

**State of New Hampshire
New Hampshire Board of Nursing
Concord, New Hampshire 03301**

In the Matter of:
April Hartley
License #089757-21

Docket No. 2023-NUR-Hartley-0717&0717A

VOLUNTARY PRELIMINARY AGREEMENT NOT TO PRACTICE

The New Hampshire Board of Nursing (“Board”) first granted April Hartley (“Ms. Hartley or Respondent”) a license to practice as a Registered Nurse (“RN”) on 10/10/2022 (#089757-21).

On or about 5/1/2023 the OPLC Division of Enforcement received a complaint from the Respondent’s contracted hospital employer alleging that on or about 4/28/2023, while performing her duties as an RN in the ICU, the Respondent engaged in diversion of a controlled substance, to wit, Propofol, without authority to do so. Additionally, during the investigation by the contract employer, it was discovered the Respondent had possession of other “unlabeled medications”.

On 5/5/2023, The Respondent’s staffing agency, AHS Staffing, filed a complaint with the Board and the Division of Enforcement outlining the same information contained in the paragraph above. A referral was made to the NH Professionals Health Program by the contracted employer.

The above-mentioned action(s) constitute a possible violation or violations of the Nurse Practice Act, RSA Chapter 326-B. Realizing a complaint and investigation are pending before the Board, the Respondent agrees to enter into a *Voluntary* Preliminary Agreement Not to Practice with the Board as follows:

*In the Matter of April Hartley
2023-NUR-Hartley-0717 & 0717A
NH Board of Nursing
Voluntary Preliminary Agreement Not to Practice*

1. I, April Hartley, voluntarily agree not to practice as a RN, effective upon my signing this *Voluntary Preliminary Agreement Not to Practice*.
2. I admit to no violations of NH RSA 326-B or any administrative rules, ethical provisions, or any other laws, statutes, or regulations, adopted by the Board.
3. Understanding that this *Voluntary Preliminary Agreement* and the restrictions herein shall remain until further order of the Board. I hereby specifically waive any statute of limitations, or laches defense, which might be then available, including but not limited to, those based on RSA 332-G: 8 and RSA 332-G: 9.
4. I understand that this *Voluntary Preliminary Agreement Not to Practice* shall remain in place until such time the ongoing investigation into this matter is completed and the adjudicatory process has been completed.
5. I understand I will cooperate and meaningfully participate with the New Hampshire Professionals Health Program (“NHPHP”), and fulfill all requirements and recommendations set forth by the NHPHP.
6. I understand before returning to my duties as a RN, I will have to appear before the Board at a hearing to demonstrate satisfaction of requirements set forth by the NHPHP along with a recommendation by the NHPHP.
7. In the event that I apply for a renewal of my license while this agreement is in effect, I voluntarily agree to waive any statutory or administrative time deadlines regarding the Board’s final action on any such license renewal application. I understand that by waiving such deadlines, the Board’s final action on any such license renewal application will be automatically deferred until after the disposition of this Board

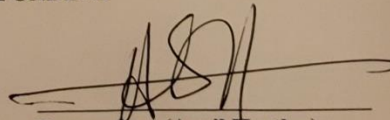
*In the Matter of April Hartley
2023-NUR-Hartley-0717 & 0717A
NH Board of Nursing
Voluntary Preliminary Agreement Not to Practice*

matter and that my license will not expire while this Preliminary Agreement is in effect.

8. I enter into this *Voluntary Preliminary Agreement Not to Practice* with the Board and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.
9. I further understand that this document shall become a permanent part of my file and will be maintained by the Board as a public document upon execution by the Board as a Board Order and will be reported out as an adverse action against my license.
10. I have had the opportunity to seek and obtain the advice of an attorney of my choosing in connection with my decision to sign this Preliminary Agreement.
11. I am of sound mind and not under the influence of any substance that would impair my judgement at the time I sign this *Voluntary Preliminary Agreement Not to Practice*.
12. I understand that my failure to comply with the terms of this *Voluntary Preliminary Agreement Not to Practice* shall constitute unprofessional conduct under RSA 326-B: 37 and may subject me to discipline under RSA 326-B: 37.

FOR RESPONDENT

Date: 05/23/22


Respondent (April Hartley)

*In the Matter of April Hartley
2023-NUR-Hartley-0717 & 0717A
NH Board of Nursing
Voluntary Preliminary Agreement Not to Practice*

FOR THE BOARD

This *Voluntary Preliminary Agreement Not to Practice* is hereby accepted in accordance with the binding terms and conditions set forth above and shall issue as an Order of the Board upon execution by the Board.

Date: 5/31/2023



(Signature)

Michael R. Gianunzio

Print Name

Authorized Representative of the New
Hampshire Board of Nursing