BEFORE THE WYOMING STATE BOARD OF NURSING

IN THE DISCIPLINARY MATTER OF
KRISTINA GOSSMAN,
REGISTERED PROFESSIONAL NURSE
LICENSE NO. RN 25421

) Docket No. 08-9-332

SETTLEMENT AGREEMENT, STIPULATION AND ORDER
FOR CONDITIONAL LICENSE

COMES NOW the Disciplinary Committee, comprised of each of the undersigned ("PETITIONER"), of the Wyoming State Board of Nursing ("Board"), and KRISTINA GOSSMAN, RN ("RESPONDENT"), pursuant to WYO. STAT. § 16-3-107(n) and WYO. STAT. § 33-21-122(c)(x), and Chapter 8, Section 4 [Disciplinary Committee and Review of the Original Complaint] of the Administrative Rules and Regulations of the Wyoming State Board of Nursing ("Board's Rules"), and enter into this Settlement Agreement, Stipulation and Order ("Agreement").

FINDINGS OF FACT

1. RESPONDENT is a Licensed Registered Professional Nurse in the state of Wyoming and holds License No. RN 25421, which will expire on December 31, 2010, as reflected in the records of the Board.

   Allegations RE: WSBN Case No. 08-9-332

2. On or about April 28, 2009, Board compliance consultant initiated an administrative complaint with respect to RESPONDENT, which was assigned Case No. 08-9-332. Such complaint was based upon a March 12, 2009, incident in which RESPONDENT appeared to be impaired while working by several other co-workers at the West Park Hospital ("WPH") in Cody, Wyoming, as reported by Susan L. Foer, Manager CCU and ACU Departments. RESPONDENT was requested to submit to an alcohol screen by urinalysis, which she refused. RESPONDENT also admitted the use of alcohol the previous evening but denied being under the influence when she reported to work. RESPONDENT subsequently was terminated from employment for violating WPH policy.

3. By letter dated May 4, 2009, Board staff sent RESPONDENT a notification letter informing her of the above-referenced complaint in Case No. 08-9-332. On June 1, 2009, Board staff confirmed with counsel for RESPONDENT that she could provide a written response on or before July 1, 2009.

4. On June 30, 2009, RESPONDENT provided a written personal statement and response to the administrative complaint of Case No. 08-9-332, generally denying the allegations.

5. Following further investigation, in addition to the allegations of the above-described complaint, PETITIONER substantiated the following facts:

IN THE DISCIPLINARY MATTER OF KRISTINA GOSSMAN, RN 25421-- Docket No. 08-9-332
SETTLEMENT AGREEMENT, STIPULATION AND ORDER FOR CONDITIONAL LICENSE
Page 1 of 14
a. RESPONDENT was the subject of a prior informal disciplinary action in the December 2008 time frame, in which a patient at WPH had reported suspicions of RESPONDENT having alcohol on her breath. No urinalysis was obtained at such time.

b. Witness letters provided to the Board with respect to the events on March 12, 2009, confirmed without exception observations that RESPONDENT appeared impaired and/or had the smell of alcohol on her breath.

c. RESPONDENT submitted to a substance abuse evaluation at the PETITIONER’s request. By the report of psychiatric evaluation by Mark Walter, MD, dated March 22, 2010, RESPONDENT was diagnosed with “Depressive disorder, not otherwise specified (NOS)[,] Anxiety disorder (NOS)[,] Alcohol abuse versus dependence.” Altogether Dr. Walter observed what appeared to be minimization of the presenting incident, explanations or descriptions of other events causing suspicion minimally an alcohol abuse disorder. RESPONDENT was also perceived as guarded, which appeared to be explained by her concern for negative repercussions related to her nurse license. Dr. Walter also recommended a further psychiatric evaluation for depressive and anxiety disturbances.

d. On April 8, 2010, RESPONDENT was arrested for DUI in the state of Colorado, disposition of which was pending at the time of presentation of this Agreement.

e. On September 11, 2010, RESPONDENT entered a residential treatment program with Harmony Foundation, Inc. (“Harmony”), in Estes Park, Colorado. The discharge summary dated October 9, 2010, noted the above-mentioned DUI arrest; and although making little reference to the pending disciplinary investigation by PETITIONER and possible action on her Wyoming nurse license by the Board, indicated a primary DSM-IV diagnosis of Alcohol Dependence. The Harmony discharge summary also recommended that RESPONDENT participate in continuing care with Foundations in Cheyenne, Wyoming, and that she attend a minimum of seven (7) 12-step meetings per week for at least three months. There was no evaluation of RESPONDENT’s prognosis, risk for relapse, or fitness to engage in nursing practice with or without conditions or restrictions.

Grounds and Recommendations for Disciplinary Action

6. PETITIONER alleges that RESPONDENT’s above-described conduct as set forth in Paragraphs 2 and 5 hereinabove, constitute violations of the NPA found at WYO. STAT. § 33-21-146(a)(i) [has engaged in any act inconsistent with standards of nursing practice] and WYO. STAT. § 33-21-146(a)(iv)(A) and (B) [unfitness/incompetency due to use of drugs or other mind altering chemical/performance of unsafe nursing practice or failure to conform to the essential standards of acceptable and prevailing nursing practice, in which case actual injury need not be established].

[CONTINUED ON NEXT PAGE]
7. PETITIONER further alleges that RESPONDENT’s above-described conduct as set forth in Paragraphs 2 and 5 hereinabove, constitute violations of the Board’s Rules, including, unprofessional conduct [Chapter 3, Section 4(a)(i)(K)]; alcohol impairment/substance abuse [Chapter 3, Section 4(a)(i)(N)(IV)]; and failure to conform to the standards of prevailing nursing practice, in which case actual injury need not be established [Chapter 3, Section 4(a)(ii)].

8. Violation of the foregoing statutory and rule provisions are subject to discipline of RESPONDENT’s registered professional nurse license. However, in light of RESPONDENT’s cooperation in PETITIONER’s investigation and other mitigating circumstances, a conditional license is an appropriate alternative to the initiation of a formal disciplinary proceeding for other forms of discipline; and PETITIONER recommends in lieu of a formal disciplinary hearing for discipline of RESPONDENT’s registered nursing license as required by law, a period of suspension, which may be stayed and that her license be subject to conditions, as described below.

9. Suspension Stayed. PETITIONER recommends that RESPONDENT be suspended from the practice of nursing for a minimum period of six (6) months from the effective date of such agreement. Such suspension shall be stayed provided that RESPONDENT remains fully compliant with this Agreement.

10. Terms of Conditional License. In light of RESPONDENT’s cooperation in PETITIONER’s investigation and mitigating circumstances, as well as possible need for psychological treatment of issues that may trigger alcohol abuse, a conditional license for such duration as may be ordered by the Board is an appropriate alternative to the initiation of a formal disciplinary proceeding for other forms of discipline, including further restrictions of RESPONDENT’s license, PETITIONER recommends in lieu of a formal disciplinary hearing respecting RESPONDENT’s registered nursing license as required by law, that her license be subject to the following terms and conditions:

a. Monitoring Program Requirements. RESPONDENT shall be monitored by the NMP, or other similar entity approved by the Board, for a minimum five (5) year duration from the effective date of this Agreement and remain compliant with all terms of the current (and any subsequent) Monitoring Agreement(s), which are incorporated herein by this reference.

(1) RESPONDENT shall promptly provide the Board with any and all modifications to her Monitoring Agreement(s), as well as any change in her employment status, change in contact information, and any violation of this Agreement.

(2) RESPONDENT shall submit to random drug screens, which should include screening for all commonly prescribed opioids and synthetic opioids, which, if positive, shall constitute a relapse. The screen should also be able to detect diluents and common adulterants designed to skew results, and confirmed detection of an adulterant shall be treated as a relapse. RESPONDENT shall also make timely notification to the NMP of medically authorized prescriptions as required by the NMP.
For purposes of this Agreement, “relapse” in combination with a stated level shall have the following meanings:

(A) Level I – Failure to attend therapy meetings (including Caduceus or 12-Step), dishonesty, lying, not providing required reports, or other behavioral concerns.

(B) Level II – Detected drug or alcohol use not in the context of professional nursing practice (i.e., positive drug test but no evidence of impaired practice or workplace diversion).

(C) Level III – Substance reuse/abuse within the context of nursing practice (i.e., diversion in the workplace, sharps container in the car, caught in the act of self-administering, etc.).

The NMP, or other similar entity approved by the Board, shall be obligated to report to the Board any Level I, II or III relapse (as defined below) and change in contact information.

(4) RESPONDENT shall attend a minimum of three (3) Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings per week, and at least monthly attendance at Caduceus meetings or other impaired professional support program groups meeting weekly, approved by NMP, or such similar monitoring services entity approved by the Board or its designee, and on a monthly basis will submit initial documentation of attendance to her supervisor(s) and/or designated worksite monitor(s), as well as NMP, or such similar monitoring services entity approved by the Board.

b. Restrictions on Dispensing or Administering Controlled Substances. RESPONDENT will not sign out, dispense or administer controlled substances without direct supervision for at least twelve (12) months, which may be subject to minimal supervision for a subsequent twelve (12) month period, and removal of restrictions for the remaining duration of this Agreement, provided no events or other causes indicate a need for direct supervision; and prior to the end of such periods, a qualified substance abuse evaluator approved by PETITIONER must verify, in writing, that RESPONDENT has complied with the terms of this Agreement, and in the evaluator’s opinion, RESPONDENT is ready to assume greater responsibility for the administration of controlled substances with less supervision.

(1) For purposes of this Agreement, “direct supervision” means that a supervising RN, or other approved health care professional, actually observes RESPONDENT removing and signing the log for all controlled substances and that the RN (or Board designate) shall conduct random checks to assure accurate delivery of controlled substances by RESPONDENT to patients and the RN shall verify logs for controlled substances and take all additional reasonable measures to ensure the same are being delivered as prescribed when administered by RESPONDENT, and “minimal supervision” means an RN, or other approved health care professional, shall check the accuracy of the controlled substances at the end of each of RESPONDENT’s working shifts.
(2) During any period in which RESPONDENT is not employed in a nursing practice capacity, this subparagraph will be tolled for such period, in order that RESPONDENT’s initial authority to dispense or administer controlled substances with direct supervision will be maintained for at least twenty-four (24) months.

(3) A reported Level II or Level III Relapse by any source while under minimal supervision, including the NMP, shall result in RESPONDENT’s authorization to continue to dispense or administer controlled substances to be subject to direct supervision.

c. **Worksite Monitor.** In addition, within fifteen (15) days of her execution of this Agreement, or immediately upon obtaining nurse-related employment, RESPONDENT shall obtain the appropriate executions of the WORKSITE MONITORING AGREEMENT attached hereto as Appendix A, of each of her worksite monitor(s) or other individual who provides supervision.

d. **Additional Reporting/Update.** RESPONDENT shall provide PETITIONER with a written report on at least an annual basis, or such other regular intervals required by the NMP, representing RESPONDENT’s progression and education in substance abuse recovery.

e. **Substance Abuse Evaluations.** RESPONDENT shall provide PETITIONER with a written report on an annual basis representing a clinical substance abuse evaluation or assessment report by a qualified substance abuse professional acceptable to PETITIONER, to provide a clinical diagnosis (DSM-IV) of drug or alcohol abuse or chemical dependency, which should include an updated analysis and discussion regarding the status of RESPONDENT’s treatment or recovery program and a prognosis for continued sobriety or relapse, including recommended services or support.

f. **Further Psychiatric/Psychological Evaluation/Treatment.** In addition, RESPONDENT shall obtain psychiatric or/psychological evaluations and participate in treatment as recommended. RESPONDENT further shall provide the Board with a written report of such psychiatric and/or psychological evaluations, which shall be updated at least annually.

g. **Authorizations.** RESPONDENT shall duly execute any medical information releases or other consents that further the objectives of this Agreement.

11. **Further Discipline from Significant Violation.** A significant violation of the terms of this Agreement, or a monitoring agreement with the NMP, or other similar entity approved by the Board, as well as the WORKSITE MONITORING AGREEMENT, shall constitute independent grounds for PETITIONER to seek further disciplinary action, and that RESPONDENT should immediately refrain from further practice of nursing and her license shall be immediately suspended pending further order of the Board. A "significant violation" within the meaning of this subparagraph includes, but is not limited to any of the following occurrences:

a. The NMP, or other similar entity approved by the Board, reports either a Level II or Level III relapse in violation of RESPONDENT’s monitoring agreement;
b. RESPONDENT obtains any prescription of a controlled substance without alerting or notifying NMP, or other similar entity approved by the Board, within twenty-four (24) hours of issuance of such prescription;

c. A positive screen of any controlled substance for which RESPONDENT does not possess a valid prescription.

I, KRISTINA GOSSMAN, ACKNOWLEDGE AND UNDERSTAND THAT A SIGNIFICANT VIOLATION DESCRIBED ABOVE WILL RESULT IN THE IMMEDIATE SUSPENSION OF MY LICENSE

[Signature]

INITIALS

12. Notifications to Present/Future Employers. RESPONDENT shall notify in writing any health care employer of the status of her conditional license and the terms and conditions of this Order. RESPONDENT shall work only in a setting in which direct supervision by a registered professional nurse is provided. RESPONDENT is further prohibited from practicing nursing in any traveling nurse practice, as well as any hospice, home health or community health care setting. In the event RESPONDENT relocates or obtains new or different employment, RESPONDENT shall promptly notify PETITIONER of the same.

13. Additional Training Requirements. RESPONDENT shall complete training in coursework similar to “Ethics of Nursing Practice,” “Critical Thinking” and “Professional Accountability” provided by the National Council of State Boards of Nursing, Inc. (“NCSBN”), or other similar entity which shall be approved by the Board, and provide documentation of completion within ninety (90) days from the execution of this Agreement. In the event Respondent engages in conduct that is a further ground for discipline and/or does not provide documentation of completion of the coursework as provided above, Respondent’s Registered Nurse License No. RN 25421 should be suspended until completed or pending further order of the Board.

14. The foregoing recommendations are authorized by Chapter 8, Section 4(c)(ii) of the Board’s Rules, which provides that PETITIONER, as the Disciplinary Committee, may “[r]ecommend a settlement agreement in accordance with the board’s authority set forth in the [NPA], the rules and regulations, and the [WAPA]. Such agreements may include the imposition of restrictions, conditions, reprimand, discipline, or a combination thereof.”

CONCLUSIONS OF LAW

1. Paragraphs 1 through 14 of the Findings of Fact are incorporated herein by reference.

2. The Board has jurisdiction in this matter and over RESPONDENT pursuant to the Wyoming Nurse Practice Act (“NPA”) [WYO. STAT. § 33-21-119 et seq.], the Board’s Rules, and the Wyoming Administrative Procedure Act (“WAPA”) [WYO. STAT. § 16-3-101 et seq.].

IN THE DISCIPLINARY MATTER OF KRISTINA GOSSMAN, RN 25421-- Docket No. 08-9-332 SETTLEMENT AGREEMENT, STIPULATION AND ORDER FOR CONDITIONAL LICENSE Page 6 of 14
3. The Board concludes that the Findings of Fact respecting RESPONDENT’s conduct described in Paragraphs 2 through 5 hereinabove, constitute violations of the NPA found at WYO. STAT. § 33-21-146(a)(i) [act inconsistent with standards of nursing practice] and WYO. STAT. § 33-21-146(a)(iv)(B) [performance of unsafe nursing practice or failure to conform to the essential standards of acceptable and prevailing nursing practice, in which case actual injury need not be established].

4. The Board concludes that the Findings of Fact respecting RESPONDENT’s conduct described in Paragraphs 2 through 5 hereinabove, constitute violations of the Board’s Rules, including, unprofessional conduct [Chapter 3, Section 4(a)(i)(K)]; alcohol impairment/substance abuse [Chapter 3, Section 4(a)(i)(N)(IV)]; and failure to conform to the standards of prevailing nursing practice, in which case actual injury need not be established [Chapter 3, Section 4(a)(ii)].

5. The applicable statutory and rule provisions referenced in the previous paragraph are fully cited as follows:

WYO. STAT. § 33-21-146. Disciplining licensees; grounds.

(a) The board of nursing may . . . suspend or revoke the license, certificate or temporary permit of any person, or to otherwise discipline a licensee, upon proof that the person:

(i) Has engaged in any act inconsistent with uniform and reasonable standards of nursing practice as defined by board rules and regulations; * * *

(iv) Is unfit or incompetent to practice nursing by reason of negligence, habits or other causes including but not limited to: [¶] (A) Being unable to practice nursing with reasonable skill and safety to patients by reason of . . . use . . . mind-altering material; [¶] (B) Performance of unsafe nursing practice or failure to conform to the essential standards of acceptable and prevailing nursing practice, in which case actual injury need not be established.[

Chapter 3, Section 4(a) [Disciplinary Procedures for Licensed Practical Nurses and Registered Professional Nurses] of the Board’s Rules:

Grounds for Discipline:

(i) Engaging in any act inconsistent with uniform and reasonable standards of nursing practice, including but not limited to: * * *

(K) Unprofessional Conduct; * * *

(N) Impairment; * * [¶] (IV) . . . alcohol impairment . . . [and]

(ii) Failure to conform to the standards of prevailing nursing practice, in which case actual injury need not be established.
6. Pursuant to Chapter 8, Section 4(d) [Disciplinary Committee and Review of the Original Complaint] of the Board's Rules, the Board may resolve a complaint by:

(i) Approving the [PETITIONER's] recommendations;

(ii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the board may:

   (A) Dismiss the complaint due to lack of clear and convincing evidence;

   (B) Not impose discipline due to significant mitigating factors;

   (C) Impose discipline by revocation, suspension, reprimand, restriction, condition, non-renewal, or a combination thereof.

7. The Board concludes, therefore, that violation of the foregoing statutory and rule provisions are subject to discipline of RESPONDENT's nurse license. However, for the reasons expressed related to PETITIONER's recommendations described in Paragraphs 6 through 14, inclusive, of the Findings of Fact heretofore, subjecting RESPONDENT's Registered Professional Nurse License No. RN 25421 to specific terms and conditions, for discipline, is an appropriate alternative to a disciplinary proceeding and appropriate pursuant to the aforementioned statutory and regulatory provisions.

ORDER

IT IS THEREFORE HEREBY SETTLED, STIPULATED AND ORDERED:

1. The Board accepts this Agreement, which constitutes disciplinary action for the conduct set forth in the Findings of Fact and Conclusions of Law in this Agreement and shall be considered the terms and conditions under which RESPONDENT may continue to practice registered professional nursing in this State under Registered Professional Nurse License, RN 25421.

2. Suspension Stayed. RESPONDENT shall refrain from the practice of nursing for a period of period of six (6) months from the effective date of such agreement. Subject to Paragraph 4 and Paragraph 5 of this Order, such suspension shall be stayed provided that RESPONDENT remains fully compliant with this Agreement and/or does not engage in conduct or commit acts that would constitute a further ground for discipline.

3. Terms of Conditional License. RESPONDENT shall, from the effective date of this Agreement, be deemed to possess a conditional license for a period of sixty (60) months, pursuant to the Board's authority in WYO. STAT. §33-21-149, and may practice nursing under the terms of RESPONDENT's Registered Nurse License No. RN 25421 previously issued to RESPONDENT, following which she may seek reinstatement without restriction of her license as provided by the Board's Rules, subject to the following additional terms and conditions:
a. Monitoring Program Requirements. RESPONDENT shall be monitored by the
NMP, or other similar entity approved by the Board, for a minimum five (5) year
duration from the effective date of this Agreement and compliant with all terms of
the current (and any subsequent) Monitoring Agreement(s), which are
incorporated herein by this reference.

(1) RESPONDENT shall promptly provide the Board with any and all
modifications to her Monitoring Agreement(s), as well as any change in
her employment status, change in contact information, and any violation
of this Agreement.

(2) RESPONDENT shall submit to random drug screens, which should
include screening for all commonly prescribed opioids and synthetic
opioids, which, if positive, shall constitute a relapse. The screen should
also be able to detect diluents and common adulterants designed to skew
results, and confirmed detection of an adulterant shall be treated as a
relapse. RESPONDENT shall also make timely notification to the NMP
of medically authorized prescriptions as required by the NMP.

(3) For purposes of this Agreement, “relapse” in combination with a stated
level shall have the following meanings:

(A) Level I – Failure to attend therapy meetings (including Caduceus
or 12-Step), dishonesty, lying, not providing required reports, or
other behavioral concerns.

(B) Level II – Detected drug or alcohol use not in the context of
professional nursing practice (i.e., positive drug test but no
evidence of impaired practice or workplace diversion).

(C) Level III – Substance reuse/abuse within the context of nursing
practice (i.e., diversion in the workplace, sharps container in the
car, caught in the act of self-administering, etc.).

The NMP, or other similar entity approved by the Board, shall be
obligated to report to the Board any Level I, II or III relapse (as defined
below) and change in contact information.

(4) RESPONDENT shall attend a minimum of three (3) Alcoholics
Anonymous (AA) or Narcotics Anonymous (NA) meetings per week, and
at least monthly attendance at Caduceus meetings or other impaired
professional support program groups meeting weekly, approved by NMP,
or such similar monitoring services entity approved by the Board or its
designee, and on a monthly basis will submit initialed documentation of
attendance to her supervisor(s) and/or designated worksite monitor(s), as
well as NMP, or such similar monitoring services entity approved by the
Board.

[CONTINUED ON FOLLOWING PAGE]
b. Restrictions on Dispensing or Administering Controlled Substances. RESPONDENT will not sign out, dispense or administer controlled substances without direct supervision for at least twelve (12) months, which may be subject to minimal supervision for a subsequent twelve (12) month period, and removal of restrictions for the remaining duration of this Agreement, provided no events or other causes indicate a need for direct supervision and, prior to the end of such periods, a qualified substance abuse professional approved by PETITIONER must verify, in writing, that RESPONDENT has complied with the terms of this Agreement, and in the evaluator’s opinion, RESPONDENT is ready to assume greater responsibility for the administration of controlled substances with less supervision.

(1) For purposes of this Agreement, “direct supervision” means that a supervising RN, or other approved health care professional, actually observes RESPONDENT removing and signing the log for all controlled substances and that the RN (or Board designate) shall conduct random checks to assure accurate delivery of controlled substances by RESPONDENT to patients and the RN shall verify logs for controlled substances and take all additional reasonable measures to ensure the same are being delivered as prescribed when administered by RESPONDENT, and “minimal supervision” means an RN, or other approved health care professional, shall check the accuracy of the controlled substances at the end of each of RESPONDENT’s working shifts.

(2) During any period in which RESPONDENT is not employed in a nursing practice capacity, this subparagraph will be tolled for such period, in order that RESPONDENT’s initial authority to dispense or administer controlled substances with direct supervision will be maintained for at least twenty-four (24) months.

(3) A reported Level II or Level III Relapse by any source while under minimal supervision, including the NMP, shall result in RESPONDENT’s authorization to continue to dispense or administer controlled substances to be subject to direct supervision.

c. Worksite Monitor. In addition, within fifteen (15) days of her execution of this Agreement, or immediately upon obtaining nurse related employment, RESPONDENT shall obtain the appropriate executions of the WORKSITE MONITORING AGREEMENT attached hereto as Appendix A, of each of her worksite monitor(s) or other individual who provides supervision.

d. Additional Reporting/Update. RESPONDENT shall provide PETITIONER with a written report on at least an annual basis, or such other regular intervals required by the NMP, representing RESPONDENT’s progression and education in substance abuse recovery.

[CONTINUED ON FOLLOWING PAGE]
e. **Substance Abuse Evaluations.** RESPONDENT shall provide PETITIONER with a written report on an annual basis representing a clinical substance abuse evaluation or assessment report by a qualified substance abuse professional acceptable to PETITIONER, including a clinical diagnosis (DSM-IV) of drug or alcohol abuse or chemical dependency, and which should also include an updated analysis and discussion regarding the status of RESPONDENT's treatment or recovery program and a prognosis for continued sobriety or relapse, including recommended services or support.

f. **Further Psychiatric/Psychological Evaluation/Treatment.** In addition, RESPONDENT shall obtain psychiatric or/psychological evaluations and participate in treatment as recommended. RESPONDENT further shall provide the Board with a written report of such psychiatric and/or psychological evaluations, which shall be updated at least annually.

g. **Authorizations.** RESPONDENT shall duly execute any medical information releases or other consents that further the objectives of this Agreement.

h. **Notifications to Present/Future Employers.** RESPONDENT shall notify in writing any health care employer of the status of her conditional license and the terms and conditions of this Order. RESPONDENT shall work only in a setting in which direct supervision by a registered professional nurse is provided. RESPONDENT is further prohibited from practicing nursing in any traveling nurse practice, as well as any hospice, home health or community health care setting. In the event RESPONDENT relocates or obtains new or different employment, RESPONDENT shall promptly notify PETITIONER of the same.

4. **Additional Training Requirements.** RESPONDENT further agrees to complete continuing education training described below, or such other alternative similar training approved by the Board, and provide PETITIONER with documentation of completion of the following National Council of State Boards of Nursing, Inc. ("NCSBN") courses (or the substantial equivalent, which shall require prior approval by PETITIONER) within ninety (90) days following the execution of this Agreement:

   (X) Professional Accountability [5.4 contact hours]
   (X) Ethics of Nursing Practice [3.3 contact hours]
   (X) Critical Thinking [3.6 contact hours]

RESPONDENT's license shall become suspended for failure to comply with this Paragraph within the time for compliance and remain suspended until the Board receives documentation of its completion.

[CONTINUED ON FOLLOWING PAGE]
5. **Further Discipline from Significant Violation.** A significant violation of the terms of this Agreement, or a monitoring agreement with the NMP, or other similar entity approved by the Board, as well as the WORKSITE MONITORING AGREEMENT, shall constitute independent grounds for PETITIONER to seek further disciplinary action, and that RESPONDENT should immediately refrain from further practice of nursing and her license shall be immediately suspended pending further order of the Board. A “significant violation” within the meaning of this subparagraph includes, but is not limited to any of the following occurrences:

   a. RESPONDENT has either a Level II or Level III relapse, or the NMP, or other similar entity approved by the Board, reports, either a Level II or Level III relapse in violation of RESPONDENT’s monitoring agreement;

   b. RESPONDENT obtains any prescription of a controlled substance without alerting or notifying NMP, or other similar entity approved by the Board, within twenty-four (24) hours of issuance of such prescription;

   c. A positive screen of any controlled substance for which RESPONDENT does not possess a valid prescription.

6. **Reporting by Board of Discipline.** This Agreement also shall become a part of RESPONDENT’s permanent record with the Board. It, as well as the information that is part of Case/Docket No. 08-9-332, constitutes public records within the meaning of the Wyoming Public Records Act [Wyo. Stat. § 16-4-201 et seq.] and, therefore, upon proper request shall be available for inspection and dissemination in accordance with or except as otherwise provided by applicable state and/or federal law, and the conditions imposed on RESPONDENT’s Registered Professional Nurse License, RN 25421, for discipline, shall be reported to such public or private entities as required by law, including but not limited to the Healthcare Integrity and Protection Data Bank (“HIPDB”) and the Office of Inspector General (“OIG”), as well as reporting to the NCSBN, which may be accessed under the “NURSYS” web portal by authorize persons or entities.

7. **Continuing Jurisdiction.** The Board shall retain continuing jurisdiction in this matter to take further action as may be necessary to conclude this matter or other actions permitted by law.

8. **Reinstatement of License.** If RESPONDENT seeks to have complete reinstatement of her Registered Professional Nurse License, RN 25421, RESPONDENT shall submit her application no later than ninety (90) prior to the expiration of this Agreement, and along with her application for reinstatement, RESPONDENT shall also provide the Board or its designee a clinical diagnosis (DSM-IV) of drug or alcohol abuse or chemical dependency, including an update of the information and recommendations indicated in the initial report such report should include an updated analysis and discussion regarding the status of RESPONDENT’s treatment or recovery program and a prognosis for continued sobriety or relapse, including recommended services or support, as well as any recommended psychiatric or psychological reports, which shall serve as a basis upon which any request for reinstatement shall be considered and RESPONDENT shall apply as otherwise provided the Board’s Rules.

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IN THE DISCIPLINARY MATTER OF KRISTINA GOSSMAN, RN 25421-- Docket No. 08-9-332
SETTLEMENT AGREEMENT, STIPULATION AND ORDER FOR CONDITIONAL LICENSE
Page 12 of 14
9. Waiver of Contested Case Hearing. RESPONDENT’s execution of this Agreement includes her full waiver of any contested case hearing to which she is entitled pursuant to the NPA and the WAPA.

10. Effective Date; Enforcement. This Agreement shall become effective upon full and complete execution by all signatories below. This Agreement constitutes the full and entire understanding between the parties, including RESPONDENT, PETITIONER and the Board. This Agreement shall be enforceable in the Laramie County District Court in and for the State of Wyoming according to the laws of the State of Wyoming.

11. Entire Agreement. RESPONDENT’s execution of this Agreement includes her representation and acknowledgement that she has read and understands the terms and conditions of this Agreement, has been given an opportunity to consult and/or has consulted with counsel of her choice, and accordingly voluntarily enters into this Agreement of her own choosing and shall be bound by the terms and conditions thereof, until the Board issues any order to the contrary. RESPONDENT has been given no additional inducement to enter into and execute this Agreement. Should any portion of this Agreement be judicially determined to be void, illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

I, Kristina Gossman, RESPONDENT herein, swear that I have read the foregoing Agreement and agree to its terms and conditions as provided above.

AGREED TO AND ACCEPTED BY RESPONDENT

[Signature]
Kristina Gossman

STATE OF WYOMING

COUNTY OF LARAMIE

[Signature]
Kristina Gossman

12/10/10
Date

The foregoing document was subscribed and sworn to before me by
Kristina Gossman, personally known to me or having established his/her
identity by means of sufficient documentation, purporting to be the person signing the document,
and the signature on the foregoing document was made in my presence, on the 16th day of
December, 2010.

My Commission Expires: August 21, 2013

[Signature]
Barbara C. Lucastia
Notary Public

[ADDITIONAL SIGNATURES APPEAR ON THE FOLLOWING PAGE]
AGREED TO AND ACCEPTED BY PETITIONER, DISCIPLINARY COMMITTEE

Kim Williamson, LPN
12/19/10
Kim Williamson, LPN or
Mary Kay Goetter, PhD, RNC, NEA-BC
Disciplinary Committee

APPROVED BY AND FOR THE WYOMING STATE BOARD OF NURSING:

Kris Claussen
1/10/11
President or President’s designee

APPROVED AS TO FORM:

Robert J. Walters
Date
Senior Assistant Attorney General
Approved as to form
Attorney for PETITIONER

APPROVED AS TO FORM:

Loyd E. Smith, Esq.
Date
Mørane & Bostwick, LLC
Attorney for RESPONDENT

IN THE DISCIPLINARY MATTER OF KRISTINA GOSSMAN, RN 25421—Docket No. 08-9-332
SETTLEMENT AGREEMENT, STIPULATION AND ORDER FOR CONDITIONAL LICENSE
Page 14 of 14