

**IN THE MATTER OF**  
**LISA D. KIRK**  
**LICENSE NO.: R192301**

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**BEFORE THE**  
**MARYLAND BOARD**  
**OF NURSING**

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**ORDER OF REINSTATEMENT OF REGISTERED NURSE LICENSE/**  
**ORDER OF PROBATION**

**I. PROCEDURAL BACKGROUND**

On May 23, 2018, the Maryland Board of Nursing (the “Board”) accepted the voluntary surrender of the license of Lisa D. Kirk (the “Respondent”) to practice as a registered nurse (“RN”) in the State of Maryland (License Number R192301) for a minimum of two (2) years. The voluntary surrender of the Respondent’s RN license was based on violations of the Maryland Nurse Practice Act, Md. Code Ann., Health Occ. §§ 8-101 *et seq.* (2014 Repl. Vol.), specifically the Respondent’s diversion of controlled dangerous substances from her employer.

On or about May 4, 2021, the Respondent submitted a written request to the Board seeking reinstatement of her RN license to inactive status in the State of Maryland. By order dated August 25, 2020, the Board reinstated the Respondent’s RN license to inactive status for a period of no longer than one (1) year for the limited purpose of completing the Board-approved RN refresher course.

On or about February 10, 2021, the Respondent submitted a written request to reinstate her license to practice as an RN to active status in the State of Maryland. By order dated June 22, 2021, the Board denied the Respondent’s request.

**II. CONSIDERATION OF REINSTATEMENT REQUEST**

On or about July 21, 2021, the Respondent submitted a written request to the Board seeking reinstatement of her RN license in the State of Maryland. In support of her reinstatement request,

**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

the Respondent submitted a letter requesting reinstatement, a certificate of completion of a Board-approved RN refresher course, several letters of reference, and evidence of her rehabilitation.

The Board has considered the materials submitted by the Respondent in support of her reinstatement request, the Respondent's file, and the history in this case, and concludes that the Respondent is suitable for reinstatement of her license to practice as an RN, subject to certain terms and conditions. The Board will place the Respondent's reinstated RN license on probation for a minimum of five (5) years, subject to these terms and conditions.

**III. ORDER**

Based upon the foregoing, it is hereby:

**ORDERED** that the Respondent's application for reinstatement of her license to practice as a registered nurse in the State of Maryland is **GRANTED**; and it is further

**ORDERED** that the Respondent's license to practice as a registered nurse in the State of Maryland is **REINSTATED**; and it is further

**ORDERED** that, beginning on the effective date of this Order, the license of the Respondent to practice as a registered nurse in the State of Maryland is placed on **PROBATION** for a minimum of **FIVE (5) YEARS**, subject to the following terms and conditions:

1. The Respondent's status as a registered nurse will be listed in the Board's records and on the Board's website as being on "**Probation**".
2. The Respondent shall immediately notify all employers of the probationary status of the Respondent's license and arrange for all employers to submit, in writing, confirmation that they have reviewed this Order.
3. The Respondent may seek employment as an RN, but shall obtain Board approval before accepting any new position as an RN.

**Order of Reinstatement of Registered Nurse License/Order of Probation**

4. The Respondent shall submit to the Board written **monthly** self-reports describing the Respondent's progress, even if the Respondent is not working in the nursing field. Failure to provide written self-reports on time shall constitute a violation of probation and this Order.
5. The Respondent shall arrange for the Respondent's supervisor at the Respondent's place(s) of employment to submit written **quarterly** work-site reports to the Board evaluating the Respondent's work performance and nursing practice. If the Respondent's employment terminates at any of the Respondent's place(s) of employment before the due date of a quarterly report, then a final work-site report is due on the last day of employment. It is the Respondent's responsibility to ensure that work-site reports are submitted to the Board and to notify the Respondent's supervisor when these reports are due. An unsatisfactory report will be considered a violation of probation and this Order.
6. The Respondent shall notify the Board in writing of any nursing position from which the Respondent is terminated by the Respondent's employer and/or of any nursing position from which the Respondent voluntarily resigns within **THREE (3) BUSINESS DAYS** of the date of termination/resignation. The Respondent shall include the reasons for the termination or resignation in the written notification.
7. The Respondent shall not seek employment or be employed in the following work environments in the State of Maryland: Emergency Room, Critical Care Unit, Intensive Care Unit, Operating Room, Nursing Home, Delivery Room, Neonatal Intensive Care, Palliative Care, Psychiatric Unit, School Setting, Temporary Agency, Assisted Living, Hospice, Staffing Agency, or Home Health Care.
8. The Respondent shall not work night shifts or more than forty (40) hours per week.

**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

9. The Respondent shall only work where there is a registered nurse physically present and immediately available.
10. The Respondent shall submit to random drug and alcohol testing, at any time, of urine, breath, hair, or blood **at least once a month, but not more than 40 times per year** as required by the Board and cause the results to be submitted to the Board in addition to the following additional drug-monitoring terms and conditions:
  - a. Registering with “First Source Solutions” (First Hospital Laboratories, Inc., Professional Health Monitoring) by contacting them by phone at 1-800-732-3784 or on their website at [www.firstsourcesolutions.com](http://www.firstsourcesolutions.com) **within five (5) days from the effective date of this order**. After registering, the Respondent is responsible for contacting First Source Solutions on a daily basis (Monday through Sunday) and submitting to all First Source Solutions testing requirements and policies and procedures;
  - b. The Board’s Discipline and Compliance Staff, First Source Solutions, or the Respondent’s employer may, at their discretion, require the Respondent to submit to a random drug and alcohol test at any time;
  - c. Any positive or missed test directed or ordered by First Source Solutions, the Board/ Board staff, or the Respondent’s employer(s) shall be reported to the Board and be considered a violation of the Order;
  - d. Any tampering with a test sample or other improper attempt to avoid a positive drug or alcohol test result is a violation of the Order;
  - e. The Respondent shall not consume poppy seeds, quinine water, hemp tea, cannabidiol (CBD), or other products containing substances that could trigger a false positive drug or alcohol test; and

**Order of Reinstatement of Registered Nurse License/Order of Probation**

- f. The Respondent shall remain drug and alcohol free.
11. The Respondent shall not work **in a setting or role** in which the Respondent has access, by any means, automated or key, to controlled dangerous substances (“CDS”), including any mood-altering drugs;
  12. The Respondent shall not work **in a setting or role** in which the Respondent may **dispense, access, control or administer** CDS, including mood-altering drugs;
  13. The Respondent shall attend at least 2 support group meetings per week and submit documentation, such as signed attendance slips, verifying the Respondent’s attendance at 2 meetings per week.
  14. The Respondent shall maintain a sponsor.
  15. The Respondent shall not take any CDS or mood-altering drugs unless approved by the Respondent’s healthcare provider.
  16. The Respondent shall show this Order to any healthcare provider who prescribes for the Respondent, including, but not limited to, dentists, physicians, pain management clinicians, emergency and urgent care providers, nurse practitioners, and physician assistants.
  17. If the Respondent is prescribed any medication, the Respondent shall notify the Board immediately and send a copy of the prescription or the pharmacy report to the Board within **THREE (3) BUSINESS DAYS**.
  18. If the Respondent is prescribed any CDS or mood-altering medication, the Respondent shall, in addition to immediately notifying the Board in writing, consent to have the Respondent’s prescribing provider(s) provide to the Board a medication report or pharmacy report pertaining to the condition that necessitated the prescription **within TEN (10) BUSINESS DAYS of each time** that the Respondent is prescribed any mood-altering

**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

substance or any Schedule II–V controlled substance. It is the Respondent’s responsibility to ensure that these reports are submitted timely to the Board.

19. The Respondent shall sign all necessary consent forms required to authorize disclosure and use of the Respondent’s substance use disorder treatment records, including, but not limited to, the use and disclosure of the Respondent’s substance use disorder treatment records in any subsequent Board proceeding, including, but not limited to, any final, public order issued by the Board.
20. At any time during the probationary period, the Board may, in its discretion, order the Respondent to submit to an examination by a healthcare provider designated by the Board. If so ordered, the Board shall pay for the cost of the examination. The Respondent shall sign all necessary consent forms required to authorize disclosure of the healthcare provider’s written report to the Board. Furthermore, the Respondent consents to the use and disclosure of the healthcare provider’s report, as well as any other medical, mental health, or substance use disorder treatment records, in any subsequent Board proceeding, including, but not limited to, any final, public order issued by the Board.
21. The Respondent must notify the Board of Nursing’s Compliance Unit and First Source Solutions of any and all vacation or travel plans at least two weeks prior to the date of departure.

**ORDERED** that the Respondent shall have contacted, and scheduled an appointment with, the Board of Nursing’s Discipline/Compliance Unit no later than **TEN (10) business days from the effective date of this Order** for the purpose of beginning compliance with the terms and conditions of probation imposed in this Order; and it is further

**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

**ORDERED** that, pursuant to the Nurse Licensure Compact,<sup>1</sup> the multistate status of the Respondent's RN license shall be **deactivated** during the pendency of this Order. Accordingly, the Respondent's RN license shall be designated as **single-state only**, and the Respondent shall not have a multistate licensure privilege to practice as an RN in any party state to the Nurse Licensure Compact. The multistate status of the Respondent's RN license shall not be reactivated unless and until the probation imposed by this Order is terminated; the Respondent's RN license is restored to full unencumbered and active status; and the Respondent is not otherwise disqualified from holding a multistate license at that time; and it is further

**ORDERED** that the Respondent shall disclose a copy of this Order to the nursing board of any other state where employed and submit to the Board written acknowledgement that the other board(s) has reviewed this Order; and it is further

**ORDERED** that, in the event that the Board issues to the Respondent any other type of license and/or certificate that the Board is authorized to grant, that license and/or certificate shall also be subject to the terms of this Order;

**ORDERED** that the Respondent shall obey all state and federal laws. If the Respondent is convicted of, or pleads guilty to, any crime(s), whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, the Respondent shall notify the Board, in writing, of any conviction(s) or guilty plea(s) within **TEN (10) BUSINESS DAYS** of the conviction or guilty plea. Failure to report a conviction or guilty plea to the Board in writing within **TEN (10) BUSINESS DAYS** is a violation of probation and this Order; and it is further

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<sup>1</sup> The Nurse Licensure Compact is an agreement between boards of nursing of party states to the Compact under which registered nurses and licensed practical nurses may have one "multistate" nursing license in their primary state of residence that allows them to practice in any other party state pursuant to a "multistate licensure privilege." See generally Health Occ. §§ 8-7A-01 *et seq.* Maryland is a party state to the Compact.

**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

**ORDERED** that in the event that the Respondent moves, permanently or temporarily, either within or outside of Maryland, the Respondent shall notify the Board of the new address and phone number within **THREE (3) BUSINESS DAYS** of the move; and it is further

**ORDERED** that the Respondent shall submit to an in-person, face-to-face annual meeting with Board staff throughout the entire duration of the probationary period **if** requested to do so; and it is further

**ORDERED** that the Respondent shall be responsible for paying all costs required to comply with the terms and conditions of the probation and this Order; and it is further

**ORDERED** that there shall be no early termination of the probation; and it is further

**ORDERED** that after **FIVE (5) YEARS** from the effective date of this Order have passed, the Board will consider a written petition for termination of the Respondent's probationary status, provided that the Respondent has been compliant with all of the probationary terms of this Order and safely employed as a registered nurse for at least **NINE (9) MONTHS** immediately preceding the petition for termination of probationary status; and it is further

**ORDERED** that failure to comply with any of the terms and conditions in this Order shall constitute a violation of this Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing, may impose, by further public Order of the Board, any sanction(s) authorized by Health Occ. § 8-316, including reprimand, additional probation, suspension, revocation, and/or monetary penalty; and it is further



**KIRK, Lisa D. (R192301)**

**Order of Reinstatement of Registered Nurse License/Order of Probation**

**ORDERED** that this Order of Reinstatement of Registered Nurse License/Order of Probation is a **PUBLIC RECORD** under Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

February 2, 2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document