

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	
)	FINAL ORDER
Anthony E. Baldacci, ANP)	
)	
)	
Certificate No.200850023NP)	Case No: 10-596

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Adult Nurse Practitioners, in the State of Oregon. Anthony E. Baldacci (Certificate Holder) is an Adult Nurse Practitioner in the State of Oregon.

This Matter was considered by the Board on September 15, 2010. Certificate Holder did not appear personally. The issue for the Board was whether to approve the Stipulation for Reprimand signed by Certificate Holder on July 12, 2010 and so dispense with this Matter pursuant to ORS 183.417(3).

Upon review of the Stipulation and the agency file in this Matter, the Board finds that reasonable factual and legal grounds exist to support approval of the Stipulation. It is hereby

ORDERED that the Stipulation signed by Certificate Holder on July 12, 2010 be approved and by this reference incorporated herein, and it is further

ORDERED that the Board adopt the Stipulation and that the Adult Nurse Practitioner Certificate of Anthony E. Baldacci be Reprimanded as set forth in the Stipulation.

DATED this _____ day of September, 2010.

[SIGNATURE & DATED COPY ON FILE IN BOARD OFFICE]

Patricia Markesino, RN
Board President

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	
)	STIPULATION FOR REPRIMAND
Anthony E. Baldacci, ANP)	
)	
Certificate No. 200850023NP)	Case No. 10-596

Mr. Baldacci is an Adult Nurse Practitioner (ANP) who became certified as such in Oregon on February 20, 2008. Mr. Baldacci was also granted Prescriptive and Dispensing Privileges on February 20, 2008.

Mr. Baldacci came to the Board's attention in June 2010 when a report was made alleging that Mr. Baldacci deviated from the standard of care in his practice as an Adult Nurse Practitioner. Board staff opened an investigation into the matter.

After a thorough investigation, Board staff was able to substantiate that Mr. Baldacci had prescribed medications to himself, his fiancé and his dog.

By the above actions, Mr. Baldacci is subject to discipline pursuant ORS 678.111 (1) (f); OAR 851-045-0070 (2) (i) and (10) (b); 851-056-0016 (1), (2) (c), (d), (f) and (h) which reads as set out below:

ORS 678.111 "Causes for denial, revocation, suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS 183.310 to 183.550 for a contested case:

(1) "Issuance of a license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the Board may impose or may be issued a limited license or may be reprimanded or censured by the Board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070

Nurse, regardless of role, whose behavior fails to conform to the legal standard and acceptable standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standard of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(i) Possessing, obtaining, attempting to obtain, furnish, or administering prescription or controlled drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.

(10) Conduct related to advanced practice nursing:

(b) Prescribing for or dispensing medications to one's self.

OAR 851-056-0016

(1) The Board may deny, suspend or revoke the authority to write prescriptions and/or dispense drugs for the causes identified in ORS 678.111 (1) or with proof that the authority has been abused.

(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:

(c) Prescribing, dispensing or distributing drugs to an individual who is not the clinical nurse specialists' or nurse practitioner's client unless written under Expedited Partner Therapy guidelines from the Department of Human Services or is not within the scope of practice or type of client population served.

(d) Prescribing, dispensing or distributing drugs for personal use.

(f) Prescribing, dispensing, administering or distributing drugs in an unsafe or lawful manner or without adequate instructions to the client according to acceptable and prevailing standards or practice.

(h) Failure to properly assess and document client assessment when prescribing, dispensing, administering or distributing drugs.

Mr. Baldacci acknowledges his misconduct and wishes to cooperate with the Board in resolving the present disciplinary problems.

Therefore the following will be proposed to the Board and is agreed to by Mr. Baldacci:

That the Adult Nurse Practitioner certificate of Anthony E. Baldacci be reprimanded.

Mr. Baldacci understands that the conduct resulting in the violations of law described in this Stipulation are considered by the Board to be serious and if continue, constitute a potential for danger to the public's health, safety and well being.

Mr. Baldacci understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his certificate, up to and including revocation of his nurse practitioner certificate.

Mr. Baldacci understands this Stipulation will be submitted to the Board of Nursing at their next meeting for approval and is subject to the Board's confirmation.

Mr. Baldacci understands that this Stipulation will become a public record at such time as the Board issues an Order adopting it.

Mr. Baldacci understands that by entering into the stipulated agreement, he waives the right to an administrative hearing.

Mr. Baldacci has read this Stipulation and understands it completely.

Dated this _____ day of _____, 2010

[SIGNATURE & DATED COPY ON FILE IN BOARD OFFICE]

Anthony E. Baldacci, RN, ANP

OREGON STATE BOARD OF NURSING

[SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE]

Linda Fisher-Lewis, DM, MA
Investigations Manager
Investigations Department