

**STATE OF NEW HAMPSHIRE  
OFFICE OF PROFESSIONAL  
LICENSURE AND CERTIFICATION**

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**BOARD OF NURSING**

**In Re: Elizabeth Frost, RN  
RN Lic. # 084140-21**

Docket No.: 2022-NUR-003

**ORDER OF EMERGENCY  
SUSPENSION - 10/27/22**

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**I. CASE SUMMARY/PROCEDURAL HISTORY:**

On 10/27/22, the Board of Nursing (“Board”) reviewed three letters from Dr. Molly Rossignol of the New Hampshire Professional Health Program (“NHPHP”) to the Board dated 09/28/22, 10/06/22, and 10/14/22. The letters generally allege that Elizabeth Frost (“Licensee”) recently relapsed, had not followed her NHPHP Monitoring Agreement in other respects, and then moved to Virginia and failed to follow through with participating in the State of Virginia Monitoring Program after signing its contract. In January of 2022, the Board had previously voted to emergently suspend the Licensee’s license after receiving a speed memorandum from NURSYS indicating the Licensee had surrendered her license in Arizona and had her license suspended in Washington based upon substance use allegations of misconduct occurring in Arizona. After a hearing in February of 2022, the Board overturned its decision upon learning the Licensee was currently in compliance with NHPHP. On 10/27/22, the Board voted to suspend the Licensee’s license on an emergency basis pursuant RSA 541-A:30(III), RSA 310-A:1-m, RSA 326-B:37(IV), N.H. Code Admin. R., Title Nur 402.03(a) (“Rules”), and/or N.H. Code Admin. R., Title Plc 206.07 (“Plc”) and initiate a reciprocal disciplinary proceeding. This Order of Emergency Suspension follows.

**II. LEGAL STANDARD:**

“In cases involving imminent danger to public health, safety, or welfare, the board may order the immediate suspension of a license pending an adjudicative proceeding.” RSA 326-B:37, IV. The Board has further interpreted that to mean: “[w]hen the board receives information indicating that a licensee has engaged misconduct that poses an immediate danger to public health, safety, or welfare, the board shall, pursuant to RSA 326-B:37, IV, immediately suspend such person’s license ...” Rule 402.03(a).

**II. EVIDENCE PRESENTED AND FINDINGS OF FACT:**

**A. Evidence Presented**

The Board was presented with and/or considered the following evidence: 1) 09/28/22 Letter from NHPHP to the Board; 2) 10/06/22 Letter from NHPHP to the Board; 3) 10/14/22 Letter from NHPHP to the Board; 4) 10/06/22 Email from Licensee to NHPHP, Board, and OPLC. The Board took administrative Notice of the previous orders, pleadings, and documentation pertaining to Docket Number 2022-NUR-003. The Board also relied on its medical expertise and knowledge of the field of nursing. A review of the credible evidence presented, and the reasonable inferences taken therefrom, allows the Board to make the following findings of fact.

**B. Findings of Fact**

The Licensee is actively licensed in New Hampshire as a registered nurse with license number #084140-21 and until recently she was working in New Hampshire as a nurse and under the monitoring of NHPHP stemming from disciplinary action taken against her in the state of Arizona and Washington. In January of 2022, the Board emergently suspended the Licensee’s license after receiving a speed memorandum from the NURSISYS informing it that the Licensee had voluntarily surrendered her license in Arizona in relation to allegations of misconduct that she had participated in criminal activity while under the influence of alcohol. The Licensee also had her Washington license suspended after she failed

to appear and/or respond to the State of Washington in relation to the misconduct that occurred in Arizona. At the time the Board emergently suspended the Licensee, it was unaware of her whereabouts and the Licensee had not reported her discipline and remained actively licensed in New Hampshire. After an emergency suspension hearing in early February of 2022, the Board removed the Licensee's emergency license suspension upon learning that she was successfully participating in the NHPHP Monitoring Program. No further action was taken in Docket Number 2022-NUR-003 at that time.

More recently the Board has received three letters from NHPHP in relation to the Licensee on 09/28/22, 10/06/22, and 10/14/22, respectively. The first alleges the Licensee relapsed and moved to Virginia where she is not practicing nursing or licensed. The second alleges non-compliance with the NHPHP Monitoring Program with respect to testing and use of breathalyzer but that the Licensee had agreed to work with the Virginia Monitoring Program. The third letter alleges the Licensee had contracted with the Virginia Monitoring Program but had not implemented an agreement for them to take over monitoring services from NHPHP. Additionally, it mentions that the Licensee had not followed through with recommendations of the Virginia Monitoring Program or been subjected to any testing by it. NHPHP expressed its concerns about the Licensee's safety in practicing as a nurse given her recent history.

On 10/06/22, the Licensee sent a letter to NHPHP, OPLC, and the Board challenging NHPHP's representations in its letter of 10/06/22 by stating that the reason she had not taken the breathalyzer was that she was seeking legal advice.

#### **IV. DISCUSSION AND CONCLUSIONS OF LAW:**

The Board finds there is a reasonable basis to suspend the Licensee's RN New Hampshire license on an emergency basis. The central facts are straightforward— Licensee has a significant substance use history, has recently relapsed and otherwise failed to abide by her monitoring agreement, is not following through with the recommendations of her substance use treatment providers, is actively licensed in the

state of New Hampshire, and NHPHP's provider believes she poses a danger to the New Hampshire public were she to practice nursing. These facts indicate that the Licensee poses an imminent threat to the public health, safety, or welfare. The Licensee's conduct, on its face, therefore, warrants immediate emergency suspension of her license pursuant to RSA 541-A:30(III) and RSA 326-B:37(IV), pending a follow-up emergency suspension hearing. Pursuant to the requirements of Rule 402.03(a), such conduct also appears, on its face, that it may be misconduct as defined at RSA 326-B:37, II(o), (p)(1), and/or (q)(2).

**IV. ORDERS:**

Pursuant to RSA 541-A:30(III), RSA 310-A:1-m, and 326-B:37(IV), the Board hereby orders the immediate emergency suspension of Elizabeth Frost's license as an RN, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 10/28/2022

\_\_\_\_\_/s/ Nikolas Frye, Esq.\_\_\_\_\_  
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