

Disciplinary Sanction for No Fault Voluntary Surrender

Voluntary Surrender is a disciplinary sanction and is defined as a situation in which the licensee or certificate holder gives up the license or certificate in lieu of going through the process of revocation or suspension. Many licensees and certificate holders view voluntary surrender as a proactive action on their part and more palatable than having the sanction of revocation or suspension on their record.

There are circumstances in which a licensee or certificate holder wishes to surrender the license or certificate due to a medical condition and concern about ability to safely practice or wishes to discontinue practicing at the level of licensure/certificate held and does not wish to wait until the license/certificate expires. Requests for surrender of licensure in these circumstances frequently come to the attention of the Board when there has been no complaint about practice or conduct and concerns about ability to safely practice due to a medical condition have not been raised by the employer. In these cases, there are no violations of the Board's statute or rules cited in the stipulation. From that standpoint, it makes sense to distinguish these surrenders as No Fault Voluntary Surrender of license/certificate.

Under the following circumstances, a licensee or certificate holder may enter into a stipulated agreement for No Fault Voluntary Surrender of the license or certificate:

- There has not been a complaint about practice or conduct that is being investigated by the Board.
- There have been no concerns raised regarding ability to safely practice due to a medical condition.
- The licensee or certificate holder initiates contact with the Board requesting voluntary surrender of the license or certificate.
- The licensee or certificate holder has a current, unencumbered license/certificate.

The disciplinary sanctions of No Fault Voluntary Surrender will not be published in the Board's newsletter (*Sentinel*). They must, however, be reported to the Healthcare Integrity and Protection Data Bank and, in the case of licensees, to NURSYS.

Adopted: November 21, 2002