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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF	)	<b>SURRENDER</b>
<b>DESIRAE LARSON</b>	)	<b>STIPULATION AND ORDER</b>
TO PRACTICE AS A	)	
REGISTERED NURSE	)	CASE NO DOPL 2008- 293
IN THE STATE OF UTAH	)	

**DESIRAE LARSON** (“Respondent”) and the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah (“Division”) stipulate and agree as follows

- 1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action
- 2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

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

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent understands that this Stipulation and Order, if adopted by the Director of 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 license, to other persons and entities

7 Respondent admits the following facts are true

- a Respondent was first licensed as a registered nurse in the State of Utah on or about March 10, 2000 Respondent entered into a Stipulation and Order in DOPL Case No 2007-208 which became effective on or about October

1, 2007 in which Respondent admitted to wrongfully obtaining and ingesting controlled substances without a valid prescription

- b On or about July 7, 2008 staff at a Utah hospital where Respondent is employed observed Respondent carrying a diaper bag into a room where controlled substances and other medications were stored on several occasions. One of the staff confronted Respondent about what was in the diaper bag. The staff member found that Respondent had taken numerous controlled substances, including morphine, and legend drugs including Ketorolac. Respondent did not possess a valid prescription for the drugs contained in the diaper bag, nor did she obtain them lawfully from a prescribing practitioner. Respondent's employment at the hospital was suspended.
- c Respondent failed to comply with the terms and conditions contained in the Stipulation and Order in DOPL Case No. 2007-208.
- d Respondent desires to surrender Respondent's license to practice as a registered nurse in the State of Utah.

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 license pursuant to Utah Code Ann. § 58-1-401(2)(a). Respondent hereby surrenders Respondent's license to practice as a registered nurse in the State of Utah. Respondent agrees that the issuance of the Order in this matter constitutes disciplinary action by the Division pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2)(a) and (b). Respondent agrees not to reapply for licensure as a nurse in the State of Utah for a period of five years from the date the Division Director signs this Stipulation and Order. The Division does not guarantee that any future application by Respondent for licensure will be granted. If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as a nurse in the State of Utah. Respondent

understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter Respondent acknowledges that the Director is 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 Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification

10 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

11 If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law

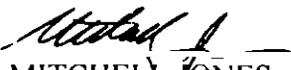
12 Respondent has read each and every paragraph contained in this Stipulation and Order Respondent understands each and every paragraph contained in this Stipulation and Order Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

BY   
LAURA POE  
Bureau Manager

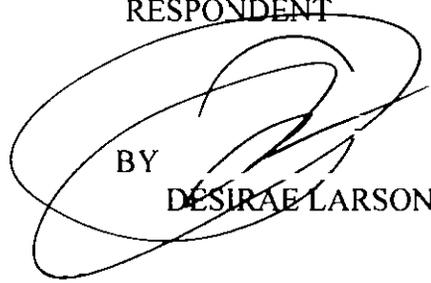
DATE 12-17-08

MARK L. SHURTLEFF  
ATTORNEY GENERAL

BY   
L. MITCHELL JONES  
Counsel for the Division

DATE 16 Dec 2008

RESPONDENT

  
BY  
DESIRAE LARSON

DATE 12 18 / 08

**ORDER**

THE ABOVE STIPULATION, in the matter of **DESIRAE LARSON**, 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 issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2)(a) and (b). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 17 day of December, 2008

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING



F DAVID STANLEY  
Director

Investigator Irene Woodford