

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

BOARD OF NURSING

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

Docket No.: 2022-NUR-003

**ORDER OF EMERGENCY
SUSPENSION - 01/27/22**

I. CASE SUMMARY/PROCEDURAL HISTORY:

On 01/03/22, the Board of Nursing (“Board”) received a speed memorandum from the National Practitioner Databank (Nursys) alleging that Elizabeth Frost (“Licensee”) had her nursing license in Washington indefinitely suspended on 12/18/20 and had voluntarily surrendered her license in Arizona on 12/14/21, stemming in large part from an ongoing substance use history and related criminal activity. On 01/27/22, the Board held an emergency meeting during its public session pursuant to RSA 541-A:30(III), RSA 326-B:37(IV), and N.H. Code Admin. R., Title Nur 402.03(a) (“Rules”).

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.

On 01/27/22, Tracy Collins, Chair of the Board, acted as presiding officer under N.H. Code Admin. R. Nur Rule 202.01(l) and 208.01(b)(“Rules”).

II. EVIDENCE PRESENTED AND CONDUCT OF HEARING:

The Board was presented with a speed memorandum from the National Practitioner Databank (Nursys). Accompanying the speed memorandum were 1) “Findings of Fact and Conclusions of Law and Final Default Order” issued against the Licensee by the State of Washington Department of Health

Nursing Care Quality Assurance Commission on 12/18/20; 2) “Discipline Case Summary Report” from the state of Arizona relating to the Licensee dated 12/27/21; and 3) “Consent for Voluntary Surrender Order” issued against the Licensee by the Arizona State Board of Nursing dated 12/14/21. A review of the evidence presented, and the reasonable inferences taken there from, allows the Board to find as follows below.

The Licensee is actively licensed in New Hampshire as a registered nurse with license number #084140-21. Both the Arizona Discipline Case Summary Report and Consent for Voluntary Surrender Order involving the Licensee document a significant, ongoing substance use history that has led to Licensee’s involvement in criminal activity. The Licensee initially self-reported having been arrested for two felony counts of driving under the influence to the Arizona State Board of Nursing on 03/21/18. The referenced Arizona order indicates two of her children were in the car at the time, it occurred at her children’s school, and the Licensee’s blood alcohol content (according to blood testing) was .283%.

Subsequently, the Licensee entered into an agreement with the Arizona Board to participate in an alternative to discipline program, which would assist her with substance abuse. According to the Arizona Board’s Order dated 12/14/21, the Licensee violated the provisions of that agreement by failing to report arrest charges and subsequent conviction pursuant to the agreement and failing to report a relapse.

The Arizona Board’s order also reveals the Washington’s Commission suspended Licensee’s Washington license in December of 2020 when she failed to report to it her 2020 conviction. Additionally the Arizona Board’s Order dated 12/14/21 elucidates that the Licensee relapsed while participating in the New Hampshire Professional Health Program (“NHPHP”)¹ on or about 07/20/21,

¹ On or about 01/09/21 the NHPHP assumed the responsibility of monitoring for the Arizona Board.

resulting in an extension of that program for five years. The Arizona 12/14/21 Order explains that the Licensee admitted to all the findings of fact contained in it and voluntarily surrendered her license.

III. DISCUSSION AND FINDINGS OF FACTS / CONCLUSIONS OF LAW:

The Board finds there is a reasonable basis to suspend the Licensee’s New Hampshire license on an emergency basis. There are sufficient facts to prove that Licensee has engaged in serious professional misconduct, including 1) having an ongoing substance abuse issue that is to an extent or in a manner dangerous or injurious to Licensee, any other person, or the public, and/or is to an extent that it may impair the Licensee’s ability to conduct with safety to the public the practice of nursing; and 2) suffering from an illness and/or mental or physical condition that that makes the Licensee potentially unable to practice nursing with reasonable skill and safety to clients . Such conduct appears to be a violation of RSA 326-B:37(II)(l) and (p)(1). The Licensee's conduct on its face (as well as the actions taken against the Licensee’s licenses in other states because of that conduct) demonstrate the Licensee poses an imminent threat to the public health, safety, and welfare, so as to warrant immediate emergency suspension pursuant to RSA 541-A:30(III) and RSA 326-B:37(IV).

IV. CONCLUSION AND DECISION:

Pursuant to RSA 541-A:30(III) 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: 01/27/22

_____/s/ Nikolas Frye, Esq._____
Hearings Examiner
Authorized Representative of the Board of Nursing-
New Hampshire Office of
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