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Janet Napolitano
Governor

Joey Ridenour
Executive Director

Arizona State Board of Nursing

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June 14, 2004

Marlene Muller
9600 N. 96th Street #158
Scottsdale, Arizona 85258

RE: CEASE AND DESIST LETTER

Dear Marlene Muller:

The Board of Nursing has received information and documentation that you have been representing yourself as a licensed practical nurse. While employed at Scottsdale Urologic and Reproductive Specialist you have presented yourself to patients and colleagues as a "nurse". You have presented: 1) an altered LPN license; 2) business cards with your name reflecting the credentials of LPN; and 3) a resume indicating you have been employed as a nurse. You have also obtained, accepted and displayed a badge from Scottsdale Healthcare – Shea indicating that you are a "Research Nurse". There is no record at the board of nursing that validates that you have completed a program of study and/or hold a license to practice nursing in Arizona, in addition during your telephonic interview with Board staff on June 10, 2004 you confirmed that you do not hold a valid nursing license.

Pursuant to A.R.S. § 32-1666(A)(1)(3): It is unlawful for a person who is not licensed or certified under this chapter to: (1) Practice or offer to practice professional or practical nursing in this state. (3). Represent or use any title, abbreviation, letters, sign, card or device to indicate that the person or any other person is a licensed practical nurse or a certified nursing assistant.

Pursuant to A.R.S. § 32-1641: Only a person who holds a valid and current license to practice as a licensed practical nurse in this state or in a party state as defined in A.R.S. 32-1668 may use the title "nurse", "licensed practical nurse", "practical nurse" or the abbreviation "L.P.N."

Pursuant to A.R.S. § 32-1606 (A) (4) The Board may refer criminal violations of this chapter to the appropriate law enforcement agency.

Pursuant to A.R.S. § 32-1667(2): A person is guilty of a class 6 felony who: (2) Engages in any conduct prohibited in section 32-1666.

The Arizona Board of Nursing demands that you immediately cease and desist implying to the public of Arizona that you are a nurse (LPN).

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Be advised that the Board will turn your case over to the appropriate law enforcement agency and proceed with criminal action in a court of law.

If you have any questions regarding our investigation of the complaint, please contact Valerie Smith at 602-889-5206.

Sincerely,

Joey Ridenour, R.N., M.N.
Executive Director

/trb

cc:
Law Building
Office of the Attorney General
1275 W. Washington
Phoenix, AZ 85007-2926

Scottsdale Urologic and Reproductive Specialists
10250 N. 92nd St., Ste. 100
Scottsdale, AZ 85258-4508

Scottsdale Healthcare-Shea
Attn: Research Administration
9600 E. Shea Boulevard
Scottsdale Arizona 85260-6709