



After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Section 16106a of the Public Health Code, being MCL 333.16106a, defines substance abuse as a "substance use disorder as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d."

5. Section 100d(11) of the Mental Health Code, being MCL 330.1100d(11), defines substance use disorder as a "chronic disorder in which repeated use of alcohol, drugs, or both, results in significant and adverse consequences. Substance abuse is considered a substance use disorder."

6. Section 100d(10) of the Mental Health Code, being MCL 330.1100d(10), defines substance abuse as:

...the taking of alcohol or other drugs at dosages that place an individual's social, economic, psychological, and physical welfare in potential hazard or to the extent that an individual loses the power of self-control as a result of the use of alcohol or drugs, or while habitually under the influence of alcohol or drugs, endangers public health, morals, safety, or welfare, or a combination thereof.

7. On [REDACTED] Respondent completed an initial interview with the Health Professional Recovery Program, hereafter HPRP.

8. On or about on [REDACTED] Respondent was diagnosed with "opioid dependency and benzodiazepine dependency."

9. On [REDACTED] Respondent's evaluator informed HPRP that Respondent failed to undergo detoxification as recommended and had not followed up with the evaluator for any treatment.

10. Also on [REDACTED] HPRP attempted to contact Respondent via telephone regarding Respondent's failure to appear for a follow-up appointment with the evaluator.

11. On [REDACTED], HPRP closed Respondent's case due to Respondent's failure to cooperate with HPRP and forwarded the matter to Complainant for disposition.

COUNT I

Respondent's conduct, as set forth above, evidences a conduct, practice, or condition, which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

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## COUNT II

Respondent's conduct, as set forth above, evidences substance use disorder, in violation of section 16221(b)(ii) of the Public Health Code, supra.

## COUNT III

Respondent's conduct, as set forth above, evidences a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, MCL 24.201 et seq; the Public Health Code, and the rules promulgated thereunder, to determine whether disciplinary action should be taken against Respondent for the reasons set forth above.

Pending a hearing and final determination of this cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health safety and welfare requires emergency action and Respondent's license to practice as a registered nurse in the state of Michigan shall accordingly be summarily suspended.

Pursuant to section 16231(8) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant,

██████████ Director, Bureau of Health Care Services, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Pursuant to section 16231(9) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this Complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Dated: \_\_\_\_\_

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Bureau of Health Care Services

This is the final page of an Administrative Complaint in the matter of ██████████ R.N., L.P.N., File Number ██████████ before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of five pages, this page included.

PMM