

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

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**BOARD OF NURSING**

**In Re: Johanna Simonen,  
Applicant for RN Reinstatement  
License #: RN 067114-21**

Docket No.: 2022-NUR-0048

**FINAL SHOW CAUSE ORDER  
AND APPROVAL – 12/09/22**

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**I. ATTENDEES:**

Samantha O'Neill, Chair and Board Member  
Melissa Underhill, Board Member  
Melissa Tuttle, Board Member  
Wendy Stanley Jones, Board Member  
Matthew Kitsis, Board Member  
Maureen Murtaugh, Board Member  
Michele Melanson-Schmitt, Board Member  
Jeanne Webber, Administrator  
Ashley Czechowicz, Administrator  
Johanna Simonen, Applicant  
Attorney Lauren Warner, Board Counsel  
Attorney Nikolas K. Frye, OPLC Hearings Examiner and Presiding Officer

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

On or about 09/15/22, the Office of Professional Licensure and Certification (“OPLC”) received a completed temporary RN application through reinstatement from Johanna Simonen (“Applicant”) on behalf of the New Hampshire Board of Nursing (“Board”). On 10/27/22, due to concerns about the Applicant’s disciplinary history in New Hampshire and in other states, the Board voted to commence a show cause hearing. The purpose of the hearing is to obtain clarification on the past disciplinary action, the Licensee’s status, and determine if the Applicant meets the qualifications for licensure as an RN through reinstatement. Accordingly, the Board sent a Notice of Hearing to the Applicant, and then held a

final show cause hearing on 12/09/22 at 2:30 pm est. Pursuant to N.H. Code Admin. R., Nur 208.01(b) ("Rules"), Nikolas K. Frye, Esq. was appointed by the Board to act as presiding officer.

### **III. PRELIMINARY MATTERS:**

The burden of proof was placed on the Applicant to establish by a preponderance of the evidence at this non-disciplinary hearing that:

she is eligible for licensure as an RN through reinstatement pursuant to RSA 326-B:16, RSA 326-B:23, and Rules 401.01, 401.02, and 401.03, by demonstrating sufficient evidence of good professional character, where she has past disciplinary action in New Hampshire and other jurisdictions and ultimately lost her license to practice in each state.

NOH at II.d.1.

The Applicant supplied the following documentation, which was accepted as full exhibits: 1) Application and supporting documentation; 2) Dosing History 09/26/22 to 11/30/22 **SEALED**; 3) Letter from the Applicant Received 11/30/22 **SEALED**; 4) Anaheim Light House Letter dated 09/15/22 **SEALED**; 5) 01/08/20 Letter from Rola Jreisat, Recovery Solutions of Santa Ana **SEALED**; 6) Letter from Melissa Shively of Recovery Solutions dated 04/05/22; 7) Patient Drug Screen Results 12/04/19 -05/03/22 **SEALED**; 7) Letter from Paul Shea dated 12/20/21; 8) Tox History 10/03/22 through 11/17/22 **SEALED**; 9) 12/01/22 Treatment Verification Letter from Health Care Resource Centers and accompanying Documentation "Service by Client" **SEALED**.

The hearing was held in non-public pursuant to RSA 310-A:1-1, I, after the Board determined there was good cause to do so in accordance with RSA 91-A:3, II(c), namely the Applicant's substance use history.

### **IV. CONDUCT OF THE HEARING, EVIDENCE PRESENTED, FINDINGS OF FACT:**

The Applicant appeared before the Board on 12/09/22 to discuss her past disciplinary history in New Hampshire and California, as well as other states<sup>1</sup>, and which related to her past substance abuse.

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<sup>1</sup> Reciprocal discipline.

Both the exhibits presented and the Applicant's testimony established that she has maintained sobriety since 2017. It also established that she has, for quite some time, ensured that she has a support system, counseling, monitoring, and medical treatment in place. The documentation related to the Applicant's disciplinary history demonstrate that the last discipline she received from a state was in April of 2016.

**V. CONCLUSIONS OF LAW:**

After reviewing the evidence and accounting for the demeanor and credibility of the witness, the Board finds, by a preponderance of the evidence that she has met her burden of proof that her past disciplinary history does not make her unqualified for licensure for reinstatement as a registered nurse. The facts are clear: she has a substance use history and since 2017 she has been sober and actively addressing her substance use disorder. On those facts, her history should not bar her from obtaining state recognition as a licensed registered nurse in New Hampshire because sufficient restitution has been made. *See RSA 326-B:16, IV and RSA 326-B:23, II.* The Board reminds the Applicant; however, that it cannot grant her license at this time because she has not completed with all of the requirements of Rule 401.03(a) yet. The Board's decision today merely confirms that her past disciplinary history does not preclude her from applying for reinstatement. The Board applauds the Applicant for her hard work and wishes her the best in her endeavors.

**VI. ORDERS:**

The Board hereby declares that the Applicant's past disciplinary history does not preclude her from obtaining state recognition as a licensed registered nurse in New Hampshire. She may continue with her application for reinstatement as a registered nurse and is reminded that she will need to comply with Rule 401.03.

DATED: 12/21/2022

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