

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber M Wells Building
160 East 300 South
P O Box 146741
Salt Lake City UT 84114-6741
Telephone: (801) 530-6628

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	:	NOTICE OF AGENCY ACTION
CARRIE NAN FRAMPTON	:	AND ORDER TO
TO PRACTICE AS A	:	SHOW CAUSE HEARING
REGISTERED NURSE	:	Case No
IN THE STATE OF UTAH	:	DOPL-OSC-2009-406

THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING TO
Carrie Nan Frampton("Respondent"), Orem UT
84058:

The Division of Occupational and Professional Licensing ("the Division") hereby files this Notice of Agency Action and Order to Show Cause Hearing. Said action is based upon the Division's Verified Motion for Order to Show Cause, a copy of which is attached hereto and incorporated herein by reference.

The adjudicative proceeding designated herein shall be conducted on a formal basis. It is maintained under the jurisdiction and authority of the Division as set forth in §58-1-401(2). Pursuant to Utah Code Ann §§ 63G-4-204(1) and 63G-4-102(9), and for good cause appearing, **you are required to file a written response with the Division within twenty (20) days of the mailing date of this notice.** The response you file may be helpful in clarifying, refining or narrowing the facts and violations alleged in the Verified Motion for Order to Show Cause. Your written response should be mailed to the following address: Division of Occupational and Professional Licensing, Attn Disciplinary Files, 160 East 300 South, PO Box 146741, Salt Lake City UT 84114-6741.

You may represent yourself or be represented by legal counsel, at your own expense, at all times while this action is pending. Your legal counsel shall file with the Division an Entry of Appearance of Counsel and until that Entry of Appearance is filed, the presiding officer will deal directly with you.

Based upon the allegations in the Division's Verified Motion for Order to Show Cause that you have violated an Order of the Division and have thereby engaged in unprofessional conduct, and good cause appearing, you are hereby ordered to appear at the date, time and place set forth below to show cause why your license to practice as a registered nurse in the State of Utah should not be suspended, revoked, or subjected to further disciplinary action.

You are entitled by law to an evidentiary hearing regarding this Order to Show Cause as to why your license to practice as a registered nurse in the State of Utah should not be suspended, revoked or subjected to further disciplinary action. Unless otherwise specified by the Director of the Division, the Board of Nursing will serve as fact finder in the evidentiary hearing.

Notice is hereby given that said hearing will be held on the following date and time in Conference Room 474, of the Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.

Thursday, September 8, 2011

2:00 p.m.

During the evidentiary hearing, you will have the opportunity to present evidence, argue, respond, conduct cross-examination and submit rebuttal evidence to the fact finder. After the hearing, unless otherwise specified by the Director of the Division, the fact finder will issue findings of fact, conclusions of law and a recommended order to the Director of the Division of Occupational and Professional Licensing for his review and action.

The presiding officer for purposes of conducting hearings will be J. Steven Eklund, Administrative Law Judge, Department of Commerce, who will preside over any evidentiary issues and matters of law or procedure. If you or your attorney have any questions as to the procedures relative to the hearing, Judge Eklund can be contacted at P O Box 146701, Salt Lake City, UT 84114-6701. His telephone number is (801) 530-6648.

Upon your timely filing of a written response to this Notice of Agency Action and Order to Show Cause as set forth above, Judge Eklund will conduct a prehearing conference with you or your attorney and counsel for the Division at the request of either party. At that prehearing conference Judge Eklund will determine the extent to which this action is contested and will make such orders as deemed appropriate.

Counsel for the Division is L. Mitchell Jones, Assistant Attorney General, at (801) 366-0310 or P O Box 140872, Salt Lake City, UT 84114-0872.

You or your attorney may attempt to negotiate a settlement of this case without proceeding to a hearing by contacting Mr. Jones.

Should you fail to timely file a written response as set forth above, or fail to attend or participate in any scheduled hearing in this case, including any prehearing conference(s), you may be held in default without further notice to you. If you are held in default, the maximum administrative sanction consistent with the terms of this Order to Show Cause may be imposed against you. The maximum administrative sanction in this case is revocation of licensure.

Please conduct yourself accordingly.

Dated this 28th day of June, 2011.

W. Ray Walker
W. Ray Walker
Regulatory & Compliance
Officer



L MITCHELL JONES (#5979)
Assistant Attorney General
MARK L SHURTLEFF (#4666)
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FAX Number (801) 366-0315

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 **CARRIE NAN FRAMPTON**
TO PRACTICE AS A
REGISTERED NURSE
IN THE STATE OF UTAH

MOTION FOR OF ENTRY
OF DEFAULT ORDER

Case No DOPL-OSC-2009-406

Pursuant to Utah Code Ann § 63G-4-209, the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah by and through its counsel, L Mitchell Jones, Assistant Attorney General, hereby moves for entry of a default order granting relief requested in its Verified Petition and Notice of Agency Action in DOPL Case No OSC 2009-406, in the above-entitled matter Said motion is based on the following grounds

1 On or about June 28, 2011, a copy of the Notice of Agency Action and the Verified Petition herein were mailed via the United States Postal Service, First Class mail postage

prepaid, and by certified mail, to Carrie Nan Frampton, 933 South 50 West, Orem, UT, 84058, the current address for Respondent on record with the Division. The certified mailing was returned to the Division showing that Carrie Frampton had signed for and received the mailing on June 30, 2011. The first class mailing was not returned to the Division.

2 Respondent has failed to answer the Notice of Agency Action and Verified Petition, or in any way respond in writing or defend in writing, within 30 days since the date of mailing, as required by Utah Code Ann. § 63G-4-204(1) and § 63G-4-102(9), Utah Administrative Code Rule 151-46b-7(5)(a) and (c), and the terms of the Notice of Agency Action. An Affidavit of Non-Response, containing a sworn statement by Carol Inglesby, attesting to the fact that Respondent has not filed a timely response with the Division, in support of this Motion, is attached hereto and by this reference made a part hereof as Exhibit A.

3 The Notice of Agency Action and Order to Show Cause mailed to Respondent contained the following statement:

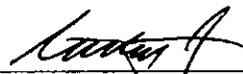
Should you fail to timely file a written response as set forth above, or fail to attend or participate in any scheduled hearing in this case, including any prehearing conference(s), you may be held in default without further notice to you. If you are held in default, the maximum administrative sanction consistent with the terms of this Verified Petition may be imposed against you. The maximum administrative sanction in this case is revocation of licensure.

4 The State requests that the Respondent's license to practice as a licensed practical nurse in the State of Utah be revoked, along with any residual rights pertaining to said license, in the default Order

5 WHEREFORE, Petitioner moves the Court to enter a default order pursuant to Administrative Code R151-46b-10(11)(a)(i), (ii), and (iii)

DATED this 26th day of July, 2011

MARK SHURTLEFF
Attorney General



L MITCHELL JONES
Assistant Attorney General