions of Law, and Order.

I. FINDINGS OF FACT

The Board finds that:

1. On August 3, 2007, the Board issued the Respondent a license to practice as a Registered Nurse (“RN”) in the State of Maryland. The Respondent’s RN license is currently listed as “Active-Probation” with an expiration date of October 28, 2022.

Disciplinary History with the Maryland Board of Nursing

2. On or about April 11, 2013, the Board received a complaint regarding the Respondent’s nursing practice. The complaint alleged that the Respondent had diverted medication from the facility where she was employed. As a result of the complaint, the Respondent entered into a Participation Agreement with the Board’s Rehabilitation Program, now known as the Safe Practice Program. On August 17, 2016, the Respondent was expelled from the Program due to non-compliance with her Participation Agreement.
3. On February 13, 2017, the Board issued an Order of Summary Suspension of Registered Nursing License and Notice of Disciplinary Charges Under the Maryland Nurse Practice Act (“Summary Suspension and Charges”), which notified the Respondent that the Board had summarily suspended her RN license pursuant to Md. Code Ann., State Gov’t § 10-226(c) (2021 Repl. Vol.), and charged her license based on violations of the Act including § 8-316(a) (21) (“Is expelled from the rehabilitation program established pursuant to § 8-208 of this title for failure to comply with the conditions of the program.”).
4. On March 24, 2017, following a show cause hearing at the Board, the Board issued an Order Continuing Summary Suspension of Registered Nursing License.
5. On May 22, 2017, the Respondent voluntarily surrendered her license to practice as an RN

in the State of Maryland for a minimum of one (1) year. The Board accepted the Respondent's voluntary surrender of her RN license on May 23, 2017.

6. On or about December 28, 2018, the Respondent submitted a written petition to the Board seeking reinstatement of her Maryland RN license.
7. On May 23, 2019, the Board issued an Order of Reinstatement of Registered Nurse License/Order of Probation ("2019 Order") which granted the Respondent's petition for reinstatement and placed her reinstated license on probation for a minimum of five (5) years subject to terms and conditions including:

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 Consent Order;
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 Consent 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.

....

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:

....

b. Any positive or missed test directed or ordered by First Source Solutions,² the Board, or the Respondent's employer(s) shall be reported to the Board and be considered a violation of the Order;

....

f. The Respondent shall remain drug and alcohol-free;

....

13. The Respondent shall attend at least one (1) support group meeting per week and submit documentation, such as signed attendance slips, verifying the Respondent's attendance at one (1) meeting per week;

14. The Respondent shall maintain a sponsor;

....

16. 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.

17. 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) BUSINESS DAYS**.

18. 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) BUSINESS 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

² Now known as Vault Health Workforce Screening.

Board;

19. The Respondent shall maintain treatment with a Board-approved treatment provider/treatment program Within **TWO (2) WEEKS** of the effective date of this Order, the Respondent is responsible for ensuring that her treatment program/treatment provider submits written verification that they have reviewed this Order to the Board;

....

21. The Respondent shall arrange for the Respondent's treatment provider/treatment program to submit written quarterly reports to the Board evaluating the Respondent's compliance and progress toward rehabilitation. It is the Respondent's responsibility to notify all treatment providers when these reports are due;

22. The Respondent shall maintain treatment throughout the probationary period unless the Respondent is formally discharged from treatment before the end of the probationary period. A discharge summary is to be submitted to the Board within **TWO (2) WEEKS** of discharge from the program. In the event the Respondent terminates treatment before discharge, the treatment program/treatment provider, has a missed or positive toxicology screen and/or breathalyzer, or has unsatisfactory progress, the Respondent shall immediately notify the Board[.]

8. The Order further provided:

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

ORDERED that, if the Respondent violates any of the terms and conditions of this Consent 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[.]

9. By letter dated June 5, 2019, the Board's Discipline and Compliance staff provided the Respondent with an executed copy of the 2019 Order and the following information:

Attached is an executed copy of the Order of Reinstatement of Registered Nurse License/Order of Probation. This is to confirm with you that we have carefully read over the Order with you and answered all of

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your questions. We have also explained all of the required forms. Your first report is due on the 19th day of June. All subsequent quarterly reports are due on the 19th day of September, December, March and June. Your monthly reports are due on the 19th day of each month.

....

It is suggested that you fax in your reports, no more than one week in advance, any reports received one day or more after the due date, is considered late, and any form submitted 30 days after the due date will be considered non-compliant.

10. On June 5, 2019, the Respondent signed an Acknowledgement Letter stating:

I HEREBY ACKNOWLEDGE that I have reviewed my Probation Order and I fully understand the terms and conditions of the Probation Order.

I FURTHER ACKNOWLEDGE that the following have also been reviewed and has been fully explained to me.

- Employment Verification (which must be immediately filled out by each employer)
- Self-Report (Due whether you are working or not)
- Work-Site Report (You are responsible for your employer submitting this form on time.)
- Report Schedule
- Recovery Support Group Attendance Log Form
- Treatment Program/Provider Verification Form
- Treatment Progress Report Form
- First Source Solutions[.]

Violations of the Board's 2019 Order

11. **Monthly Self-Reports** Since the 2019 Order was executed, the Respondent was required to submit thirty-seven (37) self-reports to the Board on or before the 19th of each month. The Respondent failed to submit six (6) of the required self-reports. The Respondent submitted thirty-one (31) self-reports to the Board, five (5) of which were submitted late: May 20, 2021, June 22, 2021, July 21, 2021, October 20, 2021, and May 20, 2022.

12. **Quarterly Work-Site Reports and Termination/Resignation Notification** The Order required the Respondent's employer to submit quarterly, work-site reports. These reports were due on or before the 19th day of March, June September, and December.
- a. The Respondent was employed by Dialysis Center A from August 12, 2019, until she resigned without notice on March 3, 2021. Dialysis Center A submitted five (5) of seven (7) required reports: September 11, 2019, December 16, 2019, March 27, 2020, September 1, 2020, and March 3, 2021.
 - b. Dialysis Center A noted on the March 2020, September 2020, and March 2021 reports that the Respondent's attitude and professionalism did not meet performance standards and she had been disciplined for her attendance issues (multiple absences and late arrivals) and attitude (hostile behavior, poor emotional control, angry outbursts, failure to complete assigned work).
 - c. The Respondent failed to notify the Board within three business days of her resignation – she waited until March 19th, listing it on her self-report.
 - d. The Respondent has been employed by Dialysis Center B from October 5, 2021, until the present. Dialysis Center B has submitted one (1) of three (3) required reports as of the date of this charging document: March 23, 2022.
13. **Treatment Attendance and Reports** According to the Order, the Respondent was

required to maintain treatment with a Board-approved treatment provider/program as long as the 2019 Order was in effect unless she was formally discharged from treatment. The Respondent was also required to have her treatment provider/program submit quarterly reports to the Board on or before the 19th day of March, June, September, and December.

- a. On June 13, 2019, the Board received a [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- b. Currently, it is unclear from the record [REDACTED]
[REDACTED]

- 14. **Support Group Meetings and Sponsor Requirement** The Respondent was to attend a minimum of one (1) support group meeting per week and submit documentation verifying her attendance. The Respondent was also required to maintain a sponsor who could verify her attendance at meetings.
- 15. There have been approximately 160 weeks since the 2019 Order was executed. The Respondent submitted documentation that she attended the required minimum support group meetings for 18 of those 160 weeks.
- 16. On February 22, 2022, a Compliance Specialist from the Board’s Discipline and Compliance Enforcement Unit emailed the Respondent to remind her that the Board had not received any Support Group Meeting Logs from the Respondent since November 19, 2019. The Respondent replied: “I go to a meeting just about everyday [*sic*] sometimes more than one. However[,] most meetings are on zoom including my Homegroup[.]” The

Board's Compliance Specialist reminded her that her sponsor should be able to verify her attendance at virtual meetings. The Compliance Specialist also reminded the Respondent of the September 24, 2021, letter sent by the Board informing all participants that the Board would no longer accept virtual AA/NA meetings as most meeting sites had reopened.

17. **Toxicology Screens** The Respondent timely enrolled with First Source Solutions for toxicology screens.

18. Between May 30, 2019, and June 24, 2022, the Respondent:

- a. Had twenty-five (25) missed daily check-ins.
- b. Missed six (6) tests: June 20, 2019, July 8, 2019, August 8, 2019, September 24, 2019, October 8, 2019, and May 31, 2022.
- c. Submitted a total of forty-six (46) tests – forty-three (43) of which were positive for [REDACTED]³

19. **Prescription Medication List** The 2019 Order required the Respondent to notify the Board immediately and send a copy of the prescription or pharmacy report to the Board within three business days. In addition, if the Respondent was prescribed any controlled dangerous substances (CDS) or mood-altering medication, she was to have her prescriber provide the Board a report pertaining to the condition that necessitated the prescription within ten business days each time the medication was prescribed.

20. On June 6, 2019, the Respondent provided a pharmacy report that listed the following

³ The Respondent submitted a prescription list to the Board on November 19, 2019, indicating that she had been prescribed [REDACTED]

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[REDACTED],⁴ [REDACTED],⁵ [REDACTED],⁶ [REDACTED]

[REDACTED]⁷ [REDACTED].⁸

21. On November 19, 2019, the Respondent provided a pharmacy report that listed the following [REDACTED]
[REDACTED].⁹

22. The Respondent failed to provide documentation from her prescriber that outlined the condition that necessitated the prescribing of [REDACTED].

23. By letter and email dated July 23, 2021, the Board’s Compliance Specialist reminded the Respondent that the 2019 Order required her to provide the Board with copies of all medications prescribed and continue to submit the prescriptions each time a CDS or mood-altering drug is prescribed. The letter and email informed the Respondent that the Board

⁴ [REDACTED].

⁵ [REDACTED].

⁶ [REDACTED].

⁷ [REDACTED].

⁸ [REDACTED].

⁹ [REDACTED].

last received the required information in June 2019 and November 2019.

24. On July 30, 2021, the Respondent provided a pharmacy prescription schedule that listed the following [REDACTED]

[REDACTED],¹⁰ [REDACTED].

25. The Board has not received an updated list since July 30, 2021. The Board has never received any documentation from the Respondent’s prescribers outlining the reason and need for the [REDACTED]

II. CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that Respondent violated:

§ 8-316 (a) *In general.* – Subject to the hearing provisions of § 8-317 of this subtitle, the Board may...reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the... licensee:

....

(30) Violates regulations adopted by the Board or an order from the Board; *to wit:* Order Modifying May 23, 2019 Order of Reinstatement of Registered Nurse License/Order of Probation¹¹ issued on March 16, 2020.

III. SANCTION

The Board finds that the Respondent’s actions constitute misconduct that falls within category E(1) of the Board’s sanctioning guidelines. *See* COMAR 10.27.26.07E(1). The range of potential sanctions under category E(1) includes probation for three years to revocation and/or a

¹⁰ **Lamotrigine** (Brand name: Lamictal) – an anticonvulsant used to treat seizures and bipolar mood episodes. It is a prescription mood-altering medication.

¹¹ In December 2019, the Respondent petitioned the Board asking them to modify Condition 8 of the Order of Reinstatement of Registered Nurse License/Order of Probation issued May 23, 2019. Condition 8 addresses night shift work and overtime. On March 16, 2020, the Board modified Condition 8 and incorporated the Order of Reinstatement of Registered Nurse License/Order of Probation into the new Order Modifying May 23, 2019 Order of Reinstatement of Registered Nurse License/Order of Probation.

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minimum fine of \$2,000.00 to a maximum fine of \$5,000.00. *Id.*

In deviating from the sanctioning guidelines in this case, the Board has taken into account the entirety of the case, including the Respondent's current efforts to maintain sobriety as well as her recent graduation from a BSN program.

IV. ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the Respondent's license to practice as a registered nurse in the State of Maryland, License Number **R178576**, is hereby **REPRIMANDED**; and it is further

ORDERED that the probation ordered by the Order Modifying May 23, 2019, Order of Reinstatement of Registered Nurse License/Order of Probation is **TERMINATED**; and it is further

ORDERED that the Respondent's license to practice as a registered nurse in the State of Maryland shall be placed on **PROBATION FOR A MINIMUM OF TWO (2) YEARS**, beginning on the effective date of this Consent Order, subject to the following terms and conditions

1. The Respondent's status as an RN will be listed in the Board's records and on the Board's website with the word "PROBATION";

REPORTING AND EMPLOYMENT CONDITIONS

2. The Respondent shall obtain Board approval before accepting any new position as a registered nurse;
3. The Respondent shall immediately notify all employers of the probationary status of his/her license and arrange for all employers to submit, in writing, confirmation that they have reviewed this Consent Order;

4. **Self-reports.** 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 Consent Order;
5. **Work site reports.** 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 Consent Order;
6. The Respondent shall notify the Board in writing of any nursing position from which the Respondent is terminated by the employer and/or any nursing position from which the Respondent voluntarily resigns within **THREE (3) DAYS** of the date of termination/resignation. The Respondent shall include the reasons for the termination or resignation in the written notification;
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

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care;

8. The Respondent shall not work the night shift or more than one (1) shift (i.e. twelve (12) hours) of overtime per pay period;
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, nail, or blood **at least once a month, but not more than 37-40 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. The Respondent shall register with “Vault Health Workforce Screening” (“Vault Health”) by phone at 1-833-476-1173 and enroll in the drug monitoring program via their website: https://app.caseworthy.com/CaseWorthy_8_0/PortalDefault.aspx?DatabaseID=890&#/PortalDefault within five (5) days from the effective date of this Consent Order. After registering and enrolling in the program, the Respondent shall contact Vault Health on a daily basis (Monday through Sunday) via their website and submit to all Vault Health testing requirements and policies and procedures;
- b. The Board’s Discipline and Compliance staff, Vault Health, or the Respondent’s employer may, at their discretion, require the Respondent to submit to a random drug and alcohol test at any time;
- c. Any positive or missed test directed or ordered by Vault Health, the Board’s Discipline and Compliance Staff, or the Respondent’s employer(s) shall be reported to the Board and be considered a violation of this Consent Order;
- d. Any tampering with a test sample or other improper attempt to avoid a positive drug or alcohol test result is a violation of this Consent Order;
- e. The Respondent shall not consume poppy seeds, quinine water, hemp tea, cannabidiol (CBD), or other products containing substances that could trigger a false positive drug or alcohol test; and

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- f. 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;

SUPPORT GROUP/SPONSOR

13. The Respondent shall attend at least **ONE (1)** support group meeting per week and submit documentation, such as signed attendance slips, verifying the Respondent’s attendance at **ONE (1)** meeting per week;
14. The Respondent shall maintain a sponsor;

PRESCRIPTION MEDICATIONS

15. The Respondent shall not take any CDS or mood-altering drugs unless approved by the Respondent’s healthcare provider;
16. The Respondent shall show this Consent 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;
17. 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**;
18. If the Respondent is prescribed any CDS or mood-altering medication, the Respondent

shall, in addition to immediately notifying the Board in writing, agree 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;

TREATMENT PROVIDER/TREATMENT PROGRAM

19. The Respondent shall seek and/or maintain treatment with a Board-approved treatment provider/treatment program. Within **TWO (2) WEEKS** of the effective date of this Consent Order, the Respondent is responsible for ensuring that his/her treatment program/treatment provider submits written verification that they have reviewed this Consent Order to the Board;
20. The Respondent shall comply with all terms and conditions set by the treatment program/treatment provider;
21. The Respondent shall arrange for the Respondent's treatment provider/treatment program to submit written quarterly reports to the Board evaluating the Respondent's compliance and progress toward rehabilitation. It is the Respondent's responsibility to notify all treatment providers when these reports are due;
22. The Respondent shall maintain treatment throughout the probationary period unless the Respondent is formally discharged from treatment before the end of the probationary period. A discharge summary is to be submitted to the Board within **TWO (2) WEEKS** of discharge from the program. In the event the Respondent stops treatment before

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discharge by the treatment program/treatment provider, has a missed or positive toxicology screen and/or breathalyzer, or has unsatisfactory progress, the Respondent shall immediately notify the Board;

23. The Respondent shall sign all necessary consent forms required to authorize disclosure of the Respondent's substance use disorder treatment records to the Board. Furthermore, the Respondent consents to the use and disclosure of his/her substance use disorder treatment records in any subsequent Board proceeding, including, but not limited to, any final, public order issued by the Board;

PSYCHIATRIC/PSYCHOLOGICAL/OTHER EVALUATION

24. 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 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

25. The Respondent must notify the Board of Nursing's Compliance Unit and Vault Health 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

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with, the Board of Nursing's Discipline/Compliance Unit no later than **TEN (10) DAYS** from the effective date of this Consent Order, for the purpose of beginning compliance with its terms and conditions; and it is further

ORDERED that, pursuant to the Nurse Licensure Compact, the multistate status of the Respondent's RN license, shall be deactivated during the pendency of this Consent 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 Consent Order is terminated; the Respondent's RN license is restored to full unencumbered and active status, and the Respondent is not otherwise disqualified from holding a multistate license at that time; and it is further

ORDERED that, the Respondent shall disclose a copy of this Consent Order to the nursing board of another state where employed and submit to the Board written acknowledgment that they have reviewed this Consent Order; and it is further

ORDERED that, in the event that the Board issues to the Respondent any other type of license and/or certificate that the Board is authorized to grant, that license and/or certificate shall also be subject to the terms of this Consent 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

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violation of probation and this Consent Order; and it is further

ORDERED that, if 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 all of the terms and conditions of the probation and this Consent Order; and it is further

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

ORDERED that, after **TWO (2) YEARS** from the effective date of this Consent Order have passed, the Board will consider a petition for termination of the Respondent's probationary status, provided that the Respondent has been compliant with all of the probationary terms of this Consent Order and safely employed as a RN for at least **NINE (9) MONTHS** immediately 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 Consent Order shall constitute a violation of the Order; and it is further

ORDERED that, if the Respondent violates any of the terms and conditions of this Consent 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 and COMAR 10.27.26, including reprimand, additional probation, suspension, revocation, and/or

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monetary penalty; and it is further

ORDERED that this Consent Order is a **PUBLIC RECORD** pursuant to Md. Code Ann.,
Gen. Prov., §§ 4-101, *et seq.* (2014).

September 28, 2022
Date

Gary Hicks
The Board President's Signature
Appears on the Original Document
P
Maryland Board of Nursing

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CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact, and I accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Md. Code Ann., State Gov't Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.



Deborah Grace Smith, RN, Respondent

9/20/2022

Date

Signed by Respondent at
Maryland Board of Nursing Offices.
in the presence of Enforcement Division Board Staff,
on September 20, 2022.