

**Before the
New Hampshire Board of Nursing
Concord, New Hampshire 03301**

In the Matter of:
**Jessica Mead, RN
RN Lic. #072511-21**

Docket No.: 2022-NUR-045

VOLUNTARY SURRENDER OF LICENSE

Recognizing that professional misconduct allegations are now pending against me before the Board of Nursing ("Board"), I, Jessica Mead, RN, hereby agree to a voluntary surrender of my New Hampshire RN license (#072511-21), effective upon the date that this document is signed by an authorized representative of the Board.

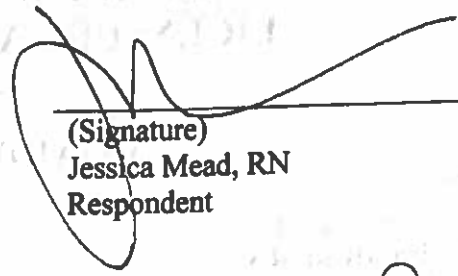
By voluntarily surrendering my nursing RN license, I understand that:

1. I relinquish all rights and privileges to practice as nursing in the State of New Hampshire as defined by RSA 326-B, effective the date that I sign this document.
2. I acknowledge that this *Voluntary Surrender of License* has occurred in settlement of pending misconduct allegations. *See attached Notice.*
3. I acknowledge that I surrendered my RN license in the State of Nevada due to my decision to not complete the conditions of a monitoring agreement.
4. I admit to no violations of any State statutes, rules, or ethical provision, but recognize that the fact that my *Voluntary Surrender of License* will be distributed by the Board as a disciplinary action.
5. This *Voluntary Surrender of License* shall be distributed to all relevant licensing authorities and professional societies in the same manner as a final decision-making specific finding of professional misconduct.
6. This *Voluntary Surrender of License* shall become a permanent part of my file and will be maintained by the Board as a public document.

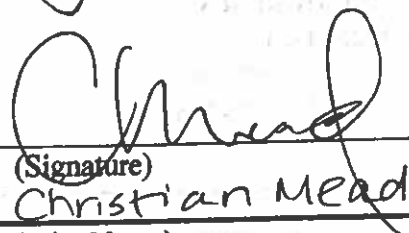
7. In the event I submit an application for licensure under RSA 326-B, I understand that the misconduct allegations identified as issues presented in the attached *Notice* shall be addressed at a Show Cause Hearing in any future licensure application process before the Board at which I shall have the burden of proof. These misconduct allegations may then form the basis for the Board to deny any such application. I hereby specifically waive any statute of limitations or laches defense, which might then be available as to these misconduct allegations, including but not limited to, those contained in RSA 332-G:8 and 9. *See attached Notice.*
8. I voluntarily submit this *Voluntary Surrender of License* to the Board and state that no promises or representation have been made to me other than those terms and conditions expressly stated herein.
9. 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 *Voluntary Surrender of License.*
10. I am not under the influence of any substance that would impair my judgment and am otherwise of sound mind at the time I sign this *Voluntary Surrender of License.*

[end of terms; signatures to follow]

IN WITNESS WHEREOF, I hereby affix my signature on this 8th day of November, 2022.




(Signature)
Jessica Mead, RN
Respondent




(Signature)
Christian Mead

(Print Name)
Witness

ACCEPTED BY THE N.H. BOARD OF NURSING on this 9th day of November 2022.



(Signature)


(Print Name)
Authorized Representative of the
N.H. Board of Nursing

Attachment: Notice of Disciplinary Adjudicatory Hearing Following Emergency License
Suspension – 11/10/22 @ 5:00 PM

6611.22.1

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

BOARD OF NURSING

**In Re: Jessica Mead, RN
RN Lic. # 072511-21**

Docket No.: 2022-NUR-045

**NOTICE OF DISCIPLINARY
ADJUDICATORY HEARING
FOLLOWING EMERGENCY LICENSE
SUSPENSION-
11/10/22 @ 5:00 PM**

I. CASE SUMMARY/PROCEDURAL HISTORY:

On 10/27/22, the Board of Nursing ("Board") reviewed a speed memorandum from the National Practitioner Databank (Nursys) alleging that Jessica Mead ("Licensee") surrendered her RN license in the State of California on 10/12/22 in resolution of allegations of professional misconduct stemming from her failure to comply with the conditions of a monitoring agreement and drug screening in the State of Nevada, where she also surrendered her license. Having no way of knowing the status of the Licensee's sobriety and location and her license being active in New Hampshire, the Board voted to suspend the Licensee's license on an emergency basis pursuant RSA 541-A:30(III), RSA 326-B:37(IV), and N.H. Code Admin. R., Title Nur 402.03(a) ("Rules") and schedule a full disciplinary adjudicatory hearing. This Notice of Disciplinary Adjudicatory Hearing Following Emergency License Suspension follows.

II. ORDERS:

(a) Pursuant to RSA 326-B:37(IV) and N.H. Code Admin. R., Nur 402.03(a) ("Rules"), the Board hereby notifies the parties that it has scheduled a **disciplinary adjudicatory hearing following emergency license suspension** for:

Date: 11/10/22

Time: 5:00 pm

Place: OPLC, 7 Eagle Square, Concord, NH 03301. If you require reasonable accommodations, or wish to participate remotely, you may file a request with the Board.

PLEASE NOTE THAT MULTIPLE HEARINGS ARE SCHEDULED AT THIS TIME. PLEASE ALLOT AT LEAST THREE HOURS OF YOUR TIME Please advise if this hearing is anticipated to last longer than 1 hour by filing a motion stating same and explaining with particularity the necessity for the additional time.

(b) **DISCIPLINARY ADJUDICATORY HEARING FOLLOWING EMERGENCY LICENSE SUSPENSION:** This disciplinary adjudicatory hearing following emergency license suspension shall be conducted pursuant to RSA 326-B:37(IV), Rule 402.03(a), and Rules 402.04(d) and (e). To the extent that the Board's rules do not address an issue of policy or procedures, the Board shall rely upon RSA 541-A and N.H. Admin. R. Ann., Title Jus, Part 800.

(c) **STATUTORY AUTHORITY:** Pursuant to 326-B:38 and Rule 201 et seq., the Board has hereby commenced an adjudicative disciplinary proceeding against Licensee. Pursuant to RSA 326-B:37(IV), there shall be a hearing not later than 10 working days after the date of the agency order suspending the license. Unless expressly waived by the Licensee, if the Board had failed to commence this adjudicative proceeding within 10 working days, it would mean that the suspension order would be automatically vacated.

(d) **ISSUES PRESENTED:** Pursuant to Rule 207.02(b)(2), the following issues shall be considered at the emergency hearing in this matter:

(1) Whether the Licensee can demonstrate why reciprocal discipline should not be imposed in New Hampshire, where the Licensee was disciplined in the State of California and Nevada for allegedly violating the terms and conditions placed upon her RN license in Nevada when she tested positive for illicit substances while on duty and then provided a slew of diluted urine samples as well as failed to submit to random screenings and subsequently surrendered her license in resolution of those claims.

(2) Whether the Licensee should be subject to discipline pursuant to RSA 326-B:37, III that exceeds what has been imposed by the State of Nevada and/or California.

(3) Whether the Licensee committed professional misconduct by failing to report to New Hampshire the California and Nevada disciplinary actions against her and the related underlying violation(s), as required by RSA 326-B:37, II(q)(3).

(4) If a finding of misconduct is made pursuant to RSA 326-B:37, II(q)(3), what if any disciplinary action the Board should take in accordance with RSA 326-B:37, III.

(e) **PRESIDING OFFICER:** Pursuant to Rule 208.01(b), the individual employed by the OPLC as Hearings Examiner (currently Nikolas Frye, Esq.), or any other person whom the Board may designate, shall act as presiding officer in this proceeding.

(f) **HEARING COUNSEL/PROSECUTOR:** Chief Prosecutor (currently John Garrigan, Esq.), OPLC, 7 Eagle Square, Concord, N.H., 03301 (or his designee) is made a party to this

matter, to act as Hearing Counsel with the statutory authority within the scope of RSA 326-B to represent the public interest.

(g) **ATTORNEYS:** Pursuant to Rule 203.01, each party has the right to have an attorney represent them at the party's own expense. Any attorney representing a party shall file a notice of appearance at the earliest date possible, and no later than 3 days prior to this hearing.

(h) **VOLUNTARY EXCHANGE OF DOCUMENTS:** Pursuant to Rule 207.07, the parties shall attempt to forthwith agree among themselves concerning the mutual exchange of relevant information. If these efforts prove unsuccessful, upon motion, discovery shall be further ordered when the parties cannot adequately address said issues voluntarily.

(i) **MOTIONS:** Pursuant to Rule 206.03, parties shall file any motions or other requested relief in this matter with the Board, and provide a copy to the other parties. Unless good cause exists, all motions shall be filed at least ten (10) days before the date of any hearing, conference, event or deadline which would be affected by the requested relief. Any motion to postpone any hearing shall be filed as soon as possible and/or thirty (30) days before the hearing or conference in question.

(j) **OBJECTIONS:** Pursuant to Rule 206.03(d), any responses or objections to motions or other requested relief shall be filed in similar fashion within ten (10) days of receipt of such motion or other requested relief.

(k) **EXHIBITS:** Pursuant to Rule 207.07, parties shall provide a witness list, including a brief summary of their testimony, a list of proposed exhibits, and a copy of any proposed exhibits to the Board and the other parties no later than three (3) days prior to this hearing. Licensee's exhibits shall be pre-marked for identification with capital letters; Hearing Counsel's exhibits shall be pre-marked for identification with Arabic numerals. **THE PARTIES SHALL COME TO THE HEARING PREPARED: WITH COPIES OF THE EXHIBITS AND WITNESS AND EXHIBIT LISTS, WHICH THEY SHALL HAVE REVIEWED.**

(l) **MAILING ADDRESS FOR THE BOARD:** Any and all motions, pleadings, proposed exhibits, or other documents shall be filed with the Board by mailing/delivering them to:

Ashley Czechowicz, Administrator
Board of Nursing
7 Eagle Square
Concord NH 03301
Ashley.R.Czechowicz@oplcnh.gov

(m) **COMMUNICATIONS WITH THE BOARD:** Routine procedural inquiries may be made by contacting Ashley Czechowicz, Administrator. Any other communications with the Board must be in writing and filed as provided above. *Ex parte* communications are specifically forbidden by law.

(n) **EMAIL COMMUNICATIONS:** The parties and the Board have the option to agree to exchange e-mail addresses and the parties may agree that e-mail service of any and all documents going forward shall be considered in compliance with Rule 205.03(c).

(o) **CONTINUANCES:** Pursuant to Rule 207.12, if you are unable to appear at any scheduled hearing, you must request a continuance from the Board in writing and it shall be granted if the presiding officer determines that a continuance would assist in resolving the matter fairly under Rule 207.12(b).

(p) **NON-ATTENDANCE AT HEARING: PURSUANT TO RULE 208.02(F), THE FAILURE OF A PARTY TO APPEAR AT THE TIME/PLACE SPECIFIED ABOVE MAY RESULT IN THE HEARING BEING HELD *IN ABSENTIA* AND THE BOARD MAY ISSUE A FINAL DECISION WITHOUT FURTHER NOTICE OR OPPORTUNITY TO BE HEARD.**

(q) **FURTHER PREHEARING ORDERS: THE PARTIES SHALL UTILIZE THE NUMEROUS SHORTCUTS AVAILABLE IN LITIGATING ADMINISTRATIVE PROCEEDINGS, INCLUDING BUT NOT LIMITED TO: 1) STIPULATION OF FACTS, WHERE POSSIBLE; 2) STIPULATION TO EXHIBITS, WHERE POSSIBLE; 3) BRIEF OFFERS OF PROOF ON NON-STIPULATED FACTS THAT ARE NOT CENTRAL TO THE CASE (BACKGROUND INFORMATION, CHARACTER EVIDENCE, ETC.); 4) USING EXHIBITS TO ADDRESS FACTUAL ALLEGATIONS, WHERE POSSIBLE; 5) USING EXHIBITS TO ADDRESS BACKGROUND INFORMATION AND CHARACTER EVIDENCE IN LIEU OF AN ORAL OFFER OF PROOF ON THOSE MATTERS; 6) PUTTING ANY CLOSING STATEMENT OR LEGAL ANALYSIS IN WRITING, SUCH AS PROPOSED FINDINGS OF FACT AND RULINGS OF LAW. TESTIMONY SHOULD FOCUS ON THE WHETHER OR NOT THE LICENSEE HOLDING A LICENSE PENDING ADJUDICATION OF THIS MATTER PRESENTS AN IMMINENT DANGER TO PUBLIC HEALTH, SAFETY OR WELFARE. IF NECESSARY, THE PRESIDING OFFICER MAY DETERMINE THE ADMISSIBILITY OF EXHIBITS AND WITNESSES, AND/OR PORTIONS OF WITNESS TESTIMONY, AT THE OUTSET OF THE HEARING.**

(r) **PREHEARING CONFERENCE:** A prehearing conference is scheduled in this matter to occur on 11/10/22 at 4:00 PM, OPLC, 7 Eagle Square, Concord, NH 03303. Parties may request to attend via Zoom.

- a. **THE FIRST PORTION OF THE PREHEARING CONFERENCE WILL INVOLVE A RECITATION OF HOW THE ADJUDICATORY PROCEEDING WILL OPERATE AND BE HELD IN PUBLIC.**
- b. **A SECOND PORTION OF THE PREHEARING CONFERENCE WILL INVOLVE THE ISSUES SET FORTH IN RULE 207.06(b) AND BE HELD IN NON-PUBLIC. FURTHER:**

i. THE PARTIES SHALL BE PREPARED TO DISCUSS THE ADMISSIBILITY OF EXHIBITS AND WITNESS TESTIMONY AT THE PREHEARING CONFERENCE.

(s) THE PARTIES SHALL FILE ALL NON-EMERGENCY MOTIONS AND RESPONSIVE PLEADINGS IN THIS MATTER BY THE TIME OF THE PREHEARING CONFERENCE, EXCEPT AS MAY BE WAIVED BY THE PRESIDING OFFICER.

(t) RECORDING: A recording of the hearings shall be taken and preserved.

(u) All prior consistent orders remain in full force and effect.

A copy of this Notice of Emergency Hearing shall be served upon Licensee by certified mail addressed to the last known address supplied to the Board, and to their attorney if Licensee notifies the Board that they will be represented. A copy shall also be delivered to Hearing Counsel, Attorney John Garrigan, Chief Prosecutor, OPLC, 7 Eagle Square, Concord, N.H., 03301.

DATED: 10/31/2022

/s/ Nikolas K. Frye, Esq.

**Nikolas K. Frye, Esq., Hearings Examiner
Authorized Representative of the Board of Nursing-
New Hampshire Office of
Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301**