

BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

AMY ELIZABETH MILLER a.k.a.,
AMY ELIZABETH BROWN

Registered Nurse License No. 573078

Respondent.

Case No. 2017-407

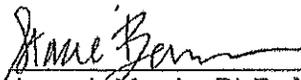
OAH No. 2017020059

DECISION AND ORDER

Pursuant to Title 16 of the California Code of Regulations, section 1403, the attached Stipulated Settlement is hereby adopted by the Board of Registered Nursing as its Decision and Order in the above-entitled matter.

This Decision shall become effective on April 18th, 2017.

IT IS SO ORDERED this 18th day of April, 2017.


for _____
Joseph Morris, PhD, MSN, RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 XAVIER BECERRA
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 GREGORY TUSS
Deputy Attorney General
4 State Bar No. 200659
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 879-1005
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2017-407
OAH No. 2017020059

12 **AMY ELIZABETH MILLER**
13 a.k.a. Amy Elizabeth Brown
1441 Foss Road
Kneeland, CA 95549

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Registered Nurse License No. 573078,
16 Respondent.

17
18 IT IS STIPULATED AND AGREED by and between the parties to the above-entitled
19 proceedings that the following matters are true:

20 **PARTIES**

21 1. Complainant Joseph L. Morris, Ph.D., M.S.N., R.N., is the Executive Officer of
22 the Board of Registered Nursing (board). He brought this action solely in his official capacity
23 and is represented in this matter by Xavier Becerra, Attorney General of the State of California,
24 and Gregory Tuss, Deputy Attorney General.

25 2. Respondent Amy Elizabeth Miller, a.k.a. Amy Elizabeth Brown, is represented in
26 this proceeding by attorney Amelia F. Burroughs, whose address is Janssen Malloy LLP, 730 5th
27 Street, Eureka, CA 95501.

28 3. On or about October 18, 2000, the board issued Registered Nurse License No.

1 573078 to respondent. This registered nurse license expired on July 31, 2012, and has not been
2 renewed.

3 **JURISDICTION**

4 4. Accusation No. 2017-407 was filed before the board and is currently pending
5 against respondent. The accusation and all other statutorily required documents were properly
6 served on respondent on December 7, 2016. Respondent timely filed her notice of defense
7 contesting the accusation. A copy of Accusation No. 2017-407 is attached as exhibit 1 and
8 incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 2017-407. Respondent also has carefully read, fully
12 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
13 Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the accusation; the right to confront and cross-examine
16 the witnesses against her; the right to present evidence and to testify on her own behalf; the right
17 to the issuance of subpoenas to compel the attendance of witnesses and the production of
18 documents; the right to reconsideration and court review of an adverse decision; and all other
19 rights accorded by the California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 **CULPABILITY**

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 2017-407, agrees that cause exists for discipline, and surrenders her Registered Nurse
25 License No. 573078 for the board's formal acceptance.

26 9. Respondent understands that by signing this stipulation she enables the board to
27 issue an order accepting the surrender of her registered nurse license without further process.

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CONTINGENCY

10. This stipulation shall be subject to approval by the board. Respondent understands and agrees that counsel for complainant and the staff of the board may communicate directly with the board regarding this stipulation and surrender, without notice to or participation by respondent or her counsel. By signing the stipulation, respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the board considers and acts upon it. If the board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect except for this paragraph, it shall be inadmissible in any legal action between the parties, and the board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that portable document format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS ORDERED that Registered Nurse License No. 573078, issued to respondent Amy Elizabeth Miller, a.k.a. Amy Elizabeth Brown, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of respondent's registered nurse license and the acceptance of the surrendered license by the board shall constitute the imposition of discipline against respondent. This stipulation constitutes a record of the discipline and shall become a part of respondent's

1 license history with the Board of Registered Nursing.

2 2. Respondent shall lose all rights and privileges as a registered nurse in California as
3 of the effective date of the board's Decision and Order.

4 3. Respondent shall cause to be delivered to the board her pocket license and, if one
5 as issued, her wall certificate on or before the effective date of the Decision and Order.

6 4. If respondent ever files an application for licensure or a petition for reinstatement
7 in the State of California, the board shall treat it as a petition for reinstatement. Respondent must
8 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
9 effect at the time the petition is filed, and all of the charges and allegations contained in
10 Accusation No. 2017-407 shall be deemed to be true, correct and admitted by respondent when
11 the board determines whether to grant or deny the petition.

12 5. If and when respondent's license is reinstated, she shall pay to the board costs
13 associated with its investigation and enforcement under Business and Professions Code section
14 125.3 in the amount of \$4,920.00. Respondent shall be permitted to pay these costs in a payment
15 plan approved by the board. Nothing in this provision shall be construed to prohibit the board
16 from reducing the amount of cost recovery upon reinstatement of the license.

17 6. If respondent should ever apply or reapply for a new license or certification, or
18 petition for reinstatement of a license, by any other health care licensing agency in the State of
19 California, all of the charges and allegations contained in Accusation, No. 2017-407 shall be
20 deemed to be true, correct, and admitted by respondent for the purpose of any statement of issues
21 or any other proceeding seeking to deny or restrict licensure.

22 7. Respondent shall not apply for licensure or petition for reinstatement for two (2)
23 years from the effective date of the board's Decision and Order.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Amelia F. Burroughs. I understand the stipulation and the effect it will have on my registered nurse license. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

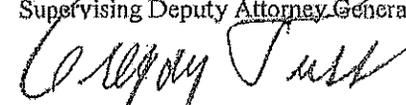
DATED: 4-7-2017 
AMY ELIZABETH MILLER
a.k.a. Amy Elizabeth Brown
Respondent

I have read and fully discussed with respondent Amy Elizabeth Miller, a.k.a. Amy Elizabeth Brown, the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 04.07.17 
AMELIA F. BURROUGHS
Attorney for Respondent

ENDORSEMENT

This Stipulated Surrender of License and Order is respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: Respectfully submitted,
XAVIER BECERRA
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General

GREGORY TUSS
Deputy Attorney General
Attorneys for Complainant

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Exhibit 1

Accusation No. 2017-407

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
Senior Assistant Attorney General
3 DIANN SOKOLOFF
Supervising Deputy Attorney General
4 State Bar No. 161082
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2212
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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2017-407

13 **AMY ELIZABETH MILLER, a.k.a. AMY**
14 **ELIZABETH BROWN**
15 1441 Foss Road
Kneeland, CA 95549

ACCUSATION

16 Registered Nurse License No. 573078

17 Respondent.

18
19 Complainant alleges:

20 PARTIES

21 1. Joseph L. Morris, PhD, MSN, RN (Complainant) brings this Accusation solely in his
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about October 18, 2000, the Board of Registered Nursing issued Registered
25 Nurse License Number 573078 to Amy Elizabeth Miller, also known as Amy Elizabeth Brown
26 ("Respondent"). The Registered Nurse License expired on July 31, 2012, and has not been
27 renewed.

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1 County Jail and booked for cultivation and possession of marijuana. (Health & Safety §§ 11358
2 & 11359.)

3 FIRST CAUSE FOR DISCIPLINE

4 (Unprofessional Conduct)
(Bus. & Prof. Code, §§ 2761, subd. (a))

5 10. Respondent has subjected her registered nurse license to discipline in that she
6 engaged in unprofessional conduct. (Bus. & Prof. Code, §§ 2761, subd. (a)). The circumstances
7 are set forth in paragraph 9 and its subparts, above.

8 SECOND CAUSE FOR DISCIPLINE

9 (Unprofessional Conduct – Possession of a Controlled Substance)
10 (Bus. & Prof. Code, §§ 2762, subd. (a))

11 11. Respondent has subjected her registered nurse license to discipline in that she was
12 arrested for possession of a controlled substance. (Bus. & Prof. Code, §§ 2762, subd. (a)). The
13 circumstances are set forth in paragraph 9 and its subparts, above.

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
16 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 573078, issued to Amy
18 Elizabeth Miller, also known as Amy Elizabeth Brown;

19 2. Ordering Amy Elizabeth Miller, also known as Amy Elizabeth Brown to pay the
20 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
21 case, pursuant to Business and Professions Code section 125.3;

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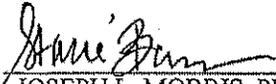
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3. Taking such other and further action as deemed necessary and proper.

DATED: December 07, 2016

for 
JOSEPH L. MORRIS, PHD, MSN, RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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