

LENORE EPSTEIN (USB 6723)  
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BEFORE THE DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSES OF  
STEVEN KENT BOOTH TO PRACTICE AS  
A REGISTERED NURSE AND TO ACT AS  
A HEALTH CARE ADMINISTRATOR IN  
THE STATE OF UTAH

STIPULATION AND ORDER

Case No. DOPL-OSC-2007-194

Respondent Steven Kent Booth and the Division of Occupational and Professional  
Licensing of the Department of Commerce of the State of Utah stipulate and agree as follows

1. Respondent admits the jurisdiction of the Division of Occupational and Professional  
Licensing ("Division") over Respondent and over the subject matter of this action
- 2 Respondent acknowledges that he enters into this Stipulation knowingly and  
voluntarily
3. Respondent understands that he has the right to be represented by counsel in this  
matter and Respondent's signature below signifies that he has either consulted with an attorney  
or that he waives his right to counsel in this matter

4 A Notice of Agency Action and Order to Show Cause has been issued in this matter Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4)

5. Respondent understands that he is entitled to a hearing before the Utah State Board of Nursing, or other Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which he may be entitled in connection with said hearing Respondent understands that by signing this document he waives all rights to any administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405 and Utah Administrative Code R151-46b-12 through R151-46b-15.

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Division, will be classified as a public document The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's licenses to other persons and entities

7 Respondent admits the following facts are true.

- a On August 4, 2008, the Division entered two orders finding that Respondent had obtained, possessed and used controlled substances which were not legally prescribed to him while working in a home health care setting and had knowingly made false statements to the Division regarding his use and misappropriation of prescription drugs from home health care patients The 2008 Orders placed Respondent's nursing and health care administrator licenses on probation for a period of five years. The orders also imposed terms and conditions on Respondent's licenses, including the requirement that he provide a copy of the 2008 orders to his employer and cause the employer to submit periodic employer reports to the Division.

- b. On August 24, 2010, Respondent was hired by Nevada Regional Medical Center (NRMC) in Nevada, Missouri as Director of Home Health and Hospice. Respondent failed to provide a copy of the 2008 order to NRMC, and failed to affirmatively notify NRMC of the grounds for the 2008 order and the terms and conditions the 2008 Order placed on his nursing and health care administrator licenses.
- c. On December 1, 2010, Respondent submitted an employer report dated November 30, 2010 to the Division. The employer report contained a signature forged by Respondent which indicated that it had been signed by Kim Bastow, RN, a nurse who reported to him in his capacity of Health Care Administrator. Neither Kim Bastow nor any other person at NRMC knew of or signed the employer report.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann § 58-1-501(2)(a) and that said conduct justifies disciplinary action against Respondent's licenses pursuant to Utah Code Ann § 58-1-401(2)(a). Respondent understands that the issuance of the order in this matter is disciplinary action by the Division against his licenses pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2).

9. Respondent agrees that an order shall be entered to extend the period of probation imposed by the 2008 order on his nursing license by a period of two years, and that the terms and conditions of probation on his nursing license which are in effect on the date this order is entered by the Division shall continue throughout the term of his probation unless they are altered in accordance with the terms of the 2008 Order.

10. Respondent acknowledges that his Health Facility Administrator License expired on May 31, 2011, and agrees that if he applies for reinstatement of that license within two years of its expiration or applies for re-licensure at any time thereafter, the Division may consider this

stipulation, the 2008 orders, or any other disciplinary action taken against his professional licenses in considering the application.

11. This Stipulation and Order, upon approval by the Division Director, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director are not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Director and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

12 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice

13. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

14 The terms and conditions of this Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent must comply with all the terms and conditions of this Stipulation immediately.

following the Division Director's signing of the Order page of this Stipulation and Order Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Division. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

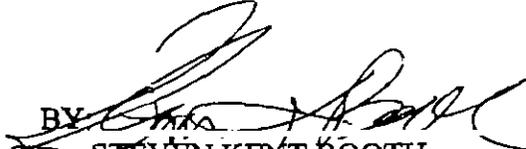
15. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanctions, in the manner provided by law. Such sanctions may include revocation or suspension of Respondent's licenses, or other appropriate sanctions.

16. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

BY   
DAVID TAYLOR  
Bureau Manager

RESPONDENT

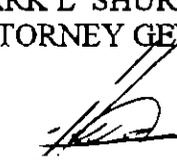
BY   
STEVEN KENT BOOTH  
Respondent

DATE: 8/3/11

DATE: 8/3/2011

MARK L SHURTLEFF  
ATTORNEY GENERAL

BY

  
LENORE EPSTEIN  
Counsel for the Division

DATE

8/3/11

ORDER

THE ABOVE STIPULATION in the matter of Steven Kent Booth is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case

DATED this 4<sup>TH</sup> day of August, 2011.

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING



*for*  
W. Ross Walker  
MARK B. STEINAGEL  
Director