

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber Wells Building
160 East 300 South, 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 LICENSES OF)	NON-DISCIPLINARY CNM
_____)	SURRENDER STIPULATION
TO PRACTICE AS A)	AND ORDER REINSTATING
CERTIFIED NURSE MIDWIFE)	REGISTERED NURSE
AND TO ADMINISTER AND PRESCRIBE)	LICENSE
CONTROLLED SUBSTANCES)	
IN THE STATE OF UTAH)	

_____ (“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 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 R151-4-901 through R151-4-907. 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 acknowledges 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 to other persons and entities.

6. Respondent admits the following facts:

- a. Respondent is currently licensed to practice as a certified nurse midwife (“CNM”) in the State of Utah.
- b. Respondent desires to surrender Respondent’s CNM license and controlled substances license, along with all residual rights to said licenses, in order that the Division will immediately reinstate Respondent’s license to practice as a registered nurse in the State of Utah.
- c. Respondent is not currently practicing as an CNM and does not meet the renewal requirements for an CNM license.

7. Respondent hereby surrenders Respondent’s licenses to practice as a certified nurse midwife and to administer and prescribe controlled substances in the State of Utah, along with all residual rights to said license. The Division shall immediately issue Respondent a license to practice as a registered nurse in the State of Utah.

8. If Respondent reapplies for licensure as a CNM in the future, Respondent may or may not qualify for licensure at the time of application. Respondent will be required to meet the

current requirements for licensure at the time of application. The Division does not guarantee that any future application for licensure will be granted.

9. This Stipulation and Order is not a finding of unprofessional or unlawful conduct, nor is it disciplinary action against Respondent. The Division retains jurisdiction to subsequently initiate disciplinary proceedings for any conduct Respondent may have engaged in prior to the effective date of this Stipulation and Order or may engage in subsequent to the effective date of this Stipulation and Order.

10. 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 the Respondent waive any claim of bias or prejudice they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

11. 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.

12. 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.

13. 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

RESPONDENT

BY: _____
Bureau Manager

BY: _____

DATE: _____

DATE: _____

ORDER

THE ABOVE STIPULATION, in the matter of _____, 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 _____ day of _____, 2015.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

MARK B. STEINAGEL
Director